

## Consultation with Responsible Authority

Resp Auth: CYC Planning

### 1. Application

Ref No: CYC/

Premises: MARMADUKES, 4 ST. PETERS GROVE

Relevant Planning Status: HOTEL.

2. Representation: Yes / ~~No~~\*

Date: 8/8/08

### 3. Representation details

#### Licensing Objective

~~Crime and Disorder / Public Safety / Public Nuisance / Protection of children from harm\*~~

#### Reason for representation (with regard to the relevant licensing objective(s))

Planning permission was granted in May 2007 for a conservatory on the side of the premises with a condition requiring a scheme of sound insulation to be agreed and implemented. The condition has not been formally discharged. The neighbour at 3 St. Peters Grove continues to express concern about his situation.

#### Conditions/Remedy

Either the condition is complied with to take account of live/amplified music being played in the conservatory, or the conservatory is excluded from the licence.

### 4. Contact details for Mediation

Name: SIMON GLAZIER

Email: simon.glazier@york.gov.uk

Phone number: 551642

Date sent to Licensing Authority: 8/8/08

Signed:



\*delete as appropriate



## Cooke, Lesley

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**From:** Howlett, Helen  
**Sent:** 12 August 2008 10:02  
**To:** Cooke, Lesley  
**Cc:** Gray, Ian  
**Subject:** Representations regarding the variation of premises licence at Marmadukes, 4 & 5 St Peters Grove, York

Further to our meeting to discuss the proposals at the above premises, EPU would like to make the following representation:

I would confirm my understanding that the variation of the licence relates to the premises at no. 4 St Peters Grove and the front outside area and that no. 5 St Peters Grove and the rear Roman garden are not subject to the variation. If this is not the case please let me know as there are additional representations to make if the premises at no. 5 and the rear garden are to be used for regulated entertainment.

I note that at the original grant of the licence in 2006, the applicant gave an undertaking that they had no intention of providing outside entertainment however, I understand that this does not have any legal weight and that the licence the premises currently has allows live music inside and outside until 10pm and, recorded music and dance inside and outside until midnight. This licence variation is to extend those hours until 2am both inside and outside and to allow additional regulated entertainment in the form of films, plays and performance of dance.

I object to the variation(s) for the following reasons:

It is my opinion that the proposed activities until 2am will cause public nuisance to the neighbouring properties. Whilst there is no history of complaints regarding the premises, the close proximity of the inside area of no. 4 St Peters Grove and the front outside area to the surrounding residential premises is such that there is likely to be public nuisance to persons living in the area. As such, this unit would request that the variation is not granted for the additional hours, and if the additional activities are allowed, that they are restricted to the hours that are currently on the licence.

There is the potential that the operation of the business in line with the current licence could also cause public nuisance to local residents, should this be the case, and complaints are received, this unit will investigate. Justified complaints regarding statutory nuisance could result in a request for a review of the existing licence.

Should you wish to discuss this representation further, please contact me.

Regards,

Helen Howlett

Senior Environmental Protection Officer

ext 1844