

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

REVIEW OF PREMISES LICENCE APPLICATION – MARISQUERIA, 62 CROMWELL ROAD, PETERBOROUGH, PE1 2EG

16 SEPTEMBER 2013

We have considered the representations concerning the Licensing Objective of :

- The Prevention of Public Nuisance

In our deliberations we considered the various options available, these being:

- To modify the conditions of the premises licence;
- To exclude a licensable activity from the scope of the licence;
- To remove the designated premises supervisor from the licence;
- To suspend the licence for a period not exceeding three months, or; and
- To revoke the licence.

The decision of this Licensing Act 2003 Sub-Committee is therefore to:

1. To remove from the Premises licence permanently:
 - Live music;
 - Recorded Music;
 - Facility for making music;
 - Dancing; and
 - Provision of facilities for making music and dance.
2. Remove the Designated Premises Supervisor;
3. All licensable activities to cease at 21.30 hours, seven days a week; and
4. Premises to close at 22:00 hours seven days a week, which means 30 minutes for customers to finish their meals and vacate the premises.

The reasons for the Committees decision include:

We have heard from the Licensing Officer, the Pollution Control Officer and the Police that despite repeated attempts to advise and assist the Designated Premises Supervisor in adhering to the conditions of the license that there has been a regrettable history of disregard for those conditions and no willingness demonstrated to make amends for the future.

We have also heard from those whom have lodged representations about the continuing noise nuisance late at night despite requests for this to cease. We note that the terms of the temporary event notice of 12 and 13 July 2013 were breached.

We have also heard information relating to noise nuisance and low level anti social behaviour immediately outside the premises which we believe is directly associated with the licensing activities and the opening hours.

It is clear on the information supplied to us today, that these premises are poorly managed and there is little hope of this improving in the near future.

We believe that these changes in terms and conditions of the licence are appropriate and necessary in order to promote the licensable objective of prevention of public nuisance.

We are disappointed that the premises licence holder did not attend today to personally address the concerns of the responsible authorities, the licensing authority and the local residents.

Any person party to this hearing may appeal this decision at the Magistrates' Court within 21 days of this decision.

Dated.....2013

Signed.....(Councillor Thacker)

Sub-Committee Chairman