

NOTICE OF MEETING

MEETING	LICENSING ACT 2003 COMMITTEE
DATE:	FRIDAY 21 NOVEMBER 2008
TIME:	9.30 am
VENUE:	COUNCIL CHAMBER - TOWN HALL
CONTACT:	Alex Daynes <i>Telephone: 01733 452447</i> <i>e-mail address alexander.daynes@peterborough.gov.uk</i>

AGENDA

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| 1. | Apologies | |
| 2. | Declarations of Interest | |
| 3. | Review of Licence - Cross Keys | 1 - 58 |



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Alex Daynes on 01733 452447.

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DRAFT LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 3
21st November 2008		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Licensing Regulatory Officer	Tel: 01733 453502 Tel. 01733 453561

APPLICATION:	Review of Premises Licence
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PREMISES:	Cross Keys 279 Oundle Road, Peterborough, PE2 9QS
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REFERENCE NUMBER:	MAU 052239
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GLOSSARY OF TERMS:	Attached at Appendix 1 on Page 4
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1. PURPOSE OF REPORT

1.1 To consider and determine an application for a review of a Premises Licence under Section 51 of the Licensing Act 2003 for the above premises, taking into account the representation made by Peterborough City Council Pollution Control Team in their capacity as a Responsible Authority. The review was bought under the Public Nuisance objective.

2. BACKGROUND INFORMATION

2.1 On the 9th November 2005 a premises licence was issued by Peterborough City Council to Kelly Taverns Ltd after an application to convert a Justices Licence under the Licensing Act 2003 was granted. The licence issued gave the premises authorisation to sell alcohol and for regulated entertainment, including live and recorded music.

2.2 Since the licence issue date there has been six (6) designated premises supervisor changes at the premises. The premises licence holder remains as Kelly Taverns Ltd and the current designated premises supervisor is Mr Mark Johnson.

2.3 The current premises licence, together with the current licence conditions are attached at **Appendix 2** on **Page 7**.

3. APPLICATION

3.1 In accordance with section 51 of the Licensing Act 2003 following the submission of an application to review the premises licence from Peterborough City Council Pollution Control Team, a Responsible Authority, the licensing authority must hold a hearing.

- 3.2 A copy of the application to review, which was received at these offices on 26th September 2008 is attached at **Appendix 3 on Page 34.**
- 3.3 A copy of the 'Notice' that was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 is attached at **Appendix 4 on Page 54.**
- 3.4 No other representations have been received from any of the remaining Responsible Authorities nor any interested parties.

4. RESPONSIBLE AUTHORITY

LICENSING OBJECTIVE:	REPRESENTATIVE:
Public Nuisance	<p>Responsible Authority:</p> <p>Peterborough City Council Pollution Control Team</p> <p>- As per the application for review attached at Appendix 3 Page 34.</p> <p><i>To comply with the Data Protection Act all letters have been distributed to Committee Members and the applicant, but are not for public circulation.</i></p>

4.1 Summary of issues raised by Peterborough City Council Pollution Control Team

Noise complaints have been ongoing since May 2008.

Continued noise complaints necessitated in noise monitoring by the Noise Pollution Team taking place. This monitoring consisted of both recordings and Officers attending both the complainant's property and the licensed premises.

Officers witnessed excessive noise levels and deemed the noise to be a statutory nuisance. A noise abatement notice under the Environmental Protection Act 1990 was subsequently served on the premises.

Further noise complaints were received and a decision to review the premises licence was taken.

5. MEDIATION

- 5.1 Mediation was not carried out due to previous mediation regarding noise issues at the premises with Kelly Taverns Ltd not being successful. It was further felt that, because of the nature of the Pollution Team's recommendation regarding removal of live music authorisation and no proposals from the premises licence holder as to how the noise concerns could be alleviated, mediation could not be achieved.

6. POLICY & GUIDANCE IMPLICATIONS

- 6.1 The following sections/paragraphs are applicable to this application:

6.2 Council's Statement of Licensing Policy

- Objectives: *Section 4 Page 8*
- Other legislation: *Section 10 on Page 14*

- Fundamental Principles, *section 6 on Page 9*
- Reviews, *section 15 on Page 18*
- Delegation / Decision Making : *Section 16 Page 18 & 19*

6.3 **Guidance Issued under Section 182 of the Licensing Act 2003**

- *Reviews Section 11 of the Guidance*
- *Powers of a licensing authority on the determination of a review: para 11.15 to 11.21 Page 83 and 84*
- *Public Nuisance Section 2.32 of the Guidance*
- *Annex D (Pools of conditions) Part 4 of the Guidance.*

7. **LEGAL OFFICER'S COMMENTS**

7.1 The Licensing Authority (hereafter referred to as "the Council") is charged with implementing the provisions of the Licensing Act 2003. This is an application for a review of a premises licence following the application by Noise Pollution Team (Responsible Authority) to review the premises licence made under section 51 of the Licensing Act 2003.

7.2 In this case, the application was received at these offices on 26th September 2008.

7.3 The application before this committee will consider –

- (i) The application to review the licence,
- (ii) Any relevant representations

7.4 The committee will take such of the steps as it considers that action is necessary for the promotion of the licensing objectives. The steps are –

- (a) to modify the conditions of the premises licence
- (b) to exclude a licensable activity from the scope of the licence
- (c) to remove the designated premises supervisor from the licence
- (d) to suspend the licence for a period not exceeding three months, or
- (e) to revoke the licence

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

7.5 In addition the guidance issued under section 182 of the Licensing Act 2003 states:

'The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. But, where responsible authorities, like the police or environmental health officers, have already issued warnings requiring improvements – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

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LICENSING ACT 2003 GLOSSARY OF TERMS

Note: In this document, the following definitions are included to provide an explanation of certain terms included in the Act. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

'Child'

(a) means an individual aged under 16

(b) a child is unaccompanied if he is not in the company of an individual aged 18 years or over

DCMS: Department for Culture Media and Sport

'Designated Premises Supervisor' means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

'Interested parties':

- a person living in the vicinity of the premises in question;
- a body representing persons living in that vicinity, e.g. a residents association;
- a person involved in a business in the vicinity of the premises in question;
- a body representing persons involved in such a business e.g. a trade association.

'Late Night Refreshment' means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

'Licensable Activities' means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

'Licensing Authority': - is the licensing function of Peterborough City Council

'Licensed Premises' includes club premises and events unless the context otherwise requires.

'Licensing Objectives'

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

'Operating Schedule' means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

'Rateable Value': as regards a premises, is the value for the time being in force for the premises entered in the local non-domestic rating list for the purposes of Part III of the Local Government Finance Act 1988(b).

'Regulated Entertainment' (Schedule 1 of the Act) means: -

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance

Or entertainment of a similar description falling within the last three of the categories listed above, where the entertainment takes place in the presence of and for the purposes of entertaining that audience or spectators.

Or the provision of entertainment facilities:

Facilities for enabling persons to take part in entertainment of the following description for the purpose or purposes, which include the purpose of being entertained:

- making music
- dancing
- entertainment of a similar description

'Relevant Licensing Authority': is the Authority in the area the premises are situated.

'Responsible Authority' means any of the following: -

- Cambridgeshire Constabulary (The Chief Officer of Police)
- Cambridgeshire Fire and Rescue (The Fire Authority)
- Health and Safety Team, Peterborough City Council
- Planning authority, Peterborough City Council
- Trading Standards, Peterborough City Council
- Environmental Health – Pollution, Peterborough City Council
- Children's Services – Child Protection & Review Manager
- Maritime & Coastguard Agency, Walton on Naze. (For vessels carrying more than 12 passengers.)
- Environment Agency, Peterborough (For vessels carrying 12 or less passengers).

'Supply of alcohol':

- the sale by retail of alcohol, or
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

'Temporary Event Notice' means a Permitted Temporary Activity involving one or more Licensable Activities subject to the following various conditions and limitations: -

- Duration – they are limited to events lasting for up to 96 hours;
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 15 days irrespective of the number of occasions on which they have been used; and

- The number of notices given by an individual within a given period of time – a Personal Licence Holder is limited to 50 notices in one year, and another person to 5 notices in a similar period.

(In any other circumstances, a full Premises Licence or Club Premises Certificate will be required for the period of the event).

‘the Act’: means the Licensing Act 2003

‘Vicinity’: Given the normal everyday meaning of being ‘near to’ when considering the relevance of representations received from individual’s residence or business.

Licensing Act 2003\glossary of terms 13 March 2007

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PART A**Premises Licence**

Peterborough City Council, Environmental Services,
Bridge House, Town Bridge, Peterborough, PE1 1HU

Premises Licence Number

052239

Part 1 - Premises Details**Postal address of premises, or if none, ordnance survey map reference or description**

Cross Keys
279 Oundle Road

Post Town Peterborough**Post Code** PE2 9QS**Telephone Number** 01733 565103**Where the licence is time limited the dates**

Start Date N/A

End Date N/A

Licensable activities authorised by the licence**Provision of regulated entertainment****Films**

The exhibition will take place indoors

Indoor Sporting Events**Live Music**

The live music will take place indoors

Recorded Music

The recorded music will take place indoors

Performances of Dance

The performance of dance will take place indoors

Anything of a similar description to that of live music, recorded music or performances of dance

The entertainment will take place indoors

Provision of entertainment facilities**Making Music**

The activity will take place indoors

Dancing

The activity will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place indoors

Sale by retail of alcohol

The supply of alcohol will be for consumption both on and off the premises.

The times the licence authorises the carrying out of licensable activities

Films

Monday to Sunday

Between 10.00hrs and 01.30hrs

Non-standard timings

Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Indoor Sporting Events

Monday to Sunday

Between 10.00hrs and 01.30hrs

Non-standard timings

Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Live Music

Monday to Sunday

Between 10.00hrs and 24.00hrs

Recorded Music

Monday to Sunday

Between 10.00hrs and 01.00hrs

Performances of Dance

Monday to Sunday

Between 10.00hrs and 01.30hrs

Non-standard timings

Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Anything of a similar description to that of live music, recorded music or performances of dance

Monday to Sunday

Between 10.00hrs and 01.00hrs

Making Music

Monday to Sunday

Between 10.00hrs and 01.30hrs

Dancing

Monday to Sunday
Non-standard timings

Between 10.00hrs and 01.30hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Provision of late night refreshment

Monday to Sunday
Non-standard timings

Between 23.00hrs and 01.30hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to end at any time up to 02.30

Sale by Retail of Alcohol

Monday to Sunday
Non-standard timings

Between 10.00hrs and 01.00hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

06.00 New Years Eve - 01.30 2nd January

The opening hours of the premises

Monday to Sunday
Non-standard timings

Between 10.00hrs and 01.30hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

The supply of alcohol will be for consumption both on and off the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Kelly Taverns Ltd
152 Stephenson Way
Corby
Northants
NN17 1DE
01536 204660

Registered number of holder, for example company number, charity number (where applicable)

Ltd Company 4083787

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Mark Johnson
29 Oldfield Avenue
Elm
Wisbech
PE14 0AL

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number	0550
Issuing Authority	Fenland District Council

Annex 1 - Mandatory conditions

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

Exhibition of films

This registration authorises the exhibition of films subject to the following conditions:

1. I will not exhibit any film unless –
 - (a) it has received a "U", "PG", "12", "12A", "15" or "18" certificate from the British Board of Film Classification; or
 - (b) it is a current newsreel which has not been submitted to the British Board of Film Classification.

2. Where films are classified by the film classification body, (British Board of Film Classification) I will make sure that children (persons under 18) are only admitted in accordance with the classification of the film:

U – Universal – suitable for audiences aged 4 years and over;
PG – Parental Guidance – some scenes may be unsuitable for young children;
12 – viewing by persons aged 12 years and over;
12A – viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;
15 – viewing by persons aged 15 years and over;
18 – viewing by persons aged 18 years and over.

3. Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of the classification.

Supply of alcohol (Premises Licence)

This registration authorises the supply of alcohol subject to the following conditions:

4. No supply of alcohol may be made at a time when
 - (a) there is no designated premises supervisor in respect of the premises licence, or
 - (b) when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

5. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervision (where supervisors are engaged this condition applies)

6. All door supervisors will be Security Industry Authority registered.

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

7. Security Personnel

Where a holder of the premises licence employs security personnel to carry out a security activity, each such individual must be licensed by the Security Industry Authority (SIA)

8. Person in Charge

The Holder of the Premises Licence, or responsible person over the age of 18 years nominated by them in writing, shall be in charge of and remain at the Licensed Premises during the whole time the premises are open to the public. The person in charge shall not be engaged in any duties that will prevent them from exercising general supervision of the premises. They shall be responsible for maintaining good rule and order within the premises under this licence, taking charge of emergency situations and the summoning of emergency services.

9. Conduct on Premises

No conduct or behaviour which is obscene, indecent, offensive, disgusting or shocking or of demoralising character or which in any way offends against recognised standards or propriety or is injurious to the public shall take place on the Licensed Premises.

10. Powers of Entry

An 'Authorised Person' representing the Licensing Authority or any of the Responsible Authorities whether in uniform or not shall upon production of written identification have free access to any place in respect of which a premise licence or club premise certificate is in force at all reasonable times and shall be permitted by the holder of the premises licence upon request, to examine any books or records required to be kept by the holder of the premises licence and to examine and test any furniture, equipment, fittings and the like.

11. Permitted Hours

The Licensed Premises shall not be kept or used for music or dancing or other entertainment of a like kind, except between the hours specified in the attached Operating Schedule.

Public Safety

12. The capacity of the building shall be no more than 250 persons, including staff and performers

13. S1V Duty to Keep and Produce Licence

The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or in control of;

a) the holder of the licence; or

b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection.

14. Duty to Keep and Produce Licence

The holder of the premise licence must secure that;

- a) the summary of the licence or a certified copy of that summary; and
- b) a notice specifying the position held at the premise by any person nominated for this purpose are prominently displayed at the premises.

15. Access to Telephone

There shall be installed on the Licensed Premises a telephone or clear notice to staff indicating the nearest telephone for calling the emergency services. Instructions for calling the emergency services must be posted at each telephone in the Licensed Premises.

16. Log Book

A logbook shall be provided in which shall be kept accurate records of tests required in these conditions, visits by 'authorised persons' and incidents as required in these conditions. The logbook shall be produced to an 'authorised person' for inspection on request.

17. Numbers Admitted to Licensed Premises

The holder of the premises licence must ensure that the permitted numbers for the Licensed Premises, which are detailed in the attached schedule, are not exceeded at any time.

18. Numbers Admitted to Licensed Premises

An appropriate method of ensuring the permitted numbers are not exceeded must be implemented at all times.

19. Boxing Tournament

Boxing tournaments and the like shall only be staged after adequate consultation with the Licensing Authority and Fire Authority and approval of the seating and exit arrangement. A plan showing the proposed arrangements must be made available to the Licensing Authority at least one month before the proposed function.

20. Hypnotism

Under the provisions of the Hypnotism Act 1952 the following Conditions are in force in respect of this licence:-

No exhibition, demonstration or performance of hypnotism shall be given by any person at the Licensed Premises except with the prior consent in writing of the Licensing Authority and in accordance with the conditions attached to any such consent;

Application for such consent shall be made in writing to the Licensing Authority at least 28 days before the proposed exhibitions is to be given and the notice of application shall contain a detailed description of the exhibition.

21. S64 Staff/Stewards

Stewards shall be provided as follows:-

Premises where the audience is seated:-

<u>Number of Persons Present</u>	<u>Number of Stewards Required</u>
Up to and including 250	1
251 to 500	2
501 to 750	3
751 to 1000	4

and thereafter on the basis of 1 steward per 250 persons

22. Staff/Stewards

Premises where the audience is not seated:-

Upto and including 100	1
101 to 200	2
201 to 300	4
301to 400	4

and thereafter on the basis of 1 steward per 100 persons.

23. Staff/Stewards

The holder of the premises licence shall be responsible for ensuring that staff & stewards are fit to undertake the duties allocated.

24. Staff/Stewards

All staff & stewards shall wear uniforms, badges, sashes or arm bands so as to be clearly identifiable to members of the public using the premises. Staff/stewards should also ensure that no overcrowding occurs in any part of the premises, that gangways and exits are kept clear at all times, to prevent standing on seats or furniture and to be aware of any special requirements needed to ensure the safe evacuation of the audience/patrons.

25. Staff/Stewards

All staff/stewards shall be given instructions with regard to the method and use of the fire extinguishers used on the premises, the positions of emergency switches and the methods of entrance and exit by both normal and emergency exits. Dates and times of instruction shall be recorded in the log book.

26. Staff/Stewards

The Licensing Authority reserves the right to increase the number of stewards required, when in its opinion, a particular event, or audience necessitates additional stewarding.

27. Emergency Exits

Exit doors as specified by the Fire Authority shall open outwards and shall be fitted with a fastening only of a pattern and in a position approved by the Fire Authority on behalf of the Licensing Authority.

28. Emergency Exits

The Licensed Premises shall be provided with sufficient exits to enable the whole of the audience to be cleared from the building within a reasonable time. The number of such exits approved by the Fire Authority shall not be less than those stated in the attached Schedule and they shall be available and unobstructed at all times during the operation of the licence.

29. Emergency Exits

All stairs and steps comprising parts of the means of escape in case of emergency evacuation shall be maintained with non slippery and even surfaces.

30. Emergency Exits

Any chain or padlock used for securing an exit door when the Licensed Premises are not occupied shall be removed from the door before the members of the public are admitted to the Licensed Premises, and shall be placed on a hook in the position approved by the Fire Authority not accessible to the public.

31. Emergency Exit Signs

The premises shall be provided with Emergency Exit signs as specified by the Fire Authority. They shall be sited in a position not less than 2.06m (6ft. 9ins) from the floor (measured to the base of the sign) wherever possible.

Signs must conform with the Health and Safety (Safety Signs and Signals) Regulations 1996.

Signs which have a pictogram conforming to BS5499: Part 1 1990 and are directionally correct, are deemed to satisfy. Where the directional arrow is to the left or right the "running person" must be running in the direction of the arrow. NB TEXT ONLY SIGNS DO NOT COMPLY.

The signs shall be coloured white on a green background, be not less than 100mm (4ins) in height and of proportionate width and shall be illuminated, at all times the premises are occupied, by:-

- (i) Mains electricity; or
- (ii) Emergency lighting supply; or
- (iii) Luminous signs acceptable to the Responsible Authority.

32. Emergency Exit Signs

Where emergency exit signs are illuminated by mains electricity, the emergency lighting supply must be capable of illuminating them on the failure of the local circuit or mains supply in accordance with BS5266 Part 1 1988.

33. Emergency Exit Signs

Where externally illuminated signs are provided, they must be illuminated by an external approved source of emergency lighting.

34. Fire Fighting Equipment

The number of extinguishing appliances stated in the attached Operating Schedule shall be provided and in good working order.

35. Fire Fighting Equipment

Satisfactory arrangements for the annual maintenance of fire extinguishing appliances shall be made by a competent person and a test certificate obtained and be available for inspection by the Responsible Authority and the Licensing Authority in accordance with BS5306 Part 3.

36. Fire Fighting Equipment

All fire evacuations, checks, tests and defects, together with details of remedial action shall be recorded in the premises logbook.

37. Fire Alarms

A certificate in the form prescribed for the purpose by the 16th Edition of the Institution of Electrical Engineers Regulations for Electrical Installations (the IEE Wiring Regulations) (B.S. 7671:1992) or in respect of the Fire Detection and Alarm System periodic testing certificate for the Licensed Premises, shall be produced by the holder of the premises licence to the Licensing Authority annually. The certificate must be completed and signed by a competent electrical contractor who is approved by the National Inspection Council for Electrical Installation Contracting or a member of the Electrical Contractors Association.

When a fire alarm system becomes defective, the holder of the premises licence shall notify the Responsible Authority immediately and shall take immediate steps to repair the system.

38. Combustible or Flammable Materials

A certificate of Flammability is required by the Responsible Authority and the Licensing Authority for all the items listed below to show their conformity to the British Standard Regulations as described in the Home Office Guide to fire precautions in existing places of entertainment or like premises regarding fire testing: All scenery, wings, sky borders, cloths, draperies, gauze, artificial floral decorations, properties, hanging curtains and other materials of a like kind or other easily combustible materials or furnishings and as specified by the Fire Authority, whether on the stage in the auditorium, or in other parts of the Licensed Premises, shall be rendered and maintained non-flammable, with the exception of softwood 25mm (1inch) or over in thickness.

39. Combustible or Flammable Materials

Any inspection carried out by an 'authorised officer' of the Fire Service or the Licensing Authority shall include the right to test the scenery and other items referred to ensure that this condition is being complied with.

40. Electrical Certificates

A certificate in the form prescribed for the purpose by the 16th Edition of the Institution of Electrical Engineers Regulations for Electrical Installations (the IEE Wiring Regulations) (B.S. 7671:1992) in respect of the permanent electrical installation in the Licensed Premises, signed by a competent electrical contractor certifying that the permanent electrical installation requires no remedial works or other action, to ensure or determine its safety, shall be available for inspection on demand, by an 'authorised person' of the Licensing Authority or a Responsible Authority, for a period for which the premises are licensed. This certificate shall be forwarded by the holder of the premises licence to the Licensing Authority every 2 years or more frequently as specified on the current certificate referred to, or by the Licensing Authority. The certificate must be completed and signed by a competent electrical contractor who is approved by the National Inspection Council for Electrical Installation Contracting or a member of the Electrical Contractors Association. Where remedial works or other action is recommended by the competent electrical contractor is brought to the notice of the Licensing Authority, these shall be carried out within a period of time specified by the Licensing Authority.

41. Earth Leakage Protection

Electrical circuits serving all areas licensed for public entertainment, i.e. accessible to the public, shall, in addition to the normally required circuit protection, be equipped with sensitive earth leakage protection (residual current operated device) as part of the fixed wiring installation of the premises. The device shall be designed to operate if the earth leakage current exceeds 0.03A and shall have a maximum operating time of 40 milliseconds when tested at 150mA and 200 milliseconds when tested at 30mA (in accordance with BS4293). Residual current devices shall be tested at least monthly using the test button on the system and the result of such tests must be recorded in the log book. If the device does not switch off the supply, use of the socket outlet should be prohibited until the defect has been rectified by a competent electrical contractor.

42. Non Permanent Electrical Installations

A non-permanent electrical installation which is proposed for any particular function shall comply with the current edition of the Institution of Electrical Engineers Regulations for Electrical Installations (the IEE Wiring Regulations) and for that purpose, the licence holder shall provide the Licensing Authority with a certificate in respect of the non-permanent electrical installation in the form approved by the Institution of Electrical Engineers (BS 7671:1992), not later than 48 hours in advance of the date on which it is to be used, unless it is agreed by the Licensing Authority that the responsible persons may retain the certificate for production on demand by the Licensing Authority. The Certificate must be completed and signed by a competent electrical contractor who is registered with the National Inspection Council for Electrical Installation Contracting or a member of the Electrical Contractors Association.

43. Non Permanent Electrical Installations

All such non-permanent installations which have been so approved shall be disconnected from the permanent installation immediately after each occasion on which the installations are used and shall be entirely removed immediately the need for such has ceased.

44. Non Permanent Electrical Installations

Non-permanent wiring shall be carried out using tough rubber sheathed cables or with conductors providing the similar degree of protection.

45. Non Permanent Electrical Installations

No non-permanent electrical installation shall be wired so as not to obstruct any exit, passageway, or walkway provided for means of escape or routed or positioned so as to present a tripping hazard.

46. Guarding Heating Appliances

All electric fires, stoves and open fireplaces in the premises shall be provided with adequate protective guards.

47. Guarding Heating Appliances

Gas control taps should be out of reach of unauthorised persons.

48. Gas Appliances

Any gas appliances in the premises are required to have been serviced in the last 12 months and a certificate to this effect, including details of what the service entailed, signed by a CORGI registered gas engineer and must be available for inspection on the premises when requested.

49. LPG Appliances

Liquefied petroleum gas (L.P.G.) appliances shall not be installed or used in the premises except with the prior consent of the Fire Authority.

50. LPG Appliances

No portable L.P.G. heaters are allowed.

51. Special Effects

No special effects equipment shall be used in the premises under the terms of the licence, unless prior written consent is given by the Licensing Authority. This includes the use of firearms, weapons other firearms, strobe lights, equipment that uses a heat source to produce effects, i.e. real flame, smoking, smoke capsules, pyrotechnics, and generators; lasers and holographs.

52. Special Effects

Applications for consent to use such special effects shall be made by the holder of the premises licence in writing to the Licensing Authority at least seven days before the first performance of the entertainment and shall give full details of its proposed use, together with the date and time of any rehearsal.

53. Floor Coverings

Mats or other floor coverings shall be so secured that they are not in any way liable to rucking, or to be a source of danger to the public, and no drapings shall trail on the floor. New floor coverings must comply with BS5287 and BS4790.

54. Lighting

Emergency lighting shall be capable of providing sufficient illumination for the public to leave safely and should be capable of maintaining the required level of illumination for at least two hours.

All switches controlling the emergency lighting shall have marked immediately below them "EMERGENCY LIGHTING ONLY".

In the event of the failure of emergency lighting systems, all members of the public shall be required to leave and shall not be re-admitted until the emergency lighting is restored.

55. Lighting

All emergency lighting shall be maintained in effective working order whilst public entertainment is taking place.

56. Lighting

Emergency lighting shall be tested at least once in every six month period and a visual check carried out immediately prior to each event. A record of this shall be kept in the log book. Suitable remedial action must be taken to remedy defects found and this shall be recorded in the log book.

57. Lighting

The main lighting throughout the premises shall be by electricity and the lighting points shall be fixed in places approved by the Licensing Authority on the advice of the Responsible Authority.

58. Lighting Regulations

A certificate in the form prescribed for the purpose by the 16th Edition of the Institution of Electrical Engineers Regulations for Electrical Installations (the IEE Wiring Regulations) (B.S. 7671:1992) in respect of the Emergency Lighting Periodic Inspection and Testing Certificate electrical installation for the Licensed Premises, shall be produced by the holder of the premises licence to the Licensing Authority annually. The certificate must be completed and signed by a competent electrical contractor who is approved by the National Inspection Council for Electrical Installation Contracting or a member of the Electrical Contractors Association.

59. First Aid

First aid facilities shall be suitable and sufficient for the type of use of the Licensed Premises in accordance with the Health and Safety (First Aid) Regulations 1981.

First Aid

Where majority attending are spectators

First Aid Staff

- i) One up to 250 and two up to 1000 spectators
- ii) the first aid staff can be either from recognised uniformed St Johns Ambulance or British Red Cross Society organisations or civilians holding an Health & Safety Executive certificate and wear an identifiable arm band.

Facilities

A designated room should be available and signposted accordingly where events are taking place. The room should be furnished with a minimum of a couch, chair and first aid box.

60. S1F First Aid

Where a significant proportion of attendees are participating

First Aid Staff

- i) Where the first aiders are also responsible for the participants, the rates should be 2 for 250 and 4 for 500.

Facilities

- ii) At least one first aid room with adequate heating, lighting and ventilation, suitable staffed to be provided. In addition to a telephone connection to an external line, provision should be made for hot, cold and drinking water over a sink or basin. Adequate blankets, pillows, stretchers, buckets, bowls, trolleys and screens to be provided.

61. Provision for People with Disabilities

On those occasions where people with disabilities are present on the Licensed Premises such special arrangements as may be necessary in the circumstances shall be made so as to enable all persons to leave the premises safely in the event of fire.

62. Gangways and Seating

At all times during which premises under licence are used when the audience is seated gangways not less than 1.05m (3ft 6ins) wide shall be provided leading to the exit doors, and gangways not less than 1.05m (3ft 6ins) wide shall be provided intersecting the rows of seats in such manner that no seat shall be more than 3.6 m (12 ft) from a gangway measured in the line of seating.

63. Gangways and Seating

Between the rows of seating there shall be a space of not less than 305mm (12ins) measured from the back of any seat to the front of the seat immediately behind.

64. Gangways and Seating

All chairs arranged in rows (concert style) shall be battened together in units of not less than fours and not more than twelve.

65. Gangways and Seating

No persons other than the holder of the premises licence, his employees or authorised persons shall be allowed to remain in any passage, gangway or staircase during any performance.

66. Gangways and Seating

Every gangway, passage or staircase shall, at all times, be kept entirely free from chairs or any other obstruction, including such chairs as are permitted for the personal use of the attendants.

67. Alterations to Premises

Alterations or additions to the structure, of the Licensed Premises whether permanent or temporary, shall not be made without prior approval of the Licensing Authority.

68. Alterations to Premises

Plans of any proposed alterations or additions to the Licensed Premises shall be deposited with the Licensing Authority at least 28 days prior to the application for approval. Without prejudice to the aforementioned, it will be necessary, to show that all necessary approvals have been obtained under Planning and Building Regulations Legislation.

69. Alterations to Premises

All building components, installations or structures such as walls, floors, stairs, stages and the like, whether permanent or temporary, must be capable of withstanding all loads and pressures to which they are likely to be subjected and be fit for their intended purpose.

70. Structural Stability and Temporary Structures

The structural elements of the Licensed Premises e.g. floors, walls, roof, stairways and balustrade shall be of adequate strength and serviceability having due regard to the loadings imposed under all appropriate working conditions.

71. Structural Stability and Temporary Structures

Temporary structures such as stands, gantries, marquees or other portable buildings to be used for regulated entertainment must not be erected without prior approval of the Responsible Authority. Any temporary structure or installation that may be permitted shall be carried out in accordance with the Licensing Authority's requirements and shall be maintained to the Licensing Authority's satisfaction throughout the period of use.

72. Structural Stability and Temporary Structures

Not less than twenty eight days notice, in writing, shall be given of any intention to erect any temporary structures to the Licensing Authority. Plans and structural calculations shall also be provided to enable 'authorised persons' of the Responsible Authority and Licensing Authority to check for compliance with structural safety requirements. Furthermore, opportunity must be given to the Responsible Authority and Licensing Authority to inspect and examine such temporary installations prior to being brought into use, for the purpose of regulated entertainment.

73. Provision of Sanitary Accommodation

Sanitary accommodation must be provided with permanent and independent ventilation to the external air. Where mechanical ventilation is provided it shall provide a minimum of three air changes per hour and be linked to the lighting system in such a manner as to allow an over-run of at least ten minutes.

74. Provision of Sanitary Accommodation

All internal sanitary accommodation must be entered through properly constructed lobbies which must be provided with means of permanent and independent ventilation to the external air. All doors to lobbies must be tight fitting and self-closing. All accommodation must be adequately screened to ensure privacy.

75. Provision of Sanitary Accommodation

Required means of artificial lighting must be provided and maintained.

76. Provision of Sanitary Accommodation

No charge shall be made for the use of toilet and washing facilities.

77. Provision of Sanitary Accommodation

The premises shall be provided with male and female sanitary facilities at least to the appropriate minimum requirements for the type of premises as stated in British Standard 6465: Part 1 1994.

The walls, floors and ceilings of the sanitary accommodation must be finished in smooth impervious materials and maintained in clean condition.

78. Provision of Sanitary Accommodation

The sanitary accommodation should be internal but where this is found to be impracticable, access should be by a suitable covered passageway.

79. Provision of Sanitary Accommodation

Adequate provision should be made in female accommodation for the disposal of sanitary dressings.

80. Provision of Sanitary Accommodation

Wash hand basins must be provided with hot and cold water or hot water at a suitably controlled temperature, soap and suitable and sufficient hand drying facilities.

81. Provision of Sanitary Accommodation

Sanitary accommodation shall be provided for the entertainers and or staff that shall be separate from the accommodation described at S2K, S2L and S2M to comply with the Workplace (Health, Safety and Welfare) Regulations 1992.

82. Provision of Sanitary Accommodation

The entrance door to every toilet or block of toilets shall be clearly labelled to indicate the sex for which they are provided.

83. Air Extraction and smoke filters shall be installed and extended into any new premise areas.

84. Emergency Exits and Access for Emergency Vehicles

The number of emergency exits and access for emergency vehicles maintained at this site should not be less than;

3 x Single Leaf Doors

Emergency exits must be kept unobstructed and unlocked at all times when the premises are in use for public entertainments.

85. Fire Fighting Equipment

The following extinguishing appliances shall be provided and maintained in good working order:

3 x 9 Litre Water Extinguishers
2 x 2kg Carbon Dioxide Extinguishers

Public Nuisance

86. Noise Control

The holder of the premises licence or responsible person shall ensure that no noise shall emanate from the Licensed Premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance or unreasonable disturbance to the occupiers of premises in the vicinity of the Licensed Premises.

87. Noise Control

Requests made by the Licensing Authority shall be complied with as soon as practicable. In addition any restriction specified in the Operating Schedule to the licence the holder of the premises licence shall implement regarding control to be exercised over music or responsible person at all times when the premises are open to the public.

88. Noise Control

The holder of the premises licence or responsible person nominated by them in writing, shall take all reasonable steps to prevent and control noise nuisance caused by persons using the Licensed Premises and also ensure patrons and visitors arrive at and depart from the premises in a manner which will not cause annoyance to nearby occupants.

89. Noise Control

If instructed by the Licensing Authority a “noise limiting device” shall be used on all specified equipment including juke boxes in or about the Licensed Premises.

90. No live music or speakers for recorded music will be provided in the garden at any time.
91. Use of the garden for any purpose will end at or before 23.00 on any day
92. All windows and doors will be kept closed after 23.00, except as required for access and egress.
93. Notices will be placed at the exits asking patrons and staff to leave quietly, and staff will be instructed to avoid making any avoidable noise when leaving at the end of trading hours.
94. Notices at the doors to the garden will ask customers to have regard to the nearby residents by enjoying the use of the garden sensibly.
95. If, in the opinion of the local authority, there is unacceptable noise disturbance attributable to functions held within the premises, a microphone activated, volume regulatory device (noise limiter) shall be installed within 42 days. The device shall be connected to all permanent music equipment and all available AC mains power sockets, within the area around a stage, within a performance area or near to a control desk.
96. The noise limiter shall be set in accordance with the requirements of the local authority. Subsequent to the installation of the noise limiter, the local authority may review and adjust the settings at any time.

Protection of Children from Harm

97. Photographic proof of age shall be required of anyone seeking to purchase alcohol who appears to be under 20 years of age

Annex 2A – Embedded Restrictions

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

PART B

Premises licence summary

Peterborough City Council, Licensing Section,
 Bridge House, Town Bridge, Peterborough, PE1 1HU

Premises Licence Number

052239

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Cross Keys
 279 Oundle Road

Post Town Peterborough

Post Code PE2 9QS

Telephone Number 01733 565103

Where the licence is time limited the dates

Start Date N/A
 End Date N/A

Licensable activities authorised by the licence

Provision of regulated entertainment

Films

The exhibition will take place indoors

Indoor Sporting Events

Live Music

The live music will take place indoors

Recorded Music

The recorded music will take place indoors

Performances of Dance

The performance of dance will take place indoors

Anything of a similar description to that of live music, recorded music or performances of dance

The entertainment will take place indoors

Provision of entertainment facilities

Making Music

The activity will take place indoors

Dancing

The activity will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place indoors

Sale by retail of alcohol

The supply of alcohol will be for consumption both on and off the premises.

The times the licence authorises the carrying out of licensable activities

Films

Monday to Sunday Between 10.00hrs and 01.30hrs

Non-standard timings Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Indoor Sporting Events

Monday to Sunday Between 10.00hrs and 01.30hrs

Non-standard timings Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Live Music

Monday to Sunday Between 10.00hrs and 24.00hrs

Recorded Music

Monday to Sunday Between 10.00hrs and 01.00hrs

Performances of Dance

Monday to Sunday Between 10.00hrs and 01.30hrs

Non-standard timings Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Anything of a similar description to that of live music, recorded music or performances of dance

Monday to Sunday Between 10.00hrs and 01.00hrs

Making Music

Monday to Sunday Between 10.00hrs and 01.30hrs

Dancing

Monday to Sunday
Non-standard timings

Between 10.00hrs and 01.30hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Provision of late night refreshment

Monday to Sunday
Non-standard timings

Between 23.00hrs and 01.30hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to end at any time up to 02.30

Sale by Retail of Alcohol

Monday to Sunday
Non-standard timings

Between 10.00hrs and 01.00hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

06.00 New Years Eve - 01.30 2nd January

The opening hours of the premises

Monday to Sunday
Non-standard timings

Between 10.00hrs and 01.30hrs
Not less than 10 working days written notice will be provided to the Police when Event days are planned. The Police may, within 5 working days of the notification, object to the Event if they reasonably believe it will be prejudicial to Crime and Disorder, and the Event will not take place.

When opening hours are extended on Bank Holidays and "Event Days", these hours follow the opening hours to commence at any time from 06.00 and to end at any time up to 02.30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

The supply of alcohol will be for consumption both on and off the premises.

Name, (registered) address of holder of premises licence

Kelly Taverns Ltd
152 Stephenson Way
Corby
Northants
NN17 1DE

Registered number of holder, for example company number, charity number (where applicable)

Ltd Company

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Mark Johnson

State whether access to the premises by children is restricted or prohibited

Restricted

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LC1

PETERBOROUGH



CITY COUNCIL

Environmental Services

Peterborough City Council, Licensing Section, Bridge House,
Town Bridge, Peterborough, PE1 1HU

**Application for the review of a premises licence or club premises
certificate under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases
ensure that your answers are inside the boxes and written in black ink. Use additional sheets if
necessary.

You may wish to keep a copy of the completed form for your records.

**I Laura Bradley apply for the review of a premises licence under section
51 / ~~apply for the review of a club premises certificate under section 87~~
of the Licensing Act 2003 for the premises described in Part 1 below
(delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description The Cross Keys 279 Oundle Road Woodston	
Post town Peterborough	Post code (if known) PE2 9QS
Name of premises licence holder or club holding club premises certificate (if known) Kelly Tayerns Ltd	
Number of premises licence or club premises certificate (if known) 052239	

Part 2 - Applicant details

Please tick yes

I am

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) IF YOU ARE AN INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title

First name

Last name

How long you have lived at

Please tick yes

Current address

Post Town

Postcode

Daytime contact telephone number

Mobile telephone number (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Laura Bradley Community Protection Officer Bridge House Town Bridge Peterborough PE1 1HU
Telephone number (if any) 01733 453535
E-mail (optional) laura.bradley@peterborough.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note1)

The Pollution Control team are requesting a review of the licence for The Cross Keys Public House under the grounds for preventing a public nuisance.

The Pollution Control Team has been investigating the premise under the Environmental Protection Act 1990 for allegations that a noise nuisance exists at a residential property on Oundle Road.

The investigation has provided evidence that a statutory nuisance exists and has the likelihood to reoccur, this conclusion has been established through the collection of witness statements, sound monitoring and direct observations by officers of the Pollution Team.

Monitoring resulted in nuisance levels of noise being witnessed, with music from the premises being observed as clearly audible within nearby residential premises. It was considered that the noise levels, time of events, duration, frequency and locality of the premises would result in noise both before and after 23:00 being observed to be a statutory nuisance in that the levels would represent a substantial interference to reasonable comfort of residents.

Subsequent to monitoring a noise abatement notice has been served under the Environmental Protection Act 1990 on 30 July 2008.

Mediation has been attempted with the various managers and the licence holder since May 2008, although noise complaints are continuing to be received and officers have continued to witness breaches of the noise abatement notice.

I therefore inform that due to the continuing nuisance that The Cross Keys Public House is in breach of condition 86 and 88 of the current licence

86. The holder of the premises licence or responsible person shall ensure that no noise shall emanate from the Licensed Premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance or unreasonable disturbance to the occupiers of premises in the vicinity of the Licensed Premises.

88. The holder of the premises licence or responsible person nominated by them in writing, shall take all reasonable steps to prevent and control noise nuisance caused by persons using the Licensed Premises and also ensure patrons and visitors arrive at and depart from the premises in a manner which will not cause annoyance to nearby occupants.

Due to the continued breach of the Noise Abatement Notice and non-compliance of licence conditions it is therefore recommended that, since the activity can not be controlled through the use of conditions, that live music is removed from the licence and recorded music is restricted.

Please provide as much information as possible to support the application (please read guidance note 2)

Actions that have been undertaken have been identified in chronological order below

12 May 2008

Call received by the Licensing Team regarding noise from music on Friday and Saturday nights

12 May 2008

Licensing Officer visited the premise and discuss the noise complaint with the DPS Gemma Worth. It was identified that doors and windows had been kept open; it was advised that they should remain closed and that there should be no noise pollution.

23 May 2008

Complainant contacted Laura Bradley, advised that the music was audible after midnight and occurred every Friday and Saturday night

27 May 2008

Noise complaint received of noise from microphone audible

10 June 2008

A Licensing Officer and Police Officer visited DPS Gemma Worth, DPS informed of further complaint of noise

2 July 2008

Andrew McEwan – New DPS

4 July 2008

Further noise complaint received, music now occurring on Thursdays, Fridays and Saturdays

4 July 2008

Laura Bradley contacted Cross Keys, discussed further complaint with new DPS Andrew McEwan, DPS did not think noise was a problem, DPS was informed monitoring would take place.

11 July 2008

Letters hand delivered to Andrew McEwan stating further complaints received and monitoring would be undertaken

11 July 2008

Monitoring equipment installed in complainants bedroom from 11 July 2008 to

15 July 2008. 7 recordings between 21:28 and 22:51 on 11 July 2008 and 13 recordings between 21:14 on 12/7/08 and 1:10am on 13/7/08, music is clearly audible in complainant's bedroom.

17 July 2008

Laura Bradley was on call for Thursday night noise, no entertainment was on

18 July 2008

Laura Bradley and Chris Guiney-Walsh organised to visit Andrew McEwan, explained that monitoring had been undertaken and noise levels were unacceptable. Discussed keeping doors and windows closed during live music, using side door for patrons to exit after 23:00 and for patrons to smoke in smoking area to the rear of the car park. It was explained if noise persisted a licensing review would be considered.

18 July 2008

Out of hours complaints received at 21:17, 23:12 and 23:14

25 July 2008

Chris Guiney-Walsh and Amanda O'Toole (nee Stafford) conducted an out of hours appointment between 21:00 and 22:00, excessive noise levels were witnessed in the complainants home and garden. Noise levels were discussed with the DPS Andrew McEwan who claimed he did not think they were a problem - the noise persisted. Officers deemed the noise levels to be a statutory nuisance.

30 July 2008

A noise abatement notice under the Environmental Protection Act 1990 was served on the premises.

6 August 2008

Meeting to mediate taking the licence into review was organised and was attended by the licence holder Wilma Wallace, Licensing Officer Darren Dolby, Police Officer Ifor Maddox, Community Protection Officers Laura Bradley and Chris Guiney-Walsh. It was agreed that Wilma Wallace will remove Andrew McEwan and cancel bands for a few weeks to calm the situation.

18 August 2008

Complainant contacted licensing officer explaining that doors and windows were still being kept open and that they were still being disturbed by noise issues.

22 August 2008

Licensing Officer Teresa Martin and Police Officer Katy Softly visited new DPS Mark Johnson; made him aware of noise complaints and explained licensing conditions.

26 August 2008

The complainant contacted Laura Bradley with a further noise complaint regarding loud music for the last two Friday nights, with audible music up to Midnight, the premise had door and windows open.

12 September 2008

Further complaint received

19 September 2008

Further complaint received via out of hours officer at 21:41pm

19 September 2008

Officers Laura Bradley and Amanda O'Toole made an out of hours visit between 22:30 and 23:20; music was clearly audible beyond the residents properties, patrons congregated outside the front of the PH shouting and singing. The external lobby door was propped open and patrons were holding the internal lobby door. Noise levels were unacceptable.

As the noise has continued and persistent mediation has proved unsuccessful in resolving it this department seeks a review of the licence to ensure local residents are not subjected to further occurrences of statutory nuisance.

Recommendations

- To remove live music from the licence and restrict recorded music.

- To vary condition 87. to:

Requests made by a responsible authority shall be complied with as soon as practicable. In addition to any restriction specified in the Operating Schedule to the licence the holder of the premises licence shall implement requests regarding control to be exercised over music at all times when the premises are open to the public.

- To vary condition 92. to:

All external doors and windows including both lobby doors must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.

- To remove condition 91 to allow use of the garden to prevent congregation outside the front of the premises and to designate a smoking area.

- To include the following conditions

Noise Limits

Between 9:00 and 23:00. The $L_{Aeq,5min}$ level measured 1 metre outside a window to a habitable room, with entertainment taking place, shall be no more than 3dB higher than the representative $L_{Aeq,5min}$ level measured from the same position, under the same conditions and during a comparable period with no entertainment taking place.

Noise Limits

Between 9:00 and 23:00. The $L_{eq,5min}$ level in the 63Hz and 125Hz octave bands measured 1 metre outside a window to a habitable room, with entertainment taking place, shall be no more than 3dB higher than the representative $L_{eq,5min}$ level in the 63Hz and 125Hz octave bands measured

from the same position, under the same conditions and during a comparable period with no entertainment taking place.

Noise Limits

Note: The above noise limits are to be regarded as maximum allowable levels, and should not be used as the sole determining factor for the appropriate setting of noise levels or of a noise limiter.

Noise Control Measures

Prominent, clear notices shall be displayed at all exits and in the beer garden requesting customers to use the smoking area provided.

Noise Control Measures

The designated premises supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events.

Noise Control Measures

Noise assessments shall be undertaken at least once an hour during each event involving amplified music and also following receipt of a noise complaint.

Noise Control Measures

Noise monitoring results and complaints received shall be recorded and retained, including any actions taken in response to complaints and monitoring.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature UR Bradley
 Date 26/9/08
 Capacity Community Protection Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

WITNESS STATEMENT

(Criminal Procedure Rules 2005, r 27.1(1);
Criminal Justice Act 1967, s.9; Magistrates Courts Act 1980, ss.5A(3)(a) and 5B; Magistrates Court Rules 1981, r.70)

Statement of: Mrs Amanda O'Toole

Age: over 18

Occupation: Community Protection Officer

This statement (consisting of two page signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Dated the 22 day of October 2008

Signature  Date 22/10/08

My Name is Amanda O'Toole and I am a Community Protection Officer in the Community Protection Section at Peterborough City Council. The Community Protection Team, have amongst their responsibilities, to investigate allegations of noise nuisance from local residents.

On Friday 25 July 2008 at 21.30 I arrived at [redacted] Oundle Road, our complainants' home, with my colleague, Chris Guiney-Walsh to witness allegations of noise nuisance from the Cross Keys Pub at 279 Oundle Road Peterborough. This was a pre-arranged appointment time due to reports from our complainant that noise on Friday and Saturday evenings was a persistent problem.

On arrival I noticed that the pub windows to the far right of the front door were open and music was clearly audible outside [redacted] Oundle Road.

Signature:  Signature Witnessed by: 22/10/08

Peterborough City Council is registered under the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the council will be processed in compliance with the eight principles of the Act. Further information relating to your rights under the Data Protection Act can be sent to you on request.

WITNESS STATEMENT

(Criminal Procedure Rules 2005, r 27.1(1);
Criminal Justice Act 1967, s.9; Magistrates Courts Act 1980, ss.5A(3)(a) and 5B; Magistrates Court Rules 1981, r.70)

Continuation of Statement of

Page No 2 of 2

Inside the complainants' living room, at the front of the house and [REDACTED] the Cross Keys Pub, the noise was very loud; lyrics could clearly be heard along with drum beat and cymbals crashing. Noise was also clearly audible in the kitchen and dining room at the back of the property and was louder still in the back garden of the property, especially at the far back of the approx 120ft garden. I had witnessed statutory nuisance which I considered to be interfering with the life of the complainants in their own home.

At 21.45 the volume seemed to increase further.

On leaving the property at 21.55 we crossed to the other side of the road where the Cross Keys Pub is and saw that the pub windows were open along with two doors – the sound lobby and exit doors.

Spoke to the landlord, advised that statutory nuisance had been witnessed and that an abatement notice would be served the following week.

Signature:



Signature Witnessed by:

22/10/08

Peterborough
City Council

**STATEMENT OF WITNESS
C.J.A. Statement**

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

STATEMENT OF: Christine Guiney-Walsh

Age of Witness: Over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

Occupation of Witness: Community Protection Officer

This statement, consisting ofpages each signed by me, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the Forth.....day of November.....2008

Signed.....

My Name is Christine Guiney-Walsh and I am a Community Protection Officer (CPO) within the Directorate of Environment, Transport and Engineering at Peterborough City Council. One of the duties that I am required to undertake as a CPO is the investigation of alleged noise nuisance, from domestic and commercial premises. If a Statutory Nuisance is established during an investigation due to noise disturbance, under the Environmental Protection Act 2006 service of and abatement notice on the perpetrator or person responsible for the nuisance is required by this act.

On the evening of Friday 25 July 2008 I was on duty by appointment to witness the alleged recurring noise nuisance being caused to residents by loud music emanating from the Cross Keys Public House, 279 Oundle Road, Woodston, Peterborough, PE2 9QS on Friday and Saturday nights. I arrived at the Budgens car park at approximately 21.30 hrs, where I met my colleague Amanda O'Toole (nee Stafford on this date). Amanda and my self walked from the car park and onto Oundle Road where we waited

Signed.....

to cross the road. The music noise from the live band in the Cross Keys was loud at the corner of sugar way and Oundle Road. We then crossed the road and stood out side of residential property [REDACTED] Oundle Road where the music was witnessed to be excessively loud, I noticed that the pubs windows and doors were open. We then went into the complainants home and sat in the front room which [REDACTED] the Cross keys. The window in the front room was open for ventilation as it was a warm evening. The music noise level heard in the front room was severely loud with lyrics, drums and cymbals bashing away. We then went through the kitchen to the back of the house, where the music was still audible and excessively loud within the rooms. We then went to the bottom of the complainants garden, which we were advised was approximately 120 ft long. The music noise level at the bottom of the garden was so loud it was comparable to standing on the Embankment at Peterborough during a live concert. The distance from the front of the Cross Keys to the bottom of this garden has been calculated using the electronic 'Hawkeye' interactive mapping, it is approximately 77 meters. Amanda and my self then left the complainants home and crossed the road in the direction of the pub in order to ascertain exactly which windows and doors were open. I noted that all four windows at the side of the pub were open, the two windows at the front right hand side of the pub were open and the front and inner doors of the front entrance to the pub were also propped open. At this point the landlord and his female companion recognised us and came over to speak to us. We were stood at the entrance to the pub and the music was so loud we could not hear each other speak so the female suggested we go to the car park at the side of the pub in order that we could have a conversation. I advised the land lord that we had witnessed a statutory nuisance and that he would be served with a noise abatement notice on my return to work the following week. I asked the land lord if

.....
 signed.....

Signed.....

he was in control of the music noise level, he replied that the band were in control. I then asked him to turn the level of music down, and he sent his female companion to do this. Amanda and my self left very shortly after this, at approximately 22.00 hrs, as we were beginning to attract unwelcome attention from the customers.

Signed.....

Telephone: 01733 453520
Facsimile: 01733 453547
E-Mail: chris.guiney-walsh@peterborough.gov.uk
Please ask for: Chris Guiney-Walsh
Our Ref: EH/475546
Your Ref:

Mr A R McEwan
The Cross Keys
279 Oundle Road
Woodston
Peterborough
PE2 9QS

Bridge House
Town Bridge
Peterborough
PE1 1HU
DX 12310 Peterborough 1
Telephone: (01733) 747474
Minicom: (01733) 452421

30 Julv 2008

Dear Sir

Re: Investigation of Further Complaints of Alleged Noise Nuisance from Amplified Music and Speech
279 Oundle Road Woodston Peterborough PE2 9QS
Environmental Protection Act 1990
Noise Act 1990(Section 10)

I refer to the above investigation by this department.

You are advised that this department is satisfied of the existence of a noise nuisance at your neighbour's home and your music is the source of this nuisance. This department is satisfied due to the collection of witness statements and log sheets.

I duly enclose an Abatement Notice served upon you as the person responsible for the nuisance under the terms of Section 80 of the above legislation.

Please note that the enclosed Notice asks you to comply within 5 minutes of the service of the Notice.

You should now take all practicable steps to prevent your music being the source of a noise nuisance to local residents. You are advised that advice on how to comply with this notice includes keeping doors and windows closed whilst amplified music is playing, monitoring the external vicinity of the premises to ensure excessive music noise does not cause a nuisance and ensuring that the music noise level is inaudible at the façade of neighbouring residential properties.

The complainants have been advised how to contact investigating officers out of office hours and monitoring of your property will take place if further complaints are received.

Any witnessed breach of the enclosed Notice may result in the equipment thought to be the source of the nuisance being seized and a possible prosecution could take place in the Peterborough Magistrates' Court.

Fines of up to £5,000 can be expected on summary conviction.

(cont'd)

Head of Environmental & Public Protection Services: Mike Brown

Wilma Wallace of Kelly Taverns has been sent a copy of this letter for their records, and you are advised that the Pollution Control Team are considering taking the premise Licence for the cross Keys Public house to review before the Licensing Committee.

It is therefore hoped that you do comply with the enclosed Notice and that no further action is necessary with regards to this investigation.

Should you wish to discuss this matter further please do not hesitate to contact this department on the above telephone number.

Yours faithfully



Chris Guiney-Walsh
Pollution Control Officer

Enc
Copy of Public Nuisance section of premise licence

Ref: 001328
ENVIRONMENTAL PROTECTION ACT 1990, Section 80
Abatement Notice in respect of Statutory Nuisance

TO: The Cross Keys

Of: 279 Oundle Road Woodston Peterborough PE2 9QS

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the **PETERBOROUGH CITY COUNCIL** being satisfied of the existence of a statutory nuisance under section 79(1) of that Act at the premises known as:

279 Oundle Road Woodston Peterborough PE2 9QS

[within the district of the said Council] arising from:

Alleged noise nuisance from loud music and amplified voices

HEREBY REQUIRE YOU, as the person responsible for the nuisance, within 5 minutes from the service of this notice, to ABATE the nuisance and also PROHIBIT the recurrence of the same.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

This is a notice to which paragraph (2) or regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

DATED: 30/7/08

(SIGNED): 

Chris Guiney-Walsh
Pollution Control Officer

(The officer appointed for this purpose)

Environmental Health Department
Peterborough City Council
Bridge House, Town Bridge,
Peterborough, PE1 1HU

NB - The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the form. See notes attached.

** Currently £5000, subject to alteration by Order.

This Statutory Nuisance (Appeals Regulations 1995 provides as follows:-

APPEALS UNDER SECTION 80(3) of the ENVIRONMENTAL PROTECTION ACT 1990 ("THE 1990 ACT")

- 2.-(1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
- (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment).
- (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
- (d) that the time, or where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose
- (e) where the nuisance to which the notice relates -
- (i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade, or business premises, or
- (ii) is a nuisance falling within section 79(1)(b) of the 1990 Act and smoke is emitted from a chimney, or
- (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,
- that the best practical means were used to prevent, or to counteract the effects of the nuisance;
- (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates of -
- (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or
- (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
- (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
- (g) that, in the case of a nuisance under section 79(1)(g) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
- (h) that the abatement notice should have been served on some person instead of the appellant, being -
- (i) the person responsible for the nuisance or
- (ii) the person responsible for the vehicle, machinery or equipment or
- (iii) the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
- (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
- (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
- (i) in the case where the appellant is the owner of the premises, the occupier of the premises, or
- (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served;
- (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
- (i) a person also responsible for the nuisance, or
- (ii) a person who is also owner of the premises, or
- (iii) a person who is also an occupier of the premises, or
- (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph 2(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and the case of any appeal to which these regulations apply he may serve a copy of this notice of appeal on any person having an estate or interest in the premises, vehicle, machinery or equipment in question
- (5) On the hearing of the appeal the court may -
- (a) quash the abatement notice to which the appeal relates, or
- (b) vary the abatement notice in favour of the appellant in such manner as it thinks fit, or
- (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
- (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person,
- (7) In exercising its powers under paragraph (6) above the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
- (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

3. - (1) Where -
- (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and
- (b) either
- (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
- (ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
- (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met,
- the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
- (a) the nuisance to which the abatement notice relates -
- (i) it is injurious to health, or
- (ii) it is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
- (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

**PETERBOROUGH CITY COUNCIL
ENVIRONMENT & PUBLIC PROTECTION SERVICES**

REF: EH/ 475546 RE: Cross Keys Public Ho Noise Nuisance

I certify that the attached statutory notice was served by;

- a) Service by hand upon Mr McGowan
- at
- b) Posting at
- c) Displayed at
- d) Posted by Recorded Delivery
- e) Other as follows

Date 30/7/08 Time 12.10

Signed [Signature] Witnessed L Bradley

Designation Public Control Officer Designation Pollution Control Officer

LICENSING ACT 2003

NOTICE OF REVIEW OF PREMISES LICENCE

Notice is given that Peterborough City Council, as the Licensing Authority, has on the 26th of September 2008 been asked to review the Premises Licence for the following licensed premises:

Cross Keys, Oundle Road, Peterborough, PE2 9QS

The grounds for review are made by 'Pollution Control' under the Licensing Objective 'Prevention of Public Nuisance'.

Anyone wishing to make representations concerning this review should do so in writing to:

Peterborough City Council, Licensing Section, Bridge House, Town Bridge, Peterborough, PE1 1HU

Representations in respect to this review must reach the Licensing Authority by 24th of October 2008

Persons wishing to inspect the review application may do so by attending the office of the licensing section during office hours, Monday to Friday. Alternatively the review application may be viewed on the public register section of the Licensing Authorities website,

<http://www.peterborough.gov.uk/page-5436>

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5000

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