

Ref: Marisquiera Restaurant / Review Application

Saturday 17th August 2013

Adrian Day
Senior Licensing Officer
Peterborough City Council
Bayard Place
Broadway
Peterborough
PE1 1HZ



Dear Adrian,

Re: Review Application - Marisquiera Restaurant, 62 Cromwell Road, Peterborough

On 23rd July 2013 Cambridgeshire Constabulary Licensing Department (Peterborough District) received e-mail notification from Peterborough City Council Licensing Authority of an application to review a premises license. The review application submitted by Mr. Bowler of Pollution Control at Peterborough City Council (PCC) refers to Marisquiera Restaurant, 62 Cromwell Road, Peterborough, PE1 2EG and relates to breaches to the licensing objective – the prevention of public nuisance. Cambridgeshire Constabulary wholly support the review application and recommendations submitted by Mr. Bowler, and wish to make representation at the scheduled hearing on Monday 16th September 2013.

Marisquiera restaurant has a premises license issued by the local authority (Reference 065585) which permits full licensable activities which include 'Live music', 'Performance of dance', 'Recorded music', 'Making music', 'Dancing' and the 'Sale by retail of alcohol'. Licensable activity (excluding alcohol) is permissible on Sunday to Thursday from 12:00 hrs to 22:00 hrs and Friday to Saturday from 12:00 hrs to 23:00 hrs. The 'Sale by retail of alcohol' is licensed from Sunday to Thursday between 10:00 hrs and 23:00 hrs and Friday to Saturday between 10:00 hrs and 00:00. The opening hours of the premises are indicated on the Premises License as being 10:00 hrs to 23:00 hrs from Sunday to Thursday and from 10:00 hrs to 00:00 hrs on Friday and Saturday. The premises license holder (PLH) is Mr. Paulo Pedro of 62 Cromwell Road, Peterborough, PE1 2EG and the designated premises supervisor (DPS) is Miss Ivone Coelho of 6 Harebell Close, Peterborough, PE1 3UN, who was installed as DPS on 01st October 2012.

Marisquiera Restaurant is situated at the junction of Russell Street and Cromwell Road within a densely populated Asian residential area and caters primarily for Portuguese customers (Images at Annex A). The Committee is reminded that this premise was brought to review in 2011, where it was subject to similar complaints as well as being responsible for a large level of alcohol related crime and anti-social behavior. As such the Licensing Sub-Committee reduced the operating hours from 03:00 hours to 00:00 hrs. The Premises License eventually changed hands and a new DPS was installed (not Miss Coelho). The Licensing Authority continued to work closely with staff at Marisquiera to help them maintain their obligation towards the licensing objectives however further complaints were received in

**Cambridgeshire Constabulary, Thorpewood Police Station, Peterborough,
Cambridgeshire, PE3 6SD**

Telephone: **101 4438**, Website: **www.cambs.police.uk**

relation to ASB and noise. It was proven that the then DPS did not have a day to day knowledge of the

running of the business and Ivone Coelho was put on a formal action plan to turn the venue around. This involved her taking her personal license and being installed as the DPS.

Due to the ongoing complaints and proximity of the venue the local Neighborhood Policing Team – Operation CAN-DO have maintained their working relationship with Miss Coelho and Marisquiera, and PC Johnson has tried to educate and advise her when complaints have come in (Statement of PC Johnson attached at Annex B). Whilst I concur with PC Johnson’s thoughts on the conduct of Miss Coelho, I am confused and frustrated at her lack of co-operation in relation to sound advice she has been given by the licensing authority. I am adamant that if Miss Coelho had kept the doors and windows closed and conducted a walk around her venue to check on noise levels, in considering her impact on the residential community, we would not be where we are now. Having said that other issues have led me to suspect that maybe Miss Coelho is not in proper control of the venue and may be under pressure and influence of third parties such as the Premises License holder.

Mr. Dolby from PCC Licensing Authority and I have paid numerous visits to the venue and spoken to Miss Coelho in an attempt to get her to comply with her license conditions. In March 2013 we attended to investigate a noise complaint made against the premises. We hoped that her CCTV would disprove the complaint however it was discovered that she was unable to operate the CCTV (in contravention of her license conditions) and it was discovered that it had not recording the obligatory 28 day period. Therefore evidence either positive or negative was not available which cast doubt over the credibility of her reasoning over the noise complaint.

As part of the ongoing investigation over the reports from the community of nuisance caused by excessive noise from Marisquiera the Noise Pollution team installed noise monitoring equipment at the beginning of July. I was advised by Mr. Bowler that the equipment would be installed over the weekends of 5th - 7th July and 12th – 14th July 2013. Incidentally just prior to this I received notification from PCC Licensing Authority that Miss Coelho planned to submit a Temporary Event Notice for Friday 12th and Saturday 13th July 2013. It was my intention to refuse the notification due to issues concerning complaints over noise. However following consultation I decided to let the events go ahead in order that we could either prove or disprove that Miss Coelho was listening to the licensing authority. It appears she has not listened to the authorities advice and pressed ahead with running the property how she sees fit.

On Monday 08th July 2013 PC Calver, a colleague of PC Johnson who also works on the Operation Can-do team reported to me that a complaint had been registered to Police (Police Incident CC-07072013-0488 refers). This was recorded at 19:33pm on Sunday 07th July 2013. It was documented as a noise complaint whereby the complainant stated (as typed by the Police call taker) –

“The premises on the corner has a speaker set up by the door and is blaring music out into the street Tensions are running high in the area as this is an ongoing issue if something is not done soon there will be problems as the residents are fed up of the constant noise”

It is worthy of note that this complaint was not related to the authorised TEN from the night before. However the tone of the complainant suggests that there is tension within the community over this premises which is corroborated by the Operation CAN-DO team.

On Saturday 13th July 2013 I received email notification from PC Johnson that a further

complaint had been received by the Police at 01:42 hrs on 13th July 2013 (Police Incident CC-13072013-0065 refers). The complainant reported that there was *"lots of noise from the café at corner of Cromwell Road and Russell Street"*. This call was in direct correlation to the TEN authorised for that evening. However the Ten was authorised until 01:30 hours. PC

Johnson reported that he attended the venue and spoke to Miss Coelho and viewed CCTV. The CCTV showed the venue open and operating at 01:50 hrs, was busy inside with people still dancing and as such I suspect the music was still playing. The external camera showed numerous people stood outside the premises and although there was no sound with the images it is clear that they were conversing and larking around. The CCTV also showed items being sold from behind the bar after 01:30 hrs but it cannot be confirmed if this was alcohol. PC Johnson advised that he warned Miss Coelho again and reminded her that the doors and windows must remain closed when music is being played.

He attended Marisquiera on the evening of the 14th July 2013 and despite finding the door and window policy being adhered to he found the music to be very loud.

Following on from this report I attended Marisquiera with PC Johnson to speak with Miss Coelho and to check the CCTV. I found the above issues to be correct. Miss Coelho was unable to produce the CCTV immediately and I left the task to collect at a later date with PC Johnson. Whilst at the venue I documented several photographs that show the layout of the venue and the large sound system (attached at Annex C). One of the speakers is positioned right next to the entrance door.

Cambridgeshire Constabulary supports the review application submitted by the Pollution Control Team. We endorse their recommendation in seeking the Licensing Sub-Committee to remove all provision for the playing of live or recorded music, amplified or unamplified, from the premises License and include music qualifying for deregulation under the Live Music Act 2012. We also ask the Sub-Committee to restrict the licensable hours of the premises and retail sale of alcohol to 21:00 hours daily.

Kind regards

Grahame Robinson
Police Constable 1572
Licensing Officer
Northern District
Cambridgeshire Constabulary
Tel: 01733 424438
Email: grahame.robinson@cambs.pnn.police.uk
Mobile: 07921095030

Annex A (Page 1 of 1) to
Police Reps – Marisqueira
Dated 17th August 2013



Form MG 11
CAMBRIDGESHIRE CONSTABULARY
Witness Statement (CJ Act 1967 , s.9 MC Act 1980, ss.5A (3a) and 5B, MC Rules 1981 ,r. 70)
Statement Of: Gary JOHNSON
Age: OVER 18 Occupation: POLICE CONSTABLE 1687
This statement consisting of 3 pages 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 23rd JULY 2013
Signature
I am a Police Constable with the Cambridgeshire Constabulary, currently based at BRIDGE STREET Police station, PETERBOROUGH.
I am a member of the Operation CAN DO (OP CAN DO) Microbeat neighbourhood team that covers the Eastern area of PETERBOROUGH. As part of my role I am the manager of an Action Plan that deals with Alcohol and Licensing issues. I attend and inspect licensed premises within the catchment area.
One of the premises license in my area is MARISQUEIRA, 62 CROMWELL ROAD. The current Designated Premises Supervisor (DPS) is Ivone COELHO. I can describe MARISQUEIRA as a Portuguese Café, Restaurant and Bar. The premises is located on the corner of a junction in a residential area which is predominately made up of terraced houses.
I have been visiting and carrying out inspections on the MARISQUEIRA since January 2012. Although Ivone was employed at the premises she did not take over as DPS until OCTOBER 2012. I have always found Ivone to be co-operative and always welcomes advice. Ivone was set an action plan to improve certain aspects of the business in MAY 2012 by PC ROBINSON which relate to licence conditions and the principles of licensing of which she adhered to. Ivone then went onto pass her personal licence exam for her to progress as DPS of the premises.

Signature

Signature Witnessed by.....*N/A*.....

Continued statement of Gary JOHNSON

During inspections most of the time there are very few problems. As with a lot of licence premises in the area class A drugs are used in the toilets. I have found traces of cocaine in the toilets of MARISQUEIRA several times. I have alerted Ivone to this and she has put crime prevention actions in place, for example placing up zero tolerance to drugs posters.

One of the negative points about the inspections is the lack of evidence of training records for other members of staff. I myself have left basic training packs for her staff.

Recently there have been several complaints, mostly at weekends with reference to noise, ASB and drug use linked to the premises. Reports of people sitting on walls nearby drinking alcohol and being loud. I have patrolled this area for 2 years and the junction of CROMWELL ROAD and RUSSELL STREET has always been for some reason an area that attracts groups to hang around. I have stopped and spoken to groups, removed alcohol from groups, searched people for drugs and asked them to move off residents walls. A majority of the time these persons are not customers of MARISQUEIRA.

I have, however witnessed in the evening when MARISQUEIRA is having disco's etc a lot of people, who are customers hang around the front of the premises. Customers smoke here, sing and dance and can be quite loud. MARISQUEIRA has 2 entrance/exits, one at the front and one at the side. Ivone shuts and closes the side entrance in the evening as she only has one door staff. Even with the one door shut the music is still quite loud and can be heard on the street.

On the weekend of Friday 12th JULY 2013 and SATURDAY 13th JULY 2013 MARISQUEIRA had an event which they secured a temporary extension to their licence which meant they could stay open till 0130 hours. I attended the location on the Saturday the speak to Ivone as a complaint of noise came in that reported loud music at 0140 hours. Ivone showed me the CCTV of the evening in question which showed the event going on past 0130 hours. Although the disco lights were switched off there was a lot of people at the premises still dancing outside and inside. Ivone informed me that the music was switched off however somebody was "Rapping" which is what people were dancing to.

I then walked around the premises with Ivone and saw that windows and doors were wide open. I advised her that when the music starts later on all windows and doors must be shut. If they need to be open because of the heat and fresh air then the music must be

Continued statement of Gary JOHNSON

switched off. I also informed her that her doorman should also be making sure the front door is shut except for people coming and going. At approximately 2200 hours I returned to the premises. I could see that nobody was inside the main area where the disco was however the music was playing, it was very loud. I looked at the premises and I could see that all the windows had now been closed however the front door had been left open. I mentioned this to a member of staff and it was shut straight away. Even with the door shut the music was still very loud. I made passing observations throughout the night and the venue did get very busy. At approximately 2245 hours I spoke to the doorman who had now arrived whom I could see was making sure the door was always shut. I introduced myself to him he had been fully briefed by Ivone about the doors and windows. This was the last time I visited this evening. I can say that the music on this occasion was very loud, it had the feel that a nightclub was in the middle of the area.

Although I believe Ivone has worked hard since taking over as DPS, I do not believe that MARISQUEIRA should be acting as a nightclub. As I stated earlier the area is a very well populated residential area with terraced houses all around. I am in no doubt that the volume of music and people congregating outside MARISQUEIRA late into the night generates a lot of complaints. However I also believe that the premises is not responsible for all of the ASB, drugs and littering complaints in the area.

As part of the licence review consideration should be given to not allowing any loud music or events that generate loud volumes of music. There should be no more late temporary licences. The weekend licensing hours should be reduced to 2300 hours in line with the rest of the week and more traditional licensed hours. What would also help the venue is a more designated smoking area which would need to be controlled by the staff to reduce the amount of people congregating outside.

On the 22nd July 2013 I seized a USB flash drive from Ivone COEHLO which I produce as exhibit number GAJ1. I then booked exhibit number GAJ1 into THORPEWOOD property reference number 1623/13.

Annex C (Page 1 of 1) to
Police Reps – Marisquiera
Dated 17th August 2013



PETERBOROUGH



CITY COUNCIL

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	MUHAMMED NADEEM
Your Address:	

Details of premises representation is about	
Name of Premises:	MARISQUERA
Address of premises:	62 CROMWELL ROAD PETERBOROUGH PE1 2EG
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input checked="" type="checkbox"/> yes

Please summarise your concerns about this application:
<p>This premises has a history of not complying with their licence, in 2011 they breached their licence and we had countless complaints of the premises playing loud music until the early hours of the morning.</p> <p>Considering all the problems we have had especially the music problem which disturbs the children of the neighbourhood as they have not been able to sleep no which affects their education I think it would be best to not grant a licence for this premises.</p>

Please give further details of <u>why</u> you believe this application will have an adverse effect on the licensing objectives

Also when the users of this premises are there until late and drinking they start causing Anti-Social problems also cause nuisance by leaving litter on the streets.

With regards to evidence your department should have this as previously the residents formed a petition which was sent to the Licensing Team and you should also have a log of all the complaints you have received regarding this premises.

Return your completed form to: **By Post:**

Licensing Section
Peterborough City Council
4th Floor Bayard Place
Broadway
Peterborough
PE1 1HZ

By Email:

Eh.licensing@peterborough.gov.uk

PETERBOROUGH




CITY COUNCIL

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	ASLA ISMAIL
Your Address:	

Details of premises representation is about	
Name of Premises:	MARISQUEIRA .
Address of premises:	
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
<p>See attached</p> <p style="text-align: right;">  </p>

Please give further details of <u>why</u> you believe this application will have an adverse effect on the licensing objectives

How to make a representation

The statutory representation period begins the day after a valid application is received by the licensing authority and lasts for 28 consecutive days. During this time there must be at least one public notice in a local paper and a blue A4 public notice displayed on site for 28 consecutive days. The application will also appear on the public register.

Any representations must relate to one of the four licensing objectives below:

Prevention of crime and disorder

This relates to any crime, disorder or anti-social behavior in connection with the management of the premises. The licence holder cannot be responsible for the conduct of individuals once they leave the premises.

Public safety

This relates to the safety of the public on the premises - such as fire safety, lighting and first aid.

The prevention of public nuisance

This can relate to hours of operation, noise and vibration, noxious smells, light pollution and litter.

The protection of children from harm

This relates to protecting children from the activities carried out on the premises whilst they are on the premises. The law already provides special protections for children, such as making it illegal for children under 18 to buy alcohol.

We recommend that if you wish to object to an application for a premises licence, you use the representation form.

Representations (objections) may not be made anonymously. Any representations that are received will be included in a report to the hearings panel. This report will be a public document and will be circulated to the parties involved prior to the hearing.

Name of Premises : MARISQUEIRA

Please summarises your concerns about this application

My objections to this premises having extended long hours during weekends with music playing is due the following concerns:

- This is depriving me and my family sleep with loud music playing after 9pm. There is a continuously flow of people talking loud or shouting when this premise is opened during late nights, where the owner has not provided sufficient space for people to smoke and therefore we see large gathering of smokers and other outside the premises talking and shouting. This is indirect result of this premise being allowed to open late.
- Loud music is has an adverse effect on local kids' performance in the school due to sleep deprivation as these are residential areas where this kind of club should not be allowed to license.
- Events held on this premises are attracting wrong type of people where people are peddling drugs like marijuana, which is sold and consumed within the immediate locality of this premise, even though the owner is not liable but indirectly the business is attracting these types of activities. This is an anti-social behaviour.
- Clients of this Club – this is not a restaurant where one would go for quite meal and relaxation, throw litter on the road or leave it on residents wall and this could be cans, plastic or glass bottles. Why should the local residents have to put up with this? Why should they have to pick these litters from their walls or surrounding?
- There are times where broken bottles are on the pavement or on the road and sooner or later child or elderly folks will trip and fall on these broken glasses and hurt or cut them badly. Not to mention broken glasses on the road too.
- Check with your regular Street cleaner on the amount of rubbish that gets collected day in day out from the local vicinity – this is because the City have given Licenses (off-licenses) to three premises with couple meters from each other – again this premise does contribute to the litter and foul smell of smoking marijuana where local residents have to suffer which is consumed by people sitting on the residents' walls.
- During the hot weather we are unable to open our front side of the windows because of the loud music, people talking loud, where kids and teenagers are on the street shouting till 1am. This business is indirectly the cause of unnecessary tension between communities and stress the local residents have to go through each week. The clients have no courtesy or etiquettes of good neighbourhood.
- They have security at the door but they don't stop people from talking loud which is disturbing the local neighbours nor do they discourage people doing illegal activities like selling drugs nor would they ensure people disperse quietly after closing .
- Prostitution actives is ripe from Friday onwards, which concerns us all who live in Cromwell Road, again indirect cause having these types of business granted opening late licences.
-

FLO

Peterborough City Council

Mohammad Kamran

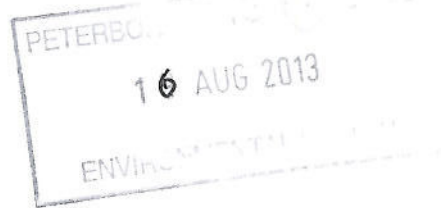
Licensing Section

4th floor

Bayard Place

Peterborough

PE1 1HZ



16/08/13

Dear sir/madam

I would like to give my representation against the pub called Marisqueira at 62 Cromwell Road.

Me and my family can't cope with the loud music which is played at Marisqueira. We live in a community where there are mostly muslims living in the area who don't drink alcohol. The constant level and frequency of noise coming from Marisqueira at number 62 Cromwell road is unacceptable. We don't want loud music playing in this area.

We have phoned the police numerous times and they have been at the pub.

I myself have gone to Marisqueira to request that they turn down the noise. They have loud parties and karaoke's because of the loud music it disturbs my family and keeps my family and myself awake at night. This has had an effect on our quality of life.

I trust that you will give the problem your immediate attention.

Yours faithfully,

Mohammad Kamran

Dear Darren Dolby

Please find attached the completed representation in respect of Premises Licence on behalf of my father Mr Mohammad Rashid.

We would like you to make detailed enquiries regarding the premises in question. We feel we have complained several times and nothing has been demonstrated in favor of the residents. There has previously logs been submitted and reports. Complaint emails and telephone calls. No response has been made to any of these.

Best Regards
Saeeda Rashid

Dear Simon

According to our current experiences the times have not been cutback as the music is still playing and the premise is open until the early hours of the morning especially on the weekend. So obviously your restrictions are not being adhered to.

I would like you to add this to your review. I feel the nature of the business is unsuitable and I very much agree to the entertainment being removed.

I do feel that not enough is being done by the council to accommodate the local residents.

Best Regards
Saeeda Rashid

PETERBOROUGH



Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	MOHAMMAD RASHID
Your Address:	

Details of premises representation is about	
Name of Premises:	MARISQUEIRA
Address of premises:	62 CROMWELL ROAD PETERBOROUGH
Application No. (if known)	UNKNOWN

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
<p>THERE IS CONSTANT NOISE POLLUTION COMING FROM THE PREMISES THERE ARE CUSTOMER'S OUTSIDE THE PREMISES CONSUMING ALCOHOL, THEY CAUSE HEALTH AND SAFETY ISSUES FOR THE GENERAL PUBLIC USING THE ROAD.</p> <p>IT IS STATED AS A CAFE BUT USED AS A BAR AND CLUB OPEN INTO THE EARLY HOURS OF THE MORNING. THEY HAVE EVEN PLACED A PARK BENCH RIGHT OPPOSITE MY DRIVEWAY. THIS ATTRACTS DRUNKS AND GROUPS OF MEN WHICH CREATES AN INTIMIDATING ATMOSPHERE TO VULNERABLE INDIVIDUALS.</p> <p>I FEEL IT IS A HUB FOR DRUG USE AND EXCHANGE TOO.</p>

Please give further details of <u>why</u> you believe this application will have an adverse effect on the licensing objectives

I feel the license issued is unsuitable for the location of the premises.

It is in a residential area and that should be considered when issuing this type of license.

If it is described as a cafe, should be used as a cafe open in the morning and closes in the evening.

There should be no alcohol consumed on the premises and especially outside the premises.

This causes disorderly behaviour towards visitors and residents in the vicinity.

It creates a gang culture and this gives a bad reputation to our area in which I have lived in for over thirty years of my life.

The music is too loud as well.

Return your completed form to: **By Post:**

Licensing Section
Peterborough City Council
4th Floor Bayard Place
Broadway
Peterborough
PE1 1HZ

By Email:

Eh.licensing@peterborough.gov.uk

To whom it may concern,

I would like to make a complaint regarding the Marisqueira cafe, at 62 Cromwell road.

This premise is located in the centre of a residential street, but on a daily basis, the noise levels from this premise is causing a nuisance for all the immediate neighbours.

I live at : and I am being affected by the noise at night and I can only imagine the hell the immediate neighbours are going through.

The premises are open late into the night on a daily basis, with the doors open and music blaring to high volumes, which I am sure is flouting the licence for the premise. On weekends is the worse time, as the premises remain open till 3am - again clearly not suppose to be open at this time.

As well as the noise, you have the associated anti-social behaviour with people spilling out and drinking on the street outside, urinating on the street and causing problems. Only recently a taxi driver was assaulted outside the premises.

There is no requirement for this licenced 'cafe' or should i say nightclub in this location. All the people using this premise don't live in the area.

This is not the town centre, but a residential street. Originally this was pub, which has now somehow morphed into a cafe/ nightclub. As I said earlier, there is not a requirement for a licenced premise in this area and this also applies to tabanka 'cafe' on 173 Cromwell road.

Licences and opening times are granted without consulting the residents that will be affected, and clearly the residents in this case are being affected and their quality of living and disruption to sleep.

Can I please get a written reply to this complaint asap, via letter or email.

Thanks.

Kasir Iqbal

Dear Sir/Madam,

Premises: Marisqueira Restaurant - 62 Cromwell Road

I wish to make a formal complaint about the above restaurant.

I live at _____ and I would like to bring to your attention the level of noise coming from the restaurant how this is affecting the enjoyment of my home I have a young child who is frequently being woken up due to the noise and the backlash once the restaurant is closed. An example of this being just last night being rudely woken up at 3.00 in the morning with several drunken people shouting and swearing.

My wife walks past the restaurant on a daily basis and even in the daytime she feels intimidated walking down the road as there are always people standing around loitering and she often has to walk onto the road as she feels so uncomfortable walking through the crowds on the pavement surrounding the restaurant and the neighbouring properties.

I don't think that it is appropriate to have such an establishment in a residential area as a direct result of the restaurant there are glass bottles on the road and lots of rubbish.

I would like to know how the council will be dealing with my concerns.

I look forward to your co-operation in this matter.

Yours sincerely

Mr Zahid Qayyum

Dear Team

NOTICE OF REVIEW OF PREMISES LICENCE - MARISQUEIRA, 62 CROMWELL ROAD, PETERBOROUGH, PE1 2EG

I am contacting you following the above notice and wish to make a representation ahead of the upcoming review that you are carrying out in relation to the above premises.

It comes of no surprise to me that the grounds for the review come under 'public nuisance'

The above premises is certainly a public nuisance and below I have stated just a few reasons why I feel the Licence for the establishment needs to be reviewed as matter of urgency.

1. NOISE

- a) The level of noise from the premises is unacceptable - during the weekends the noise is particularly intolerable. I live a good few properties away from the premises and I still can hear the track being played during the karaoke nights and the visitors to the premises singing along. This I find particularly annoying when trying to get some sleep – the music is blaring from the premises well into the night and into the early hours of the morning on some occasions – but mostly still going on at 11:00/01:00 – which is still unacceptable for a residential area.

I simply do not understand why this 'cafe' is allowed to play music – and not just the fact it is on but the volume at which it is being played – it is almost, if not, just as loud as a night club.

During the warm summer nights recently it has been near enough impossible to get some sleep if the windows are open due to the loud music.

- b) Once the doors are finally closed out come to intoxicated punters – shouted and screaming with absolutely no regard for the sleeping occupants of the neighbouring properties. The people running the establishment cannot simply absolve themselves for the behaviour of their paying guests – they know the implications of serving too much alcohol to people and the repercussions of any such action that they may take – however they simply do not do enough to show they have any regard to the local community.

2. ANTI- SOCIAL BEHAVIOUR

The above paragraph takes me to the next point of concern - The drastic rise in anti-social behaviour in the local area as a direct result of this business. I've already spoken of shouting and screaming during the nights and early mornings – but unfortunately it does not stop there. The

patrons/visitors to this establishment feel it acceptable to congregate around the premises and sitting on the walls of the nearby properties – shouting and intimidating passersby. Usually groups of men – approx 10-15 at any given time clearly selling and buying drugs.

They will sit and lean on parked vehicles belonging to residents damaging them as well as the walls they feel free to sit upon with no consideration for the owners of the properties – also blocking the footpath forcing women and children onto the busy road to get by.

Young children are not safe to play outside their own homes due to the illegal activities taking place on the street. As well as the drugs being brought and sold – other undesirable activities are taking place which the local community could do without.

I strongly believe that if this premises was closed – the level of anti-social behaviour of decrease drastically.

Often the guest visiting the property will park illegally on the double yellow lines directly outside the premises – causing obstructions on an already busy cross road – where the traffic lights have recently been removed – making this area particularly hazardous.

The above problems cause conflict – which has resulted in physical violence and verbal aggression on many occasions.

As part of your review I am sure that you will consider the number of times the local Police have been called out to incidents involving this premises to corroborate what the local residents are saying.

The increase in the level of rubbish strewn across the streets after a busy weekend is clearly visible on Monday morning, with glass bottles thrown carelessly around the premises.

Clearly on previous occasions during the last few years the licence of the establishment has been modified or exclusions made. I do not feel that this has had the desired effect and residents in the area still feel aggrieved and disgruntled at the perceived lack of action taken by the local authority – as the problems associated with the premises seem to have increased.

I feel the only option that remains is to revoke the license completely. I feel that granting the licence in this area in the first place was somewhat reckless – but surely to continue to avoid the problem and state concerns from local residents does not meet the threshold for any such action is simply not going to cut it anymore.

I'm sure the local resident would like to once more enjoy the time spent in their own homes – as the premises is affecting the quality of life for some resident – especially the ones living directly next to the premises

Please confirm safe receipt of this email and if any further information is required please do not hesitate to contact me by email.

Yours sincerely

Mrs Nasreen

I am writing this email after suffering from months of anti social behaviour emanating from the marisqueira restaurant / pub on Cromwell rd Loud music being played at all hours Customers of the restaurant / pub blocking public footpath during day and night Drunken people lying around causing for very intimidating environment for women children and the elderly I have made my concerns quite clearly to local councillors but it has usually fallen on deaf ears

I strongly urge the people in authority to do something about this problem as it's becoming an absolute nightmare to live nearby. Thank you.

Rafiq Mohammed

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Dear Sir/Madam,

My name is Mr Zafar Iqbal and I live at Peterborough.

I would formally like to complain about a number of issues relating to the Marisqueira Restaurant on the corner of Cromwell Road/Russell Street.

1. the first issue is noise. The restaurant is located in a residential area and I cannot see how they are allowed to operate a late licence after 11pm ?

Often at weekends their events do not finish until the early hours of the morning. The noise emanating from that establishment, be it music or Karaoke

is beginning to seriously affect the quality of life on Cromwell Road. I'm sure you can empathise when you've gone a few nights without proper sleep.

2. every time I come home from work and at weekends, you see patrons leaving the premises and sitting on the walls of the neighbouring properties

causing ASB, littering, smoking weed and leaving beer bottles and cans in peoples gardens. Please speak to Chris the street cleaner, I'm sure he'll tell

you the state of affairs in the mornings.

3. During their late night events, there are always problems caused with parking, ASB, drug-taking and basically making the lives of those who live nearby, intolerable.

4. I thought there was a law now which stated that smoking inside a restaurant was no longer permitted ? I think you need to re-educate this restaurant as I've seen people smoking inside the premises ...

What I would like you to do ...

1. respond by email to state that you have received my complaint so that it is logged

2. explain in writing how you plan to address the issues above

3. explain how this restaurant is able to obtain a late licence inside a residential area

p.s. apologies for the nature of this email, but if you lived next to this restaurant, I'm sure you would have similar feelings.

kind regards,

Zaf Iqbal

Darren,

Many thanks for your email. Yes, I would like my original email to be submitted as a representation for the review.

The only additional bit of evidence I would like to submit is from the weekend, which is as follows ...

I was watching TV at home on Saturday evening (20/07/2013) and the time was approx 1130pm. I could hear/feel the 'bass' from the music in the restaurant coming into my living room ! And I live 4/5 doors away. From that you can take a guess at the volume of the music that was being played at the restaurant.

kind regards,

Zaf Iqbal