

NOTICE OF MEETING

MEETING:	LICENSING ACT 2003 SUB-COMMITTEE
DATE:	WEDNESDAY 15 DECEMBER 2010
TIME:	9.30 am
VENUE:	COUNCIL CHAMBER - TOWN HALL
CONTACT:	<i>Gemma George, Senior Governance Officer</i> Telephone: 01733 452268 e-mail address: gemma.george@peterborough.gov.uk
Despatch date:	<i>7 December 2010</i>

AGENDA

PAGE NO

- | | | |
|----|--|---------------|
| 1. | Apologies for Absence | |
| 2. | Declarations of Interest | |
| 3. | Application for Variation of Premises Licence - Kaimas Lithuanian Restaurant, 561-563 Lincoln Road, Peterborough, PE1 2PB | 1 - 60 |



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 Gemma George on 01733 452268.

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LICENSING ACT 2003 SUB-COMMITTEE		AGENDA ITEM No. 3
15 DECEMBER 2010		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager, Terri Martin, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION: Variation of a Premises Licence

PREMISES: Kaimas Lithuanian Restaurant, 561-563 Lincoln Road, Peterborough, PE1 2PB

APPLICANT: Mr Aidas Meckauskas

REPRESENTED BY: Belinda Smith & Co Solicitors

REFERENCE NUMBER: MAU 060284

GLOSSARY OF TERMS: Attached at **Appendix A – Page 7**

1. PURPOSE OF REPORT

1.1 To consider and determine an application for a variation to the premises licence for Kaimas Lithuanian Restaurant, 561-563 Lincoln Road, Peterborough, PE1 2PB taking into account the representations received from Environmental Pollution, Cambridgeshire Constabulary and three interested parties.

2. BACKGROUND INFORMATION

2.1 On the 4 August 2005 a conversion application was submitted by Mr Ibrahim Hassan to convert a justices restaurant licence to a premises licence, at that time the premises was called Meze Meze, and was a ground floor restaurant only. As no objections were received from the police, the licence was granted on 9 September 2005.

2.2 On the 12 February 2008 an application to transfer the premises licence to Mr Darr was received. As no representations were received the application was granted on the 29 February 2008. At this time the premises was called Al-Aziz.

2.3 On the 15 February 2008 an application to vary the Designated Premises Supervisor (DPS) to Mr Darr was received. As no representations were received the application was granted on the 3 March 2008.

- 2.4 On the 25 March 2010 an application to transfer the premises licence to Mr Aidas Meckauskas with immediate effect was received. As no representations were received, the application was granted.
- 2.5 On the 26 March 2010 an application to vary the Designated Premises Supervisor (DPS) to Mr Aidas Meckauskas with immediate effect was received. As no representations were received the application was granted.
- 2.6 On the 21 September 2010 an application for a variation of the premises licence was received. This application was withdrawn by the applicant's representative.
- 2.7 A copy of the current licence and plan, showing the existing authorised activities, is attached at **Appendix B – Page 11**

3. SUMMARY OF VARIATION APPLIED FOR

- 3.1
- i) To extend the area for licensable activities to take place to include the first floor.
 - ii) To amend the opening hours of the premises to midday until 02.00 seven days a week.
 - iii) To amend the hours for on sales of alcohol from those currently authorised, (which are Monday to Saturday 10am to midnight and Sunday from midday until 23.30), to midday until 02.00, seven days a week.
 - iv) To extend the hours for Late Night Refreshment to 23.00 to 02.00 seven days a week.
 - v) To include the provision of live music on Fridays and Saturdays from 19.00 to midnight in the downstairs (ground floor) restaurant.
 - vi) To amend the hours for recorded music seven days a week from midday to 02.00.
 - vii) The removal of embedded restrictions and conditions in Annex 2A of the current licence.
 - Viii) To include non standard timings for notable dates.

4. APPLICATION

- 4.1 Please refer to the application and additional plan of the first floor attached at **Appendix C – Page 21**
- 4.2 Representations have been received from Environmental Pollution Control as a Responsible Authority under the prevention of public nuisance objective. A copy of the representation is attached at **Appendix D – Page 43**
- 4.3 Representations have also been received from Cambridgeshire Constabulary as a Responsible Authority under the prevention of crime and disorder objective. A copy of the representation is attached at **Appendix E – Page 47**
- 4.4 Representations have also been received from the three interested parties under the prevention of public nuisance, public safety, prevention of crime and disorder. Copies of these representations are attached at **Appendix F – Page 49**
- 4.5 A plan indicating the premises and the properties of interested parties making representations is attached at **Appendix G – Page 57**
- 4.6 No representations have been received from any of the other Responsible Authorities i.e. Cambridgeshire Fire and Rescue Service, Peterborough City Council Planning Department, Peterborough City Council Health and Safety Team, Peterborough City Council Child Protection, and Peterborough City Council Trading Standards.
- 4.7 Part P of the application sets out the applicants proposed conditions under the relevant objectives. These are also contained within the body of the report in section 7 and in accordance with paragraph 8.42 of the guidance have been translated into conditions.

- 4.8 A copy of the 'Notice' that was advertised in the newspaper in accordance with Part 4 no. 25 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises licences and Club premises certificates) Regulations 2005 is attached at **Appendix H – Page 59**

5. RESPONSIBLE AUTHORITY

LICENSING OBJECTIVE:	REPRESENTATIVE:
Prevention of Crime and Disorder Public Nuisance	Responsible Authority: Representations from Cambridgeshire Constabulary Representations from Environmental Pollution Control To comply with the Data Protection Act all letters have been distributed to Committee Members and the applicant, but are not for public circulation

5.1 Summary of issues raised:

- Objection to the removal of the embedded restriction which provides that the sale of alcohol is ancillary to food.
- Insufficient detail on the CCTV. Conditions proposed
- Objection to the proposed extension of hours due to existing and ongoing noise complaints
- Insufficient control of noise from music and patrons
- Excessive hours requested for a residential location already experiencing noise issues
- Insufficient conditions to control the noise nuisance for the first floor. Conditions proposed.
- Allegations of breaches of existing licensing conditions

6. INTERESTED PARTIES

LICENSING OBJECTIVE:	REPRESENTATIVE:
Prevention of Crime and Disorder Public safety Prevention of Public Nuisance	Interested Parties: Representations from three interested parties To comply with the Data Protection Act all letters have been distributed to Committee Members and the applicant, but are not for public circulation

6.1 'Interested Parties' are defined as:

- A person living in the vicinity of the premises:
- A body representing persons living in that vicinity
- A person involved in the business in that vicinity: and
- A body representing persons involved in such a business
- A member of the relevant licensing authority

6.2 Summary of issues raised:

- Existing disturbance caused by noise from music and patrons – unable to sleep
- Parking causing nuisance to residents who are unable to park near their home, then disturbed when patrons return for their vehicles.
- Existing anti social behaviour caused by customers and staff

- Noise and nuisance from patrons utilising the premises during the proposed extended hours will exacerbate the existing problems
- Anti social behaviour including, noise, shouting, swearing, spitting, urination and vomit
- Excessive hours for a residential area
- Allegations of breaches of existing licence conditions

7. APPLICANT'S PROPOSED CONDITIONS

7.1 Crime and disorder

- CCTV cameras situated both inside and outside the premises, one on each floor and one at the front and back doors.

7.2 Public safety

- All staff will be fully trained with regards to health and safety and fire regulations.

7.3 Prevention of public nuisance

- Live music will only be performed on the ground floor of the premises
- The premises licence holder will ensure that speakers are situated at the furthest possible distance from residential accommodation on the first floor.
- The premises licence holder will ensure that customers arrive and depart from the premises in a manner which will not cause annoyance to nearby residents.
- The premises licence holder will ensure that the volume of any recorded music will be decreased after midnight.
- Any requests from an Authorised Officer of the Council in relation to reducing noise levels shall be complied with.

7.4 Protection of children from harm

- All staff will be fully trained with regards to the sale of alcohol and the prevention of underage sales.

8. MEDIATION

8.1 The applicant had to visit Lithuania for personal reasons during the consultation period, therefore mediation was unable to take place within the timescales of when this report was written. However, should any mediation take place the committee will be notified before or at the hearing.

9. POLICY & GUIDANCE IMPLICATIONS

9.1 The following sections/paragraphs are applicable to this application:

9.2 Council's Statement of Licensing Policy

- Objectives, section 4 on Page 8
- Fundamental Principles, section 6 on Page 9
- Licensing Hours, section 8 on Page 12
- Other Legislation, section 10 on Page 14
- Licence Conditions, section 13 on Page 16 and 17
- Delegation / Decision Making / Administration, Section 16 on page 18 and 19

9.3 Guidance Issued under Section 182 of the Licensing Act 2003 – October 2010

- The Licensing Objectives, section 2 pages 18 to 25
- Determining applications, section 9 Pages 78 to 81
- Conditions attached to premises licences, section 10 pages 83 to 96

10. LEGAL OFFICER'S COMMENTS

- 10.1 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 the variation of a premises licence made under Section 34 of the Licensing Act.
- 10.2 In this case, the application was received at these offices on 2 November 2010. The period during which relevant representations were made ended on 1 December 2010.
- 10.3 The application before this committee will be treated on its own merits, and the Licensing committee will make its decision based upon:
- The merits of the application
 - The promotion of the four licensing objectives
 - The statement of policy of the Licensing Authority
 - The Guidance issued by the Secretary of State for Culture, Media and Sport March 2010 under section 182 of the Licensing Act 2003.
- 10.4 The licensing authority may determine the application, depending upon what is necessary for the promotion of the licensing objectives, in any of the following ways:
- decide to grant or vary the licence in the same terms as it was applied for
 - decide to grant or vary the licence, but to modify or add conditions (to promote the licensing objectives);
 - exclude from the scope of the licence a licensable activity
 - decide to refuse to vary the licence
- 10.5 Conditions are modified if they are altered, omitted or any new condition added (Section 35(4) Licensing Act 2003).

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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.
- a member of the relevant licensing authority e.g. a Councillor

‘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

058865

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

Kaimes Lithuanian Restaurant
 561-563 Lincoln Road

Post Town Peterborough**Post Code** PE1 2PB**Telephone Number** 01733 358275**Where the licence is time limited the dates**

Start Date N/A
 End Date N/A

Licensable activities authorised by the licence**Recorded music**

The recorded music 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 on the premises

The times the licence authorises the carrying out of licensable activities**Recorded music**

Monday to Sunday During opening hours

Provision of late night refreshment

Monday to Saturday Between 23:00 hrs and 00:00 hrs
 Sunday Between 23:00 hrs and 23:30 hrs

Sale by retail of alcohol

Monday to Saturday Between 10:00 hrs and 00:00 hrs
 Sunday Between 12.00 hrs and 23.30 hrs
 Non-standard timings As per attached embedded restrictions

The opening hours of the premises

Monday to Sunday Information not provided

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

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

Part 2

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

Aidas Meckauskas
751 Lincoln Road
Peterborough
PE1 3HD

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

N/A

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

Aidas Meckauskas
751 Lincoln Road
Peterborough
PE1 3HD

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	057644
Issuing Authority	Peterborough City 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.

Supply of alcohol (Premises Licence)

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

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

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Annex 2A – Embedded Restrictions

Conditions:

1. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meals.
2. That suitable beverage other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals serving on the premises.

Embedded Restrictions:

Licensees should note that the under enclosed embedded restrictions 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.

RESTAURANT LICENCES

Alcohol may be sold or supplied:

On Good Friday: 12 noon to 11.30 pm;

On Christmas Day: 12 noon to 11:30pm;

On New Year's Eve, except on a Sunday, 11 a.m. to midnight;

On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;

(d) consumption of the alcohol on the premises or taking of sale or supply of alcohol to any person residing in the premises. Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

The premises must be bona fide used for the purpose of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.

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

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Annex 4 – Plans

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PART B

Premises Licence Summary

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

Premises Licence Number

058865

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Kaimes Lithuanian Restaurant 561-563 Lincoln Road	
Post Town Peterborough	Post Code PE1 2PB
Telephone Number 01733 358275	

Where the licence is time limited the dates Start Date N/A End Date N/A
--

Licensable activities authorised by the licence Recorded music The recorded music 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 on the premises

The times the licence authorises the carrying out of licensable activities Recorded music Monday to Sunday During opening hours
--

Provision of late night refreshment Monday to Saturday Between 23:00 hrs and 00:00 hrs Sunday Between 23:00 hrs and 23:30 hrs
--

Sale by retail of alcohol Monday to Standard Between 10:00 hrs and 00:00 hrs Sunday Between 12.00 hrs and 23.30 hrs Non-standard timings As per attached embedded restrictions

The opening hours of the premises Monday to Sunday Information not provided
--

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

The supply of alcohol will be for consumption on the premises

Name, (registered) address of holder of premises licence

Aidas Meckauskas
751 Lincoln Road
Peterborough
PE1 3HD

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

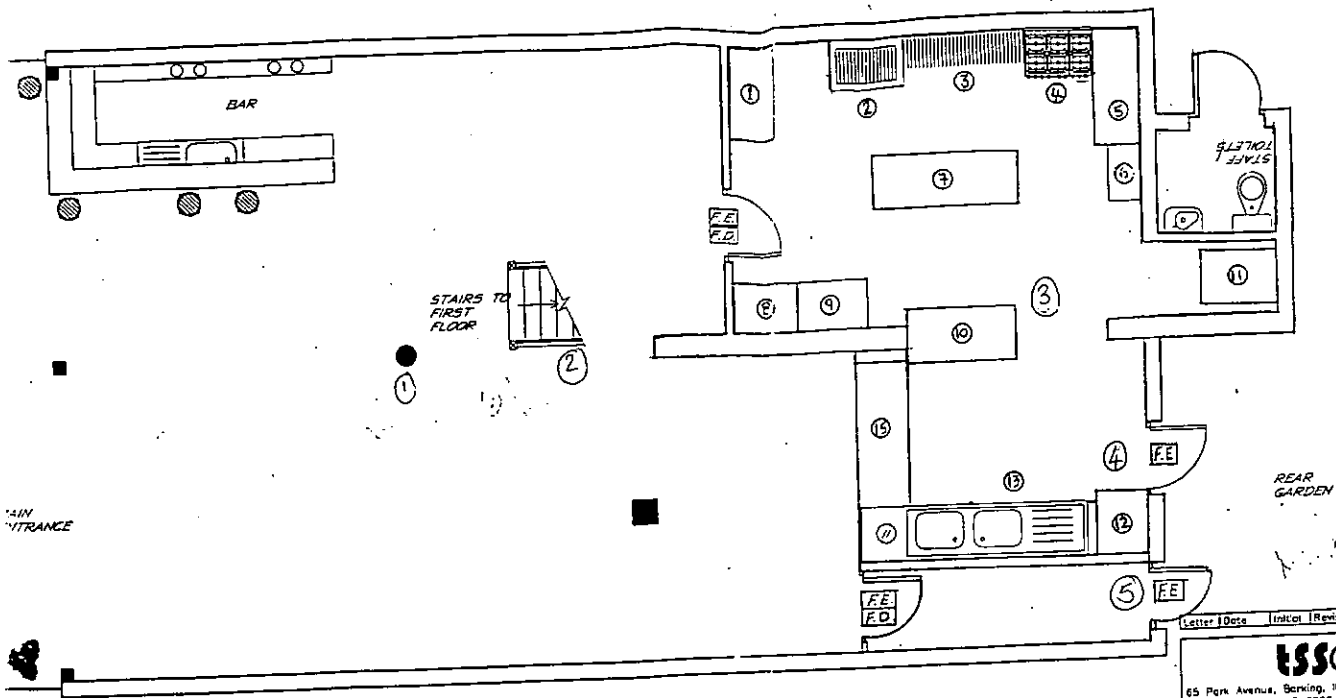
N/A

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

Aidas Meckauskas

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

Restricted



GROUND FLOOR PROPOSED LAYOUT

- KEYS
- 1. COUNTER WITH INFA RED LAMPS
 - 2. STEAK GRIDDLE
 - 3. CHARCOAL
 - 4. HOB COOKER TOP
 - 5. CHIP FRYER AND WORK SURFACE
 - 6. WALL MOUNTED MICROWAVES
 - 7. REFRIGERATION UNIT AND WORK SURFACE
 - 8. STORAGE AND WORK SURFACE
 - 9. OVEN
 - 10. MEZE LAYOUT SURFACE
 - 11. FREEZER
 - 12. DISHWASHER
 - 13. DOUBLE SINK UNIT AND DRAINER
 - 14. WORK SURFACE
 - 15. REFRIGERATION UNIT AND WORK SURFACE

- ① Reduce size of column
- ② Remove wall & open out staircase
- ③ Create opening in wall.
- ④ Block up one side of double door, leaving single fire exit
- ⑤ Create new fire exit.

Letter	Date	Initial	Revision
ISSG Ltd			
65 Park Avenue, Barking, IG11 8DU, UK. T: +44 (0)20 8252 9888 F: +44 (0)870 135 7508 e: info@issg.co.uk			
Project:		MEZE-MEZE	
Title: GROUND FLOOR PROPOSED LAYOUT			
Drawing No:		Rev.:	
138-001			
Drawn: JS	Date: 06/2008	Scale: 1:100	Plotter: 03-022.dwg
Checked:			

Application to vary a premises licence 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/We Aidas Meckauskas

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

051293

Part 1 – Premises Details

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

The Kaimas Lithuanian Restaurant
561-563 Lincoln Road

Post town

Peterborough

Post code

PE1 2PB

Telephone number at premises (if any)

01733 555597

Non-domestic rateable value of premises

£13750

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)			
Current postal address if different from premises address	715 Lincoln Road		
Post Town	Peterborough	Postcode	PE1 3HD

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

I seek a variation in respect of the existing Premises Licence as follows:-

- 1 That the extent of the premises to which this application relates, shall be extended to include the first floor of The Kaimas Restaurant, as per plan attached, as well as the ground floor included in the current Premises Licence number 058865.
- 2 A variation in the hours when alcohol can be served on the premises both on the ground and first floors, beyond the current 00.00 hours, to 02.00 hours throughout the week Monday to Sunday.
- 3 An extension of the late night refreshment hours throughout the premises, until 02.00 hours Monday to Sunday.
- 4 The provision of entertainment by way of music from Lithuanian and other musicians (usually two or three performers, a maximum of four) on Fridays and Saturdays between 19.00 hours and 00.00 hours on the ground floor of the premises.
- 5 The provision of recorded music throughout the premises from Monday to Saturday 12.00 hours to 02.00 hours subject to conditions to be agreed with Pollution Control.
- 6 The removal of the Conditions and Embedded Restrictions in Annex 2A of the Premises Licence.
- 7 The inclusion of non-standard timings as per the usual local seasonal variations on an annual basis.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for performing plays (please read guidance note 4)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Fri						
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Tue					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3) Live music will be Lithuanian and other folk-style music performed by a maximum of four musicians downstairs in the restaurant premises. It is likely that there will be such performances on average of once every four weeks.		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) An additional hour to standard and non-standard times on the day when British summertime commences. New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Until 02.00 for the following notable dates: Bank holiday Sundays, Burns Night, Valentines night, Leap Year (29th February), St David's Day, St Patrick's Day, Easter Sunday, St George's Day, Halloween (31st October), St Andrew's Day, Christmas Eve.		
Thur					
Fri	19.00	00.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	19.00	00.00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	12.00	02.00	Recorded music may be played in the downstairs area of the restaurant and in the upstairs area, which is available for groups of diners and special celebrations.		
Tue	12.00	02.00			
Wed	12.00	02.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	12.00	02.00	An additional hour to standard and non-standard times on the day when British summertime commences. New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Until 02.00 for the following notable dates: Bank holiday Sundays, Burns Night, Valentines night, Leap Year (29th February), St David's Day, St Patrick's Day, Easter Sunday, St George's Day, Halloween (31st October), St Andrew's Day, Christmas Eve.		
Fri	12.00	02.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	12.00	02.00			
Sun	12.00	02.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	02.00	<u>Please give further details here</u> (please read guidance note 3) The late night refreshment will consist of table meals served in the Lithuanian restaurant which has a maximum of 35 covers downstairs and 35 covers upstairs in the premises.	Both	<input type="checkbox"/>
Tue	23.00	02.00			
Wed	23.00	02.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) An additional hour to standard and non-standard times on the day when British summertime commences. New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Until 02.00 for the following notable dates: Bank holiday Sundays, Burns Night, Valentines night, Leap Year (29th February), St David's Day, St Patrick's Day, Easter Sunday, St George's Day, Halloween (31st October), St Andrew's Day, Christmas Eve.		
Thur	23.00	02.00			
Fri	23.00	02.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23.00	02.00			
Sun	23.00	02.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12.00	02.00	<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p>An additional hour to standard and non-standard times on the day when British summertime commences.</p> <p>New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>Until 02.00 for the following notable dates:</p> <p>Bank holiday Sundays, Burns Night, Valentines night, Leap Year (29th February), St David's Day, St Patrick's Day, Easter Sunday, St George's Day, Halloween (31st October), St Andrew's Day, Christmas Eve.</p> <p><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>	Both	<input type="checkbox"/>
Tue	12.00	02.00			
Wed	12.00	02.00			
Thur	12.00	02.00			
Fri	12.00	02.00			
Sat	12.00	02.00			
Sun	12.00	02.00			

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	<p>New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>Until 02.00 for the following notable dates:</p> <p>Bank holiday Sundays, Burns Night, Valentines night, Leap Year (29th February), St David's Day, St Patrick's Day, Easter Sunday, St George's Day, Halloween (31st October), St Andrew's Day, Christmas Eve.</p> <p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Mon	12.00	02.00	
Tue	12.00	02.00	
Wed	12.00	02.00	
Thur	12.00	02.00	
Fri	12.00	02.00	
Sat	12.00	02.00	
Sun	12.00	02.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

I request that the Conditions and Embedded Restrictions in Annex 2A of the existing Premises Licence, which were carried over from the old-style Restaurant Licence, should be removed.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

This has been previously supplied to the Local Authority.

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

This is a family-orientated Lithuanian restaurant situated in a predominantly commercial section of Lincoln Road, Peterborough, with a number of neighbouring ethnic restaurants, including a Portugese bar and a Chinese restaurant and take-away, close by. There is also an Indian restaurant and a kebab take-away within a few doors away. It is believed that the Portugese bar is open until 03.00 every night and the Chinese restaurant also has late opening hours. The premises have been used as a restaurant for a number of years, most recently as an Indian restaurant and a Greek restaurant. The Greek restaurant regularly provided public entertainment such as belly dancing.

b) The prevention of crime and disorder

This type of premises does not require a doorman but there are CCTV cameras situated both inside and outside the restaurant (one on both floors and one each at the front and back doors) to alert the staff to any risk of crime and disorder and to act as a deterrent and also assist in the detection of any crime if such occurs.

c) Public safety

The restaurant complies fully with health & safety and fire department regulations and it has eight staff, some part time, who are all appropriately trained. The restaurant was fully refurbished by Mr Meckauskas in March 2010, both on the ground and first floors including the erection of a new staircase between the two floors. The refurbishment included the usual permissions of the building control, planning and fire departments. The fire exit from the first floor is by way of a large metal landing area and steps at the back of the premises.

d) The prevention of public nuisance

Although there is residential accommodation in the area of the restaurant, namely flats above commercial premises, this restaurant is in an area where restaurants, take-aways and shops have been established for many years, a number of them with late opening hours. There should be no risk of increased disturbance as a result of the variations applied for being granted, including the occasions when there is live music at weekends. The live music from the small group of musicians will only be performed on the ground floor, which is not adjoined with a residential property.

The Applicant would ensure that recorded music is played through speakers situated at the furthest distance possible from residential accommodation on the first floor and on the occasions when there is any group activity on the first floor, will ensure that customers arrive and depart from the premises in a manner which will not cause annoyance to nearby residents.

The Applicant will also ensure that the volume of any recorded music played on the first floor on a Friday or Saturday night, will be decreased after 00.00 hours, and any requests by an authorised officer of the Council in relation to reducing noise levels shall be complied with.

e) The protection of children from harm

This is a family restaurant and no risk to children is anticipated. The staff are fully appraised as to licensing laws concerning the supply of alcohol to under age drinkers and children taking alcohol in the company of adults with table meals.

There are no games machines on the premises


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	1 st November 2010
Capacity	Solicitor

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

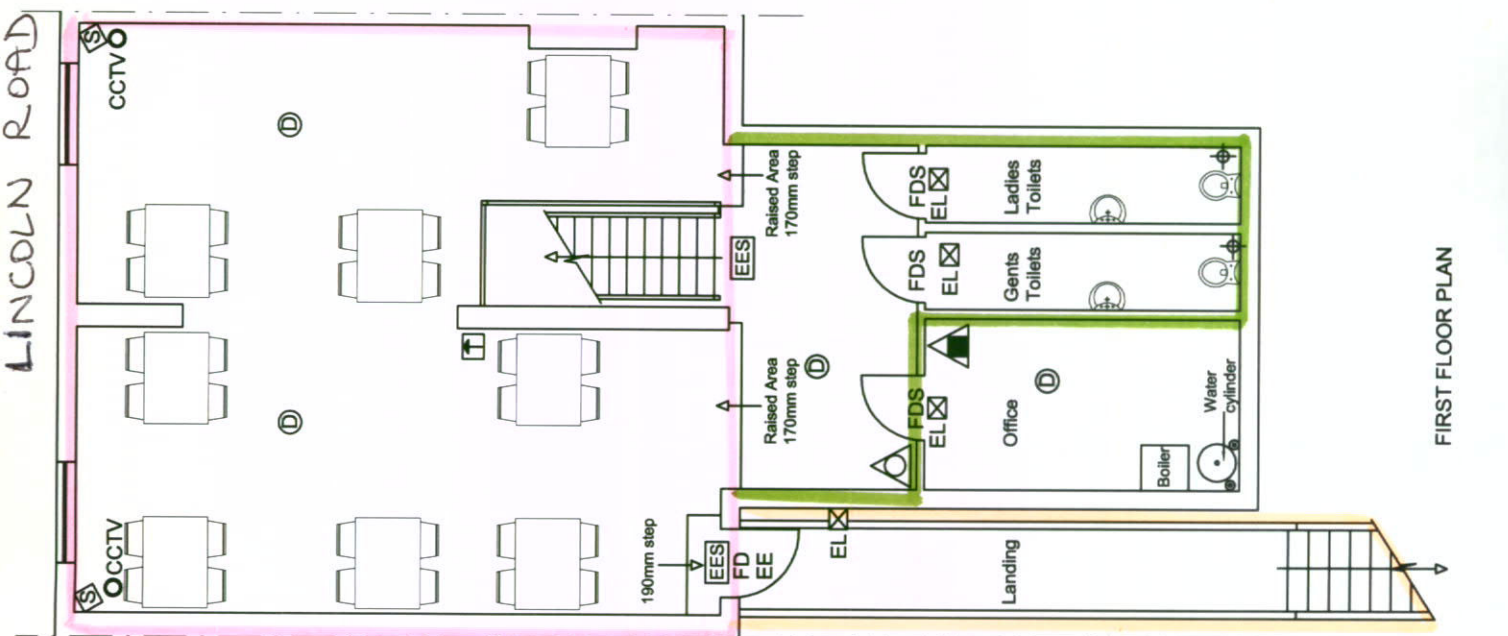
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



FIRST FLOOR PLAN

Licensed area
 public access
 Fire escape

- EL ☒ Em
- Fir △
- Fir ▲
- Fir □
- FDS
- Fir clo
- FD
- EE
- Er
- Ex ⊕
- CC ○
- Fic ◇



81 PERCIVAL &
 Tel: (0173
 Emal
 URI
ARCHITECTURAL SERVICES LTD

Pollution Control Team Representation

The Pollution Control Team are submitting a representation for the extension of the licence on the grounds for preventing a public nuisance.

The basis for this objection is that there is insufficient control of music noise, and disturbance associated with access and egress to the premises, to permit the restaurant to be open after 24.00.

A residential premise adjoins the licensed premise, and the bedroom to this home is situated above the access point to the premises and adjacent to the proposed first floor use.

This department received a complaint about music noise and noise from activities inside and outside the restaurant on 29/4/2010 and there is ongoing investigation. The management of the restaurant have been made aware of the complaints that have been made. During the investigation recordings have been made within the complainant's home. To assess the noise levels, the time, duration, and frequency of events are considered, as well as the locality in which the events occur.

The recordings, made within the complainant's property, demonstrate audible noise from people talking in the restaurant and music being played. The recorded noise levels, made on 17/7/2010 and 12/11/2010 are currently judged to be unacceptable but might be considered to be acceptable if properly controlled before 23.00.

However any audible noise would be unacceptable after 23.00 and would be considered as a statutory nuisance.

Guidance issued by the Institute of Acoustics, Good Practice Guide on the Control of Noise from Pubs and Clubs, March 2003 advised that "music and associated sources should not be audible inside noise sensitive property between 23:00 and 07:00 hours.

Suggestions for conditions have been made which should be implemented by the restaurant if the licence for 1st floor area to be given in Appendix A.

Complaints have been made to the Pollution Control Team of Peterborough City Council that the restaurant has been open after 24:00 on numerous occasions. It has also been alleged that there have also been events going on, on the first floor of the restaurant. A record of those events has been submitted to Pollution Control Team as noise nuisance log sheets from the complainants.

From the observations that have been made to date, it is concluded that noise before 23:00 could be seen as an annoyance, but these levels would represent a substantial interference to reasonable comfort if continued after this time.

The evidence to date has identified that an extension to opening hours and the use of the first floor after 23:00 will result in unacceptable disturbances and a statutory nuisance occurring. The present circumstances are such that the use of conditions cannot adequately control noise to prevent such circumstances arising.

An objection to the proposed extended hours for restaurant is therefore made.

An objection to the proposed extension of the licence to include the first floor until 23:00 unless the attached conditions are implemented.

An objection is also made to the use of the first floor for licensed activities after 23:00.

In the event that the licensing committee do not uphold the objection to the extended hours the following conditions are recommended.

In the event that the licensing committee do not uphold the objection to the use of the first floor for licensed activities after 23:00 the following conditions are also recommended.

Suggested licence conditions for Kaimas 11th November 2010

1. Noise Control Measures

The licensee shall take reasonable steps to prevent and control noise nuisance caused by persons using the Licensed Premises and also ensure patrons and visitors arrive and depart from the premises in a manner which will not cause annoyance to nearby residents.

2. Noise Control Measures

Prominent, clear notices shall be displayed at all exits and outside trading area's, requesting customers and staff to respect the needs of local residents and leave the premises and the area quietly. Staff must be given adequate instruction and training to prevent them causing unnecessary noise when they leave the premises.

3. Noise Control Measures

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

4. Noise Control Measures

The premises License holder shall take all necessary steps to ensure that noise or vibration is not noticeable inside or at the façade of any noise sensitive premises.

5. Noise Control Measures

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.

6. Noise Control Measures

Any request by an authorised officer of the Council in relation to reducing noise levels shall be complied with.

7. Noise Control Measures

The placing of bottles into receptacles outside the premise shall take place at times that will minimise disturbance to nearby properties.

8. Odour Control Measures

All ventilation of steam and cooking fumes to the atmosphere shall be suitably filtered to avoid nuisance from smell, grease or smoke to persons in neighbouring or nearby properties.

9. Noise Control Measures

Live music shall be played only at ground floor restaurant with the stage positioned away from noise sensitive properties.

10. Noise Control Measures

Appropriate notice of upcoming live music event and special events shall be given to local residents.

11. Noise Control Measures

Recorded music shall be played within opening hours of the restaurant at ground and first floor with decreased volume after 23:00 hours.

12. Noise Control Measures

Speakers should be located away from the noise sensitive premises, avoiding locations close to the joining wall.

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APPENDIX E

I would like to raise the following representation regarding the variation of the premises license for Kaimas restaurant.

The new application is based on the premises operating as a restaurant. If the application was for a bar/pub more comprehensive conditions would be required.

Therefore I am against the removal of the embedded condition which ensures that alcohol is sold ancillary to food. This would hopefully ensure that the premises maintains its modus operandi.

Although the variation application does refer to CCTV operating at the premises, it does not contain sufficient information to enable enforceable conditions to be attached to the premises licence if it is granted. Therefore, in the interests of clarity I suggest that the following conditions also be added.

- 1) Video/CCTV equipment will be set to record all licensed areas from the time that the premises open to the public until the premises closes and all members of the public have left.
- 2) The quality of the CCTV will be such that it can be used evidentially
- 3) Digital images shall be retained for at least one month and shall be produced to an authorised officer on demand.
- 4) Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
- 5) An authorised person will be available at all times on the premises to show CCTV images immediately or to an authorised officer on demand.
- 6) A camera will be placed to cover the front door for persons entering
- 7) Any new/existing CCTV system in place will be cleared for use by the Police/Licensing Authority

If the applicant is prepared to include the above conditions for CCTV and retain the embedded condition that alcohol is only sold ancillary to food, within the operating schedule, then I would be prepared to withdraw my representation. If however the applicant does not agree to these conditions, then my representation remains.

Ifor Maddox PC 292
Northern Licensing Officer
ifor.maddox@cambs.pnn.police.uk
Ext 4449(external 01733 424449)
Mobex 7110115
Mobile 07736083702

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Mrs P Foster
 ■ Gilpin Street
 New England
 Peterborough
 Cambs
 PE1 3BS

6th November 2010

The Licensing Team
 Peterborough City Council
 Bridge House
 Town Bridge
 Peterborough
 Cambs
 PE1 1HU

Dear Sir/Madam

Ref: Kaimas - Lithuanian Restaurant, 561-563 Lincoln Road, PE1

With reference to the application made by Mr Aidas Heckauskas for the following:

1. An extension to opening hours to 2pm every day of the week
2. Live Music on Fridays and Saturdays 7pm—12.00pm
3. Double storey Extension

I would like to lodge a strong objection to the above mentioned planning application to the above mentioned items. The reasons are as follows:

1. The area has extensive problems with noise, parking and problems in the evenings already and I feel this will only add to it even more (especially the parking, as our street is the road behind the restaurant and parking in the day past 5pm is a huge issue and on most days we are forced to park elsewhere.
2. My house backs / over looks this restaurant along with 80 and 84 Gilpin street. We all have young children and babies that sleep in the back bedroom. Music of such volume will effect them greatly. They will be able to hear it, as we have had this issue before with the previous owners and it had to be stopped.
3. For much the same reasons as above, my property over looks the restaurant, and I feel this will compromise my privacy.

May I also bring to your attention the fact this, as we were informed by letter from the PCC that we are living in a smokeless zone (no fires allowed), this is also an issue with this restaurant, as it is something they do on a regular basis.

I have requested, by letter, on three occasions about trees that divide that are at the end of their property to be cut down, as I have to have my dining room light on all of the time (even in the summer) due to lack of light, of which they do not reply to.

Please could you advise me as to whether my only choice left is legal action against them.

My neighbours and I are surprised that we never received notification of this planning application and only saw it by chance in the front window of the restaurant. We are in close vicinity of these premises for the items that have been applied for.

Please accept this letter, as a letter of concern, not a bias attack against the restaurant .

Yours faithfully

A handwritten signature in black ink, appearing to read 'P Foster', written in a cursive style.

Mrs P Foster

Mrs P Foster
 ■ Gilpin Street
 New England
 Peterborough
 Cambs
 PE1 3BS

26th November 2010

The Licensing Team
 Peterborough City Council
 Bridge House
 Town Bridge
 Peterborough
 Cambs
 PE1 1HU

Dear Sir/Madam

Ref: Kaimas - Lituanian Restaurant, 561-563 Lincoln Road, PE1

With reference to the application made by Mr Aidas Heckauskas for the following:

1. An extension to opening hours to 2pm every day of the week
2. Live Music on Fridays and Saturdays 7pm—12.00pm
3. Double storey Extension

I would like to lodge a strong objection to the above mentioned planning application to the above mentioned items. The reasons are as follows:

1. The area has extensive problems with noise, parking and problems in the evenings already and I feel this will only add to it even more (especially the parking, as our street is the road behind the restaurant and parking in the day past 5pm is a huge issue and on most days we are forced to park elsewhere. The patrons on the restaurant use the street for parking, because there are no other locations close by and therefore not only add to the problems that all ready exist, but cause disturbance late in the evening when they are returning to their cars. This has a direct effect on myself and my family (I have to be up at 5am in the morning for work).
2. My house backs / over looks this restaurant along with 80 and 84 Gilpin street. We all have young children and babies that sleep in the back bedroom. Music of such volume will effect them greatly. They will be able to hear it, as we have had this issue before with the previous owners and it had to be stopped.
3. For much the same reasons as above, my property over looks the restaurant, and I feel this will compromise my privacy.
4. We also have the issue of access to the restaurant, as there is a 'lane' that runs between the shops and Gilpin Street (for farmers to run their pigs many years ago). This is not an access for the retail premises and a gate was put on to stop this, also for security to our properties as the access to the rear has

made them vulnerable to burglary. This has unfortunately been broken to enable access and they are doing so, and causing a disturbance with the noise that they make.

5. A strong spotlight had also been erected on the back of their premises that is very blinding as it is aimed at our properties instead of downwards, again causing a nuisance.

May I also bring to your attention the fact this, as we were informed by letter from the PCC that we are living in a smokeless zone (no fires allowed), this is also an issue with this restaurant, as it is something they do on a regular basis.

My neighbours and I are surprised that we never received notification of this planning application and only saw it by chance in the front window of the restaurant. We are in close vicinity of these premises for the items that have been applied for.

Please accept this letter, as a letter of concern, not a bias attack against the restaurant, but I do feel that we do have a strong concern under your headings of

- Prevention of Crime
- Public Nuisance

Yours faithfully



Mrs P Foster



Mrs R Molesworth
■ Gilpin Street
New England
Peterborough
Cambs
PE1 3BS

24th November 2010

The Licensing Team
Peterborough City Council
Bridge House
Town Bridge
Peterborough
Cambs
PE1 1HU

Dear Sir/Madam

Ref: Kaimas - Lithuanian Restaurant, 561-563 Lincoln Road, PE1

With reference to the application made by Mr Aidas Heckauskas for the following:

- 1. An extension to opening hours to 2pm every day of the week
- 2. Live Music on Fridays and Saturdays 7pm—12.00pm
- 3. Double storey Extension

I would like to lodge a strong objection to the above mentioned planning application to the above mentioned items. The reasons are as follows:

- 1. The area has extensive problems with noise, parking and problems in the evenings already and I feel this will only add to it even more (especially the parking, as our street is the road behind the restaurant and parking in the day past 5pm is a huge issue and on most days we are forced to park elsewhere. It affects me personal by the fact when I pick my children up from school by The time I'm home I have to park a long way from my house and in these dark Nights and bad weather is not ideal. Also carrying shopping from the car, why should I have to do this because of residents that don't even live down my Road.

I also have a alley next to my house that leads to my back gate and Have noticed that workers from the restaurant are using this, which I have Checked with the council and is not there right of way and are supposed to Have a fence at the bottom of the garden which has been removed for this Reason, again I fear for my children's safety knowing that I have strangers Using this alley and not just for walking up and down but drug packets have also been found. I have asked the shop many times not to use the alley and to replace there fence but with no response. We have also had issues with Rats and maggots from the bins of the restaurant, which if you enquire at Environmental health dept you will see I have complained on several Occasions and this issue is ongoing because of where they prepare the food and how they store the rubbish.

2. My house backs / overlooks this restaurant along with 80 and 84 Gilpin Street. We all have young children and babies that sleep in the back bedroom. Music of such volume will affect them greatly. They will be able to hear it, as we have had this issue before with the previous owners and it had to be stopped. We have enough trouble from the local pub on the corner of St Paul's Road With loud music, fights and Drugs so why give the locals more opportunity to continue this behaviour, its rising all the time in Peterborough surely the local residents would want to stop this. My children can now look out their room windows And see rubbish piling up and the staff sit in the garden smoking and shouting, this is enough to make anyone want to move and the fact I have been here 17 years and our lives are at risk enough with all the problems that have occurred in the past I would feel I would need to move and who will help pay for that!!

3. For much the same reason as above, my property overlooks the restaurant, and I feel this will compromise my privacy. My children cannot even leave the house without me checking the alley to our back door is safe and no-one down there that shouldn't be. I have even took it on myself to place a gate up so at night I can hear if it opens and if anyone is entering my property from the rear, even that has been broken from usage from the restaurant.

May I also bring to your attention the fact this, as we were informed by letter from the PCC that we are living in a smokeless zone (no fires allowed), this is also an issue with this restaurant, as it is something they do on a regular basis.

I have requested, by letter, on three occasions about trees that divide that are at the end of their property to be cut down, as I have to have my dining room light on all of the time (even in the summer) due to lack of light, of which they do not reply to, and the leaves in my garden has totally spoilt my lawn and has been replaced twice and again now its covered due to Winter.

I also believe this restaurant has been selling alcohol with no licence surely that tells you how irresponsible the owners are and why you so certain more rules won't be broken.

Me as a parent of 3 children am begging that this application does not go ahead.

Yours Sincerely

Rachel Molesworth

A handwritten signature in black ink, appearing to read 'Rachel Molesworth', written in a cursive style.

Terry Martin
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1 HF



Miss Valentina Vrablova
[REDACTED] Lincoln Road
PE1 2PB
Peterborough

Representation against the variation application for Kaimas restaurant.

I wish to make a representation against the variation application for Kaimas restaurant on Lincoln Road. Due to the problems I am currently experiencing, I feel that the extended hours they have applied for would have a serious detrimental effect on my home life. I also feel that allowing regulated entertainment on the first floor would also exacerbate the problem I have with noise from music and patrons of the premises.

Me and my boyfriend have moved to [REDACTED] Lincoln Road before Lithuanian Restaurant "Kaimas" was opened. From beginning we had problems with its closing time, It closed very late at 1 or 2 o'clock. All the time it was very noisy and high sounding and the problem started.

We have to wake up early morning to work so if music is until 2am and we wake up at 4am we sleep only 2 hours what its not enough for adults. Sometimes after closing time some drunk guys stay next the restaurant they sing, swear and fight. They damage stuff around, kicking waste bins...and so on. We hear everything from outside and feel like we sleep in the centre of their party. We are scared of their aggressive behavior. Our front door is beside the entrance of the restaurant so they can easily kick out the door and enter our flat! The another thing is they piss, spit and vomit around all restaurant what is terribly disgusting.

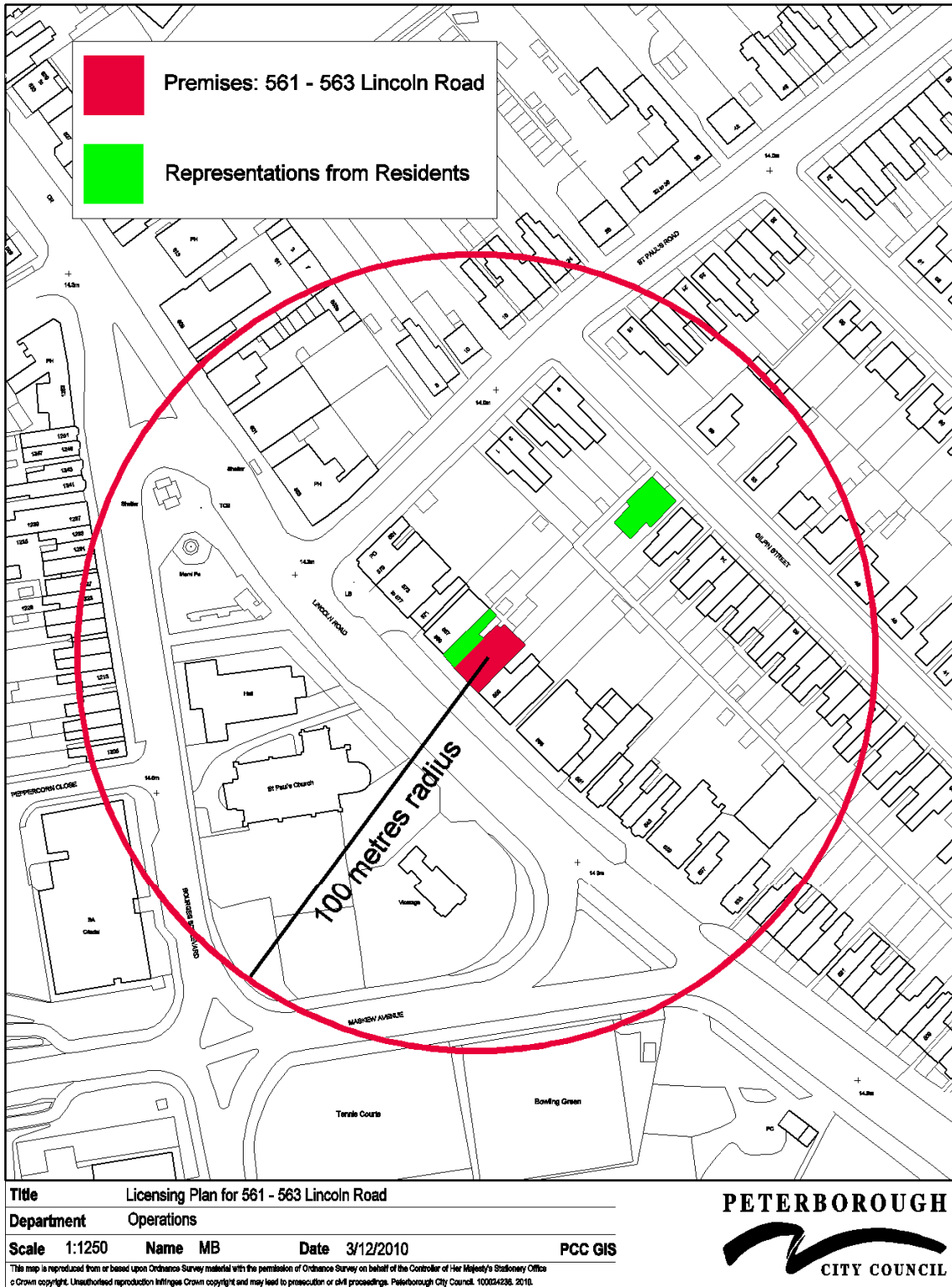
The disco starts usually around 7pm (on summer it was around 10pm) – its always very loud. A few times we called a police. They arrived, for couple of minutes the party stopped, when the police left, everything started again.

From 29th April 2010 we complain to City Council and we are waiting for solve the problem. The owner of restaurant said no one can stop him and his business. He smiles straight to our faces. They threaten us, we don't feel safe in our own home. We are very tired of all situation.

Thank you.

Kind regards,

PP Piotr Kozłowski
Valentina Vrablova



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PUBLIC NOTICE

LICENSING ACT 2003 NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is given we I 'Mr W N Li & Mrs Y P Li have on the '05/11/10' applied to Peterborough City Council as the Licensing Authority for a Premises Licence for 'Beijing Supreme, 54 Hargate Way, Hampton Hargate'

**LATE NIGHT REFRESHMENT
23.00 TO 00.00 MON TO SUN**

**SALE OF ALCOHOL OFF PREMISES
17.00 TO 00.00 MON TO SUN**

Anyone wishing to make representations concerning this application should do so in writing to: Peterborough City Council, Licensing Section, Bridge House, Town Bridge, Peterborough PE1 1HU

Representations in respect of this application must reach the licensing authority by 03 December 2010.

Persons wishing to inspect the register of record of this application may do so by attending the office of the licensing section, during office hours, Monday to Friday inclusive.

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.

LICENSING ACT 2003 NOTICE OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE

Notice is given that I, Atlas Medicauskas have on the 2nd November 2010 applied to Peterborough City Council as the Licensing Authority to vary the licence of Kaimas Lithuanian restaurant of 561-563 Lincoln Road, Peterborough, PE1 2PB

By

- (i) an extension of the opening hours, the provision of late night refreshment and sale by retail of alcohol, up to 02.00 hours every night
- (ii) the provision of recorded music during opening hours and live music on occasional Fridays and Saturdays during the year between 19.00 and 00.00 hours
- (iii) the extension of the Premises Licence as varied in (i) and (ii) above, to the first floor of the said premises

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

The Licensing Team, Peterborough City Council, Bridge House, Town Bridge, Peterborough. PE1 1HU

Representations in respect of this application must reach the Licensing Authority by the 14 December 2010.

Persons wishing to inspect the register or the record of this application may do so by attending the office of the Licensing Section during office hours, Monday to Friday inclusive.

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 £5,000.

Belinda Smith & Co
Asstt House
27-28 Thorpe Wood
Peterborough
PE3 6SR
Solicitors for the Applicant

Y1067765



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