

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

APPLICATION OF THE PREMISES LICENCE – TEMPTATION TASTE OF PORTUGAL LIMITED, 309 LINCOLN ROAD, PETERBOROUGH PE1 2PH

10 JANUARY 2018

This Decision Notice refers to the application of the premises licence Temptation Taste Of Portugal Limited, 309 Lincoln Road, Peterborough PE1 2PH.

The Sub-Committee considered the representations made in writing in objection of the application by:

- Councillor Ferris;
- Cambridgeshire Constabulary; and
- MANERP.

The Sub-Committee considered the information put before it and took into account the following facts:

- The application was In 'Op Can-do' area which was subject to a special 'cumulative impact policy';
- 'Off Sales' of alcohol would lead to an increase in anti-social behaviour in the vicinity; and
- There were no representations in support of the application.

The Sub-Committee considered the mediated conditions to the original application submitted by the applicant in that:

- The provision of 'off sales' from the scope of the application had been withdrawn and would be changed to 'on sales' only;
- The applicant had agreed to end all licensable activities at the premises at 2:00am, Monday to Sunday; and

- The applicant had agreed to conditions, attached at appendix 1 of this decision notice, to be placed on the licence in lieu of those initially offered on the application.

The Sub-Committee therefore **GRANT** the licence for the premises, known as Temptation Taste Of Portugal Limited, 309 Lincoln Road, Peterborough PE1 2PH.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days of receiving this formal notice at:

Peterborough Court House, Bridge Street, Peterborough, PE1 1ED. Tel No. 0845 3100575. There is a fee to pay.

Councillor Hiller

Sub-Committee Chairman

APPENDIX 1

MEDIATED CONDITIONS

Prevention of Crime

1. The Premises License Holder and/or Designated premises supervisor will maintain an 'Incident report register' in a bound book, in which full details of all incidents are recorded, and all staff have access to. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to a Police Officer or an authorized Officer when requested. The records should be retained for a minimum of 12 months.
2. The premises licence holder will ensure that a digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document www.informationcommissioner.gov.uk regarding installation of CCTV is provided at the premises.
3. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of a least 2 hours afterwards.
4. A digital CCTV system shall cover all areas of the premises to which the public have access including any outside areas; and shall be retained for a minimum of 31 days; and should be produced to a Police Officer or authorised officer immediately upon request.
5. The CCTV system shall be capable of downloading images to a recognizable viewable format and will offer an unrestricted identifiable facial image of each person that enters the property in all light conditions.
6. At all times the premises are open for business a member of staff shall be present who is capable of operating the digital CCTV system and downloading images at the request of a Police Officer or authorised officer.
7. If the CCTV equipment (including any mobile units in use at the premises) breaks down the premises licence holder or the designated premises supervisor shall ensure that they verbally inform both the Police & Licensing Authority as

soon as is reasonably practicable. This information should be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Police and Licensing Authority shall be informed when faults are rectified.

8. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
9. Written staff training records will be documented and updated on at least a 6 monthly basis, or where there is a change of staff. These training records will be produced to a Police Officer or authorised officer on demand.
10. Food and non-intoxicating beverages, including drinking water, shall be available at the premises where alcohol is sold or supplied for consumption on the premises.

Public Nuisance

11. The premise license holder shall not participate or encourage flyposting of events or the venue and any leaflet distribution shall be managed in such a way as to prevent litter.
12. The holder of the premises licence shall ensure that noise caused by persons using, arriving at or departing from the premises shall not cause nuisance or unreasonable disturbance to the occupiers of residential properties.
13. Prominent, clear notices shall be displayed at all exits requesting customers and staff to respect the needs of local residents and leave the premises and the area quietly.
14. The holder of the premises license shall ensure that no music or amplified speech originating from the premises shall be audible inside any residential property at any time.
15. All external doors and windows must be kept closed, other than for access and egress.
16. Disposal of waste bottles into external receptacles where noise will be audible to neighbouring properties must not occur between 23:00 and 07:00 hours.

17. The premises license holder will ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Public Safety

18. A fire risk assessment required under the Regulatory Reform (Fire Safety) Order 2005 (as amended) will be completed and be available for inspection by an authorized officer.
19. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
20. Valid public liability insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.

Protection of children from harm

21. The 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises and signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative.
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23. Any person selling or supplying alcoholic drink must do so under the authority of a personal licence holder and must ask for a photo ID proof of age where they have reason to believe that the individual may be less than 25 years of age.
24. A refusal log will be accurately maintained on every refusal made in relation to the attempted purchase of alcohol by a juvenile or intoxicated person.