

APPENDIX C

NOTIFICATION OF DECISION OF LICENSING SUB-COMMITTEE

APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE UNDER SECTION 53(A) OF THE LICENSING ACT 2003

- Date of Review:** 2 July 2010
- Premises:** Shalimar Gardens, 34 New Road, Peterborough, PE1 1FJ
- Applicants:** Cambridgeshire Constabulary (Northern Division)
- Decision:** The sale of alcohol only to be ancillary to the sale of a substantial meal.
Additional conditions attached to the licence as detailed in the schedule.
Licensable activities only to take place between the hours of 11.00 hrs and 02.00 hrs.
The premises to close by 02.30 hrs.

OUTLINE OF FINDINGS OF FACT

1. The Sub-Committee considered representations made by the police contained within the application and certificate in support of summary review. These representations detailed incidents which took place between 7 February 2010 and 27 June 2010.
2. The Sub-Committee contacted by telephone the Police Licensing Officer, PC Maddox, and asked whether there had been any further incidents reported after 27 June 2010, there had not been. Also, the Committee asked how many of the agreed further steps had been implemented by the licensee. The police were aware that a number of steps had been complied with but were unable to confirm if all steps had been complied with.

3. The Sub-Committee attempted to contact Mr Tariq Shaheen to confirm how many steps had been complied with but for some reason the Committee was unable to contact Mr Shaheen on the numbers given.
4. The Sub-Committee were satisfied that they had sufficient information to make a decision.

CONSIDERATIONS BY THE SUB-COMMITTEE

5. The Sub-Committee considered:
 - The licensing objectives of public safety, the prevention of crime and disorder, and the prevention of public nuisance
 - The Government Guidance on Expedited/Summary Reviews
 - The Council's own Statement of Licensing Policy
 - The Human Rights Act
 - The interim steps available
 - The senior officer's certificate
 - The chief officer's representations
6. The Sub-Committee considered it necessary for the promotion of the three licensing objectives as listed above, that the hours of operation for licensable activities should be curtailed and that further conditions should be attached to the licence.

REPRESENTATIONS BY THE PREMISES LICENCE HOLDER UNDER SECTION 53(B)(6) OF THE ACT

7. The premises licence holder is entitled to make representations on the interim steps taken. If representations are made, the licensing authority must hold a hearing within 48 hours of receipt (excluding non-working days). At the hearing the licensing authority must consider if the interim

steps taken are necessary for the promotion of the licensing objectives
and determine whether to withdraw or modify the steps taken.

Colin Miles

2 July 2010

On behalf of the Solicitor to the Council

SCHEDULE

ADDITIONAL CONDITIONS ATTACHED TO THE PREMISES LICENCE

1. That all bar staff are aware of their responsibilities under the Licensing Act 2003 and training on the Act to be evidenced in writing.
2. Security door staff to be employed during the hours of 23.00 hrs and closing time when licensable activities take place.
3. City Link to be in place and operational during licensable activities.
4. Challenge 21 posters to be displayed within the premises.
5. A refusals register to be kept and available for inspection by the police and authorised officers of the local authority.
6. The Travel Lodge located near the premises has a direct telephone number to the premises in order to speak with the DPS or premises licence holder in case of noise nuisance

The above conditions to be in place and operational by 11.00 hrs, on 9 July 2010 apart from the requirement for security door staff which will take effect on Saturday 3rd Jul 2010.

The change in operating hours for licensable activities are to have effect on Saturday 3rd July 2010 at 11.00hrs.