

## **Application to Vary a Premises Licence**

**Applicant:** Georges (March) Ltd

**Address:** 61 High Street  
March  
Cambs PE15 9JJ

**Committee Hearing:** 1 October 2013

**Committee Chairman:** Councillor Mrs Kay Mayor

**We have listened very carefully to all parties submissions today and are mindful of the evidence based noise complaints presented by the Environmental Health Officer.**

**We were particularly swayed by the recording from Laura Harwood from which Mr Marsh accepted how audible the background noise from his establishment was.**

**We heard from Mrs Fox and Mr Wilcox the disturbed sleep patterns for the local residents including young children and the impact this has on their wellbeing. This was reinforced by Councillor Owen, the local ward Member on the Town and District Council.**

**We acknowledge that Mr Marsh has tried to work with the local police however he has only recently started to engage with the Environmental Health department and local residents; in addition to Mr Marsh's comments that the additional glazing had not been fitted until last weekend, it was a concern when we visited the premises this morning to see that additional glazing was only just being fitted.**

**Given that this is an application to vary the licence we are constrained in relation to amendments we can make to the existing situation.**

**We are mindful that Mr Marsh's presentation revolved around control of his clientele leaving the premises however we are not convinced that this is currently being managed satisfactorily or indeed will be with his suggested extended hours, particularly in relation to live music.**

**In considering this proposal we are unanimous in our decision that the hours applied for are not agreed.**

**We are agreed that the hours for:**

- Live music on Thursday, Friday and Saturday should remain as at present 10:00 – 23:59
- recorded music to be 08:00 – 23:59
- Dancing (indoors) Monday – Sunday 08:00 – 23:59
- Sale of alcohol Monday – Sunday to be 09:00 – 23:59
- HOURS PREMISES ARE OPEN to be:
  - Sunday – Wednesday 08:00 – 23:59
  - Thursday – Saturday (inclusive) 08:00 – 01:00

The reason for our decision to extend the opening Thursday – Saturday is to enable Mr Marsh the opportunity to prove his concept in relation to winding down and dispersal of his customers through the use of appropriate management and incidental music.

The conditions of the Licence to be amended as follows:

- Annex 2 Condition 2 to be removed and a new condition attached that requires a written drug policy to be available on the premises which can be produced to an Authorised Officer on request and the policy will be complied with;
- Remove Annex 2 Condition 10 and replace with Age Verification Policy Challenge 25 to be in place whilst such a scheme is in operation and all staff members to be trained accordingly;
- Annex 2 Condition 11 to remain;
- Annex 2 Condition 1 to remain;
- The proposed Condition Annex 2 Condition 3 as set out in the report in Paragraph 4.5.2 be accepted;
- Annex 2 Conditions 12 and 13 to remain as on existing licence;
- Additional conditions to be implemented as applied for regarding CCTV, Incidents and Refusal Books and Staff Training Records as outlined on Page 2 of the Application.

We also impose the following conditions 1, 2, 3 & 5 as proposed by the Environmental Health Officer and set out on Page 46 of the report

We hope this will give Mr Marsh the opportunity to demonstrate good management and positive neighbour relations as he continues to develop his business.

The hearing has been carried out in accordance with the Human Rights Act entitling all parties to a fair hearing.

Any appeal against this determination can be made to the Magistrates Court within 21 days of receipt hereof.

Chairman's signature:



Date: 1 October 2013