

NOTICE OF MEETING

MEETING	LICENSING ACT 2003 SUB-COMMITTEE
DATE:	WEDNESDAY 28 APRIL 2010 (RECONVENED MEETING FROM 15 APRIL 2010)
TIME:	9.30 am
VENUE:	COUNCIL CHAMBER - TOWN HALL
CONTACT:	Gemma George Telephone: 01733 452268 e-mail address: gemma.george@peterborough.gov.uk
<i>Despatch date:</i>	<i>20 April 2010</i>

AGENDA

PAGE NO

- | | | |
|----|--|---------------|
| 1. | Apologies | |
| 2. | Declarations of Interest | |
| 3. | Application for Review of Premises Licence - Shooters Bar, 29 New Road, Peterborough, PE1 1FJ | 1 - 52 |



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
28 APRIL 2010		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Terri Martin, Regulatory Officer Licensing	Tel: 454437 Tel. 453561

APPLICATION:	Review of Premises Licence
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PREMISES:	Shooters Bar 29 New Road, Peterborough, PE1 1FJ
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REFERENCE NUMBER:	MAU 058675
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GLOSSARY OF TERMS: Attached at Appendix A on Page 5
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1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for a review of a Premises Licence under Section 51 of the Licensing Act 2003 for the above premises, taking into account the representation made by Cambridgeshire Constabulary in their capacity as a Responsible Authority, and letter of support of the review by children services. The review was bought under the Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance objectives.

2. BACKGROUND INFORMATION

- 2.1 On the 27 June 2005 an application was made to Peterborough City Council to apply for a conversion and variation of an existing justices licence to a premises licence as per schedule 8 of the Licensing Act 2003. As no representations were received from any of the responsible authorities or from any interested party, the premises licence was granted on the 22 August 2005. At that time the premises was operating as a members only Pool and Snooker Hall with membership rules, with the provision for late night refreshment, indoor sporting events, and the sale of alcohol.
- 2.2 On the 7 November 2007 a variation application was received to remove the membership restriction, to include films, recorded music, anything of a similar description, to provide facilities for entertainment, to include and remove conditions and a variation to the plan to remove the snooker tables and reposition the bar serving area.

The police made representation and a short term mediated condition was added to the licence which restricted the sale of alcohol from 06.00 to 04.00am for three months to evaluate if the change in operating style increased issues of crime and disorder. This mediated condition was removed 5 March 2008, therefore sale of alcohol was permitted until 06.00.

No other representations were received from any other responsible authority or interested party and the licence was granted 7 December 2007. A copy of the current premises licence is attached at **Appendix B – Page 9**

2.3 An application to vary the Designated Premises Supervisor (DPS) was received on 4 March 2010, this application was to remove Mr Graham McMillan as the DPS and make Mr Thomas Pick the current DPS with immediate effect.

3. APPLICATION

3.1 In accordance with section 51 of the Licensing Act 2003 following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority must hold a hearing.

3.2 A copy of the application to review, which was received at these offices on 18 February 2010 is attached at **Appendix C – Page 23**

3.3 A copy of the ‘Notice’ that was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 is attached at **Appendix D – Page 43**

3.4 A letter of support for the review has been received from children services, but not from any of the other remaining Responsible Authorities, or interested parties. The letter of support from Children’s Services is attached at **Appendix E – Page 45**

4. RESPONSIBLE AUTHORITY

LICENSING OBJECTIVE:	REPRESENTATIVE:
<p>Public Safety</p> <p>Prevention of Crime and Disorder</p> <p>Prevention of Public Nuisance</p>	<p>Responsible Authority: Cambridgeshire Constabulary</p> <p>As per the application for review attached at Appendix C – Page 23</p> <p><i>To comply with the Data Protection Act all letters have been distributed to Committee Members and the applicant, but are not for public circulation</i></p>

4.1 Summary of issues raised by Cambridgeshire Constabulary

The application for review lists a summary of fifty nine (59) incidents relating to violence, anti-social behaviour and disorder at the premises from 14 February 2009 to 15 February 2010. From these incidents 20 crime files were raised.

5. LICENSING OFFICERS COMMENTS

5.1 Mediation has taken place and was attended by representatives of the licence holder and their solicitor (Mr A Heeler from Hegarty LLP) and representatives from Cambridgeshire Constabulary and a member of the licensing department.

5.2 At the mediation meeting the licence holders disputed some of the incidents contained in the review application. The list of the 30 disputed incidents is attached at **Appendix F – Page 47**

5.3 The licence holder offered to reduce the hours for the sale of alcohol from 06.00 to 05.00, however did also state that the premises usually closes at 04.50 currently.

- 5.4** The licence holder stated that the DPS would also be varied. This application has been received, please refer to section 2.3 of this report.
- 5.5** The licence holder also confirmed that there would be a new CCTV system installed which would increase the amount of CCTV cameras from 8 to 15. They said that they have replaced all door staff except one and would be in agreement for all their door staff to receive extra training in conflict resolution.
- 5.6** The licence holder did also explain that they were trying to get approval from the landlord of the building to put up a physical barrier outside the front of the premises to create a perimeter to avoid the contact of the premises customers and persons in the street. As they consider this to be a flashpoint for some disorder issues.
- 5.7** Upon receipt of the disputed incidents Cambridgeshire Constabulary have agreed to withdraw eleven (11) of the incidents from the review. This agreement is attached at **Appendix G – Page 51**
- 5.8** Cambridgeshire Constabulary believed that the reduced hours offered by the applicant were insufficient as it offered no real change to the current operation of the premises. They also stated that a change to the DPS would not necessarily reduce the amount of incidents as it was more of a ‘culture and reputation’ attributed to the late night operation of the premises which was causing the amount of incidents which was a chronic problem.
- 5.9** For ease of reference the application has been marked by one * if the incident is disputed by the licence holders and two ** where the police have agreed to withdraw the incident from the review application, all other incidents remain unchallenged by the licence holder.

6. POLICY & GUIDANCE IMPLICATIONS

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

6.2 Council’s Statement of Licensing Policy

- Other legislation: *Section 10 on Page 14*
- Fundamental Principles: *section 6 on Page 9*
- Reviews: *section 15 on Page 18*
- Delegation / Decision Making / Administration: *Section 16 page 18*

6.3 Guidance Issued under Section 182 of the Licensing Act 2003 (March 2010)

- The licensing objectives: *Section 2 pages 16 to 23*
- Reviews: *Section 11 pages 97 to 100*
- Determining applications: *Section 9 pages 76 to 80*

7. LEGAL OFFICER’S COMMENTS

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

7.2 In this case, the application was received at these offices on 18 February 2010.

7.3 The application before this committee will consider –

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

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

- (a) to modify the conditions of the premises licence
- (b) to exclude a licensable activity from the scope of the licence

- (c) to remove the designated premises supervisor from the licence
- (d) to suspend the licence for a period not exceeding three months, or
- (e) to revoke the licence

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

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

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

GLOSSARY OF TERMS

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

‘Child’

(a) means an individual aged under 16

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

DCMS: Department for Culture Media and Sport

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

‘Interested parties’:

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

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

‘Licensable Activities’ means: -

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

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

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

‘Licensing Objectives’

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

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

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

- The steps being taken to promote the Licensing Objectives

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

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

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

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

Or the provision of entertainment facilities:

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

- making music
- dancing
- entertainment of a similar description

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

'Responsible Authority' means any of the following: -

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

'Supply of alcohol':

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

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

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

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

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

‘the Act’: means the Licensing Act 2003

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

Licensing Act 2003\glossary of terms 13 March 2007

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PART A

APPENDIX B

Premises Licence

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

Premises Licence Number

050823

Part 1 - Premises Details

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

Shooters Bar
 29 New Road

Post Town Peterborough

Post Code PE1 1FJ

Telephone Number

Where the licence is time limited the dates

Start Date N/A
 End Date N/A

Licensable activities authorised by the licence

Provision of regulated entertainment

Films

The exhibition will take place indoors

Recorded Music

The recorded music will take place indoors

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

The entertainment will take place indoors

Provision of entertainment facilities

Entertainment of a similar description to that of making music or dancing

The activity will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place both indoors and outdoors

Sale by retail of alcohol

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

The times the licence authorises the carrying out of licensable activities

Films

Monday to Sunday Between 00.00hrs and 00.00hrs

Recorded Music

Monday to Sunday Between 00.00hrs and 00.00hrs

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

Monday to Sunday Between 00.00hrs and 00.00hrs

Entertainment of a similar description to that of making music or dancing

Monday to Sunday Between 00.00hrs and 00.00hrs

Provision of late night refreshment

Monday to Sunday Between 23.00hrs and 05.00hrs

Sale by Retail of Alcohol

Monday to Sunday Between 10.00hrs and 06.00hrs

The opening hours of the premises

Monday to Sunday Between 00.00hrs and 00.00hrs

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

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

Part 2

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

Mr Graham R McMillan

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

Information not provided

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

Mr. Graham R McMillan

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	044934
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.

Exhibition of films

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

1. I will not exhibit any film unless –
 - (a) it has received a "U", "PG", "12", "12A", "15" or "18" certificate from the British Board of Film Classification; or
 - (b) it is a current newsreel which has not been submitted to the British Board of Film Classification.
2. Where films are classified by the film classification body, (British Board of Film Classification) I will make sure that children (persons under 18) are only admitted in accordance with the classification of the film:

U – Universal – suitable for audiences aged 4 years and over;
PG – Parental Guidance – some scenes may be unsuitable for young children;
12 – viewing by persons aged 12 years and over;
12A – viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;
15 – viewing by persons aged 15 years and over;
18 – viewing by persons aged 18 years and over.
3. Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of the classification.

Supply of alcohol (Premises Licence)

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

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

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

Door Supervision (where supervisors are engaged this condition applies)

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

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

7. **Sale of alcohol, will initially be limited to 04.00hrs. If there has not been an increase in crime and disorder after three months and the Police are in agreement the timings will be adjusted to those within the operating schedule.**
8. Video/CCTV equipment shall be installed inside/outside the premises and maintained in working order.
9. Video/CCTV equipment will be set to record from the time that the premises open to the public until the premises close and all members of the public have left.
10. Monitoring digital images shall be retained for one month and shall be produced to an authorised officer on demand.
11. 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.
12. Door supervisors will be used or employed at all times when a licensable activity is being carried out when considered necessary to:
 - Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder;
 - Keep out excluded individuals (subject to court or pub watch bans)
 - Search and exclude persons suspected of carrying illegal drugs or offensive weapons; or
 - Maintain an orderly queue outside the venue.
13. Door Supervisors used shall be registered by the Security Industry Authority
14. At least two door supervisors will be used or employed on each floor or tier, in addition to those located in any access/egress point, during the whole of the time any licensable activity takes place.
15. A means of two way communication shall be provided between the premises and the local police or CCTV monitoring centre to report incidents.
16. Video/CCTV equipment shall be installed inside/outside the premises and maintained in working order.
17. Video/CCTV equipment will be set to record from the time that the premises open to the public until the premises close and all members of the public have left.
18. 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.
19. Drinks shall only available for consumption from plastic vessels or toughened glass.

20. Where glass bottles are used, they will be retained or disposed of on the premises.
21. No customers will be admitted, or permitted to leave when carrying opened bottles or glasses.
22. The maximum occupancy of the licensed premises is restricted at any one time to: 300
23. Door Supervisors are to be used or employed to ensure that the capacity limit is enforced when SIA are on duty
24. Any person selling or supplying alcoholic drink under the authority of a personal licence holder must ask for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.
25. A secure deposit box is to be kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.
26. Notices relating to any restrictions on the admittance of individuals according to age (*e.g. Children*) shall be displayed on or immediately outside the premises.
27. The premises licence holder shall ensure participation in the local pubwatch / nightsafe scheme operating in the area.
28. Any alarms installed at the licensed premises shall be maintained in working order.
29. The premises license holder shall be responsible for prevention and disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.
30. The premise license holder shall not participate or encourage flyposting of events or the venue and any leaflet distribution shall be managed in such a way as to prevent litter.

Public Safety

31. Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
32. Where chairs and tables are provided, internal gangways are to be kept unobstructed.
33. All exit doors shall be easily openable and shall not require the use of a key, card, code or similar means.
34. Doors at exits shall be regularly checked to ensure that they function satisfactorily and a record of the check will be kept.
35. All fire doors shall be maintained as effectively self-closing and not held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).

36. Edges of the treads of steps and stairways are maintained so as to be conspicuous.
37. Safety checks are to be carried out before the admission of the public or club members and guests; and details of such checks are to be kept in a Log-book.
38. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
39. Temporary electrical wiring and distribution systems shall not be provided without prior inspection by a suitably qualified electrician
40. The following systems shall be maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and records kept of such inspections available for inspection by authorised officers on request:

Building Electrical Installation
Emergency Lighting System
Fire Warning System
Suspended ceilings
Portable fire fighting equipment
Temporary Electrical Installation
41. Valid public liability insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.
42. Free drinking water shall be available at all times the premises is open to the public.
43. A "hot line" to a local taxi firm shall be installed
44. The regulatory reform (Fire Safety) Order 2005 will be complied with

Public Nuisance

45. Doors and windows shall be kept closed (except for ingress and egress) to reduce noise nuisance from the premises.
46. Any request by an authorised officer of the Council in relation to reducing noise levels shall be complied with.

Protection of Children from Harm – None

Annex 2A – Embedded Restrictions

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.

ALCOHOL ON LICENCES

Alcohol shall not be sold or supplied except during permitted hours as listed above and below.

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).

Annex 3 - Conditions attached after a hearing by the licensing authority - NONE

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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

050823

Premises Details

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

Shooters Bar
 29 New Road

Post Town Peterborough

Post Code PE1 1FJ

Telephone Number

Where the licence is time limited the dates

Start Date N/A
 End Date N/A

Licensable activities authorised by the licence

Provision of regulated entertainment

Films

The exhibition will take place indoors

Recorded Music

The recorded music will take place indoors

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

The entertainment will take place indoors

Provision of entertainment facilities

Entertainment of a similar description to that of making music or dancing

The activity will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place both indoors and outdoors

Sale by retail of alcohol

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

The times the licence authorises the carrying out of licensable activities	
Films	
Monday to Sunday	Between 00.00hrs and 00.00hrs
Recorded Music	
Monday to Sunday	Between 00.00hrs and 00.00hrs
Anything of a similar description to that of live music, recorded music or performances of dance	
Monday to Sunday	Between 00.00hrs and 00.00hrs
Entertainment of a similar description to that of making music or dancing	
Monday to Sunday	Between 00.00hrs and 00.00hrs
Provision of late night refreshment	
Monday	Between 23.00hrs and 05.00hrs
Sale by Retail of Alcohol	
Monday to Sunday	Between 10.00hrs and 06.00hrs

The opening hours of the premises	
Monday to Sunday	Between 00.00hrs and 00.00hrs

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies	
The supply of alcohol will be for consumption on the premises both on and off the premises.	

Name, (registered) address of holder of premises licence	
Mr Graham R McMillan	
.....	

Registered number of holder, for example company number, charity number (where applicable)	
Information not provided	

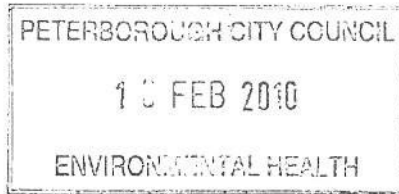
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Mr. Graham R McMillan	

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

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058675

LC1



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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Chief Constable Julie Spence on behalf of Cambridgeshire Constabulary
apply for the review of a premises licence under section 51 / apply for
the review of a club premises certificate under section 87 of the
Licensing Act 2003 for the premises described in Part 1 below (delete as
applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description Shooters Bar 29 New Road	
Post town PETERBOROUGH.	Post code (if known) PE1 1FJ

Name of premises licence holder or club holding club premises certificate (if known) Graham Mcmillan

Number of premises licence or club premises certificate (if known) 050823
--

Part 2 - Applicant details

Please tick ✓ yes

I am

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

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title

(for example, Rev)

Surname First names

Please tick ✓ yes

I am 18 years old or over

Current address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Cambridgeshire Police Headquarters Hinchingbrook Park, Huntingdon, Cambridgeshire
Telephone number (if any)
E-mail (optional)

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

- Please tick one or more boxes
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

- * = INCIDENT DISRUPTED BY LICENCE HOLDERS.
 ** = POLICE AGREE TO WITHDRAW INCIDENT FROM REVIEW APPLICATION.

Please state the ground(s) for review (please read guidance note 1)

I would like to apply for a review of the premises licence with regard to the following objectives of the Licensing Act 2003:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety

A summary of incidents relating to violence, anti-social behaviour and disorder at the premises from 14/02/2009-15/02/2010 can be found below:

- CC-14022010-0119. CCTV reported a fight at the premises at 05:04hrs. Three individuals were arrested for assault and affray.
- CC-05022010-0051. CCTV reported a fight at the premises at 04:19hrs. A male received a cut to his face and a female received bruising to her face. Relates to crime CF0054320210. The incident started inside the premises where customers who had been drinking became involved in a verbal altercation which became physical. The fight spilled onto the street and the crime notes state that this fight occurred at a busy time with lots of members of the public outside.
- CC-04022010-0012. A member of the public reported 2 males leave shooters bar and walk outside where they were witnessed dealing drugs. The 2 males then reportedly went back into shooters bar and were not searched by doorstaff on re-entry to the premises.
- * CC-04022010-0008. Manager of shooters bar reported that a male at the premises had just offered a member of staff drugs.
- * CC-03022010-0029. CCTV reported a fight at the premises at 02:20hrs. Individuals involved in the fight were reported to have left in taxis prior to police arrival.
- * CC-31012010-0111. CCTV reported that an assault on a male at the premises at 04:00hrs.
- * CC-29012010-0043. A member of the public reported that he had been assaulted by doorstaff at Shooters at 03:56hrs. Officers spoke with witnesses who reported that the male was ejected and

that the force used by doorstaff was 'reasonable' however the male was reported by an officer to be very drunk and there was no evidence that staff at the premises took any steps to ensure that this very drunk individual found a safe way home.

- * • CC-25012010-0013. An assault on a member of doorstaff was reported at 01:42hrs at Shooters. The offender and their partner had been drinking at the bar and were described by officers at the scene as 'extremely intoxicated'.
- CC-24012010-0072. A male reported at 03:13hrs that he was in the toilet at Shooters with his boyfriend. He reported that he and his boyfriend were talking and kissing and members of doorstaff from the premises burst in, forced the cubicle door open and ejected both males. The male reported that he and his boyfriend were called 'faggots' by the doorstaff. The male reported that his boyfriend sustained a neck injury due to the force used in the ejection and that he had hurt his arm. Relates to crime number CF0035890110.
- * • CC-22012010-0047. Police officer on patrol reported at 03:29hrs that a group of males were fighting at the premises. All individuals involved were described by the officer as 'very drunk'.
- * • CC-26012010-0077. Member of the public reporting being abused and assaulted by doorstaff at the premises at 01:00hrs. The victim reported that he has a suspected broken nose.
- CC-30122009-0033. A police officer reported at 03:38hrs that a female was assaulted at the premises by a male.
- * • CC-27122009-0080. A police officer on patrol reported that three people were arrested for affray outside the premises at 04:57hrs.
- * • CC-21122009-0023. CCTV reported a fight in New Road which started in Shooters bar at 01:30hrs.
- * • CC-20122009-0057. Police officer on patrol reported a male being taken to A&E following an assault at Shooters at 01:31hrs.
- * • CC-07122009-0636. Ambulance crew reporting a violent male at the premises at 23:50hrs. The crew have reported that the male was being violent to staff at the bar.
- * • CC-07122009-0012. Ambulance crew reporting that a female was causing disorder in the toilets of the premises at 01:09hrs.
- CC-03122009-0024. Police officer on patrol at 02:08hrs asked for assistance with 5 males inside the premises and 2 males outside the premises causing disorder.
- * • CC-02122009-0054. Police officer on patrol reporting a fight at the premises. Further call from CCTV to report that the doorstaff were having problems with a violent male. One arrest was made at 05:26hrs.
- * • CC-28112009-0121. A customer reported being ejected violently from Shooters at 05:05hrs. He reported that he had cuts to his arms and hands as a result of the ejection. He also reported that doorstaff had taken his wallet. The male was described as being drunk by officers dealing with this incident.
- CC28112009-0115. Police officer reported a male had received a laceration to his face from a glass/bottle at the bar at 04:20hrs. The male was taken to hospital but did not wish to make a statement.
- * • CC-27112009-0035. CCTV reported that doorstaff at shooters were unable to deal with a banned male and requested police assistance to deal with him. Officers attended and moved the male on.

- * * CC19112009-0051. A member of the public reported that drug dealing was taking place at the premises. The member of the public reported that they spoke with the alleged dealer who informed them that the doorstaff were 'on the books' with dealing as well.
- CC-19112009-0037. CCTV reporting at 03:17hrs that doorstaff at shooters were having problems controlling a male. The male was reported to be drunk.
- CC-30102009-0043. CCTV reported at 03:26hrs that a fight was taking place at the premises. CCTV reported that an ambulance crew attended the incident and a male reported that he was assaulted because they were trying to buy drugs from him. Footage of the incident was on shooters CCTV and a victim went back into shooters following the incident. Three victims in total. One victim was taken to A&E and had to be resuscitated. CCTV footage of the incident showed two members of doorstaff were present during the incident however doorstaff reported to officers that they didn't see anything. Details of the incident were sent directly to the Police Licensing Officer by investigating officers due to concerns regarding the conduct of doorstaff.
- * * CC-29102009-0017. CCTV reported a male was causing problems for doorstaff at the premises. Police attended and one arrest was made at 01:35hrs.
- * CC-25102009-0044. CCTV reported that doorstaff at shooters were having problems dealing with a violent male at 01:15hrs. Police attended and the male was arrested.
- CC-24102009-0655. CCTV reported that a male had been kicked out of shooters and was causing problems outside the bar at 23:06hrs. Police attended and the male was arrested.
- * CC-23102009-0019. Doorstaff at the premises reported that a drunk male had damaged property inside the venue, had been ejected and was causing problems for doorstaff at 00:28hrs. Police attended and dealt with the dispute.
- * * CC-10102009-0094. CCTV reported a fight at the premises at 03:12hrs.
- CC-11092009-0055. CCTV reporting a fight at the premises at 03:32hrs.
- CC-09092009-0398. Male reported being assaulted at the premises at 02:30hrs on 23/08/09. He received cuts to his hand which severed the nerves and tendons.
- * * CC-05092009-0115. Ambulance crew reported picking someone up from the premises who was unconscious due to excessive alcohol consumption.
- * CC-04092009-0051. CCTV reporting that a male had been arrested for assaulting a member of doorstaff at 03:48hrs. Arresting officer noted that 'bouncer not being very cooperative with me.'
- CC-24082009-0058. CCTV reported a disturbance inside the bar at 03:14hrs. CCTV reported that the incident involved off duty doorstaff. A male received a serious injury to his hand as a result of this incident. When spoken to at the hospital it was believed that he had an arterial cut. Allegations made of threats, different parties gave conflicting statements and no complaints were made.
- CC-19082009-0567. Staff at the premises reported that a male was causing a disturbance in side the bar at 20:42hrs. Assistance from the police requested to deal with this male.
- * * CC-10082009-0050. Male reported that a member of doorstaff at shooters had just tried to sell him drugs (pills and cocaine) at 02:15hrs. The male provided a description of the member of doorstaff.
- * * CC-01082009-0156. Officer reporting that doorstaff at the location had punched a male at 04:39hrs and that the victim had concealed bottles.

- CC-18072009-0139. Male reported that doorstaff at the premises had assaulted him resulting in some of his teeth falling out and a suspected broken thumb at 04:43hrs. CCTV report that the male was being ejected from the premises by doorstaff, he headbutted one of them who then retaliated against him resulting in his injuries. The father of the male reporting the crime was spoken to by police and confirmed that his son had lost two teeth and that he didn't remember much from the incident because he was so drunk.
- CC-10072009-0051. CCTV reporting two female fighting outside the premises at 04:36hrs. Officer reported that they were very intoxicated.
- CC-27062009-0203. Officers called to the premises to arrest a violent male for drunk and disorderly at 05:09hrs.
- CC-16062009-0066. A male reported that a drunk female is refusing to leave the premises at 05:48hrs. The male reported that he needed assistance to move her. Officers attended and returned the female to Edith Cavell hospital from which she had been reported missing.
- CC-10062009-0039. A member of doorstaff at the premises reported a fight inside at 02:42hrs. They reported that they had managed to get the offender outside but he was trying to get back in. An ambulance was requested for a victim who received facial and eye injuries and was reported to be intoxicated.
- * CC-01062009-0030. Female reporting that her mother was assaulted at the premises at 02:25hrs.
- CC-30052009-0103. CCTV reported that a violent male was arrested at the premises at 04:52hrs for being drunk and disorderly.
- * CC-29052009-0321. Female reported that she was at shooters at 26/05/09 and was assaulted. Female reported that doorstaff asked her to leave following the assault and left her attackers inside the premises.
- CC-25052009-0103. CCTV reported a fight at the premises at 04:39hrs. 3 arrests were made for racially aggravated ABH.
- CC-22052009-0061. A male reported that he was at the premises at 04:45hrs and was thrown out and accused of being a rapist. He reported that his property is inside the premises and he cannot get it back as doorstaff have threatened to kill him if he returns or if they see him when they leave at 05:00hrs. The male reported that staff at the location 'made sure he spent all his money on drinks before they kicked him out.'
- * CC-11052009-0261. Male reported that he was in shooters in the early hours of Saturday morning when he was headbutted and received a very bloody nose.
- CC-03052009-0109. CCTV reporting a fight at the premises at 04:59hrs. A female was injured and taken by ambulance to A&E. 4 arrests were made for affray. Offenders in this incident received suspended imprisonment sentences, curfews, periods of unpaid work and had to pay compensation for injuries to the victims.
- * CC-02052009-0125. CCTV reported that a male assaulted a member of doorstaff at 04:31hrs who then retaliated. Two arrests were made following this incident which resulted in one twenty week prison sentence and a curfew period with compensation paid to one of the victims.
- * CC-01052009-0045. Staff at the premises reporting a large disorder at 03:14hrs.

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

- CC-25042009-0085. A member of the public reported being assaulted at the premises at 02:45hrs. The victim was described by officers dealing with this incident as 'so drunk he's not sure what he wants to do'. The victim was taken to A&E in an ambulance.
- CC-14042009-0023. CCTV reported an assault at 01:06hrs at the premises. Ambulance crew attended to assist victim who was able to walk. The victim did not wish to speak to police.
- CC-05042009-0138. CCTV reported a male had been assaulted at the premises at 05:00hrs. An ambulance was called for the victim.
- CC-27032009-0059. A member of the public reported an assault by a member of doorstaff at the premises at 04:00hrs. He alleged that a member of doorstaff was ejecting him from the premises, put him in a headlock where he was then hit over the head twice by a female member of doorstaff using her radio. The male received a deep cut to his forehead which required stitching at A&E.
- CC-27032009-0041. CCTV reporting a fight at the premises at 02:44hrs.
- CC-22032009-0595. Member of the public reported that a barman at the premises hit him in the face for no reason at 23:05hrs. Following the initial report the male decided that he did not wish to pursue a complaint.
- CC-28022009-0110. CCTV reported a fight at the premises at 02:57hrs. Officers attended and reported that the parties involved had left and that it was a drunk and disorderly incident.

A summary of crimes relating to incidents at the premises for the period 14/02/2009-15/02/2010 can be found below. These crimes relate to incidents listed above. The details outlined provide further information regarding the incidents which came to light as a result of police investigations. Where applicable, incident numbers are provided to correspond the crimes with the incidents listed above:

- CF0068990210/ CF0069000210 Assault occasioning actual bodily harm. A verbal altercation between customers at the premises became physical with offenders punching, biting and kicking the aggrieved.
- CF0054320210. Relates to incident CC-05022010-0051. Three individuals who had been drinking at the bar became involved in a fight inside which spilled onto the street. A female and a male received facial injuries.
- CF0035890110. Assault occasioning actual bodily harm. Relates to incident CC-24012010-0072 where a male reported being ejected from the premises with his boyfriend. The male reported that a member of staff at the premises referred to him as 'a dirty poof' and 'a dirty faggot'. Both offenders in this incident were reported to have heard to call the males 'faggots.' During a police interview with a member of staff at the premises the staff member stated that he thought one of the doorstaff was 'heavy handed' in the ejection of one of the males.
- CF0037060110. Assault occasioning actual bodily harm. Relates to incident CC-25012010-0013. A member of staff at the location reported an assault after refusing entry to the offender. When interviewed, the offender stated that the member of staff had been verbally abusive to him and had been winding him up.

- ✱ • CF0046240110. Relates to incident number CC-31012010-0111. Female was drinking at the bar and left to stand outside at 03:55hrs with her drink which she had purchased at the bar and was allowed to take outside. The female was asked to move on by doorstaff. Female became involved in a verbal altercation with doorstaff which resulted in her assaulting a member of doorstaff.
- CF0663601209. Assault occasioning actual bodily harm. In relation to incident CC-30122009-0033. A male received bruising to his face and was bleeding from his ears following an assault at the premises. The victim was punched repeatedly and also hit with a pool cue. The victim was assaulted by a group inside the premises. the victim was removed from the premises by doorstaff and the offenders left the premises and got into a taxi. Officers were not able to obtain CCTV from the premises at the time of the assault as staff at the premises could not operate the CCTV system. The Police officer who viewed the CCTV from the premises stated that 'all parties were clearly under the influence of alcohol.'
- ✱ ✱ • CF0654021209. Malicious wounding. Relates to incident CC-21122009-0023. A fight took place outside the premises at 01:30hrs between customers at the premises. The victim was knocked unconscious and lost a tooth before heading back into the bar. When interviewed both offenders admitted the offence and stated that they wouldn't have done it had they not been so drunk.
- ✱ • CF0620901209. Harassment, alarm or distress. Relates to incident CC-02122009-0054. The offender in this incident was described by arresting officers as drunk.
- ✱ • CF0620901209. Harassment, alarm or distress. Relates to incident CC-02122009-0054. The offender in this incident was described by arresting officers as drunk.
- CF0559131009. Assault occasioning actual bodily harm. Related to incident CC-30102009-0043.
- CF0475200909. Malicious wounding. Related to incident CC-13092009-0111. Doorstaff charged following an incident at shooters. Doorman got into an argument with a member of the public and then punched him knocking him to the floor. The victim received head and facial injuries.
- CF0299000609. Assault on a constable related to incident CC-10062009-0039. A drunk male was arrested and the premises and in the process of being handcuffed he lunged with his head and struck an officer in the chest.
- CF0318230609. Harassment, alarm or distress. Linked to incident number CC-10062009-0039. Police attended an incident at the premises and were sworn at and verbally abused by a drunk male.

- CF0301030609. GBH without intent. Linked to incident number CC-10062009-0039. Male assaulted at location and received a one inch cut above his eye which required stitching at A&E. Male and his friends were described by officers as being very intoxicated.
- CF0283720609. Common assault and battery. Linked to incident CC-29052009-0621. Victim reported being assaulted at the premises. Officers investigating the crime spoke with staff at shooters who had no log of the incident.
- CF0266880509. Common assault and battery. Linked to incident CC-25052009-0103. Three Kurdish suspects approached two victims from turkey inside the premises and assaulted them. In statements to the investigating officer one of the victims reported that the dispute arose due to a disagreement over money regarding a betting game that was taking place inside the bar. The suspects were reported to have been intoxicated.
- CF0255360509. Assault occasioning actual bodily harm. Linked to incident number CC-11052009-0261. Male headbutted inside the bar.
- CF0229740509. Assault occasioning actual bodily harm. Linked to incident CC-03052009-0109. Investigating officers noted that this incident was alcohol fuelled. Officers reported that when they attended the incident the bar was still busy and they found a female on the floor with facial lacerations.
- CF0221690509. Assault occasioning actual bodily harm. Linked to incident number CC-25042009-0085. The victim and the witnesses to this assault were described by investigating officers as being so drunk that they could not identify a suspect or make full recollection of the incident.
- CF0155810309. Malicious wounding. Linked to incident number CC-27032009-0059. A male reported that he was put in a headlock by doorstaff at the premises and then hit with an airways radio over the head. He received a one inch cut to his forehead and a cut to his nose. He required stitches for his injuries. The victim admitted to being drunk at the time of the incident. The CCTV footage from the premises was viewed by a Detective Inspector who stated that it clearly showed the victim being struck in the face using the hand held radio by the member of doorstaff. As a result of this incident the member of doorstaff was arrested however the case was later dismissed at court as the crown lost contact with the victim. Therefore it was deemed that it was unlikely that a conviction would be gained.

Therefore, from these crime and incidents the police licensing team have concluded that the management of this premise is extremely poor. The incidents and crime demonstrate that staff at the premises are not managing the licensable activities and the presence of customers safely or responsibly and this is leading to unacceptable levels of crime and disorder, seriously compromising public safety and presenting an ongoing nuisance to members of the public.

The incidents highlight how staff at the premises are unable to manage the consumption of alcohol at the premises and the presence of crowds. Repeatedly, incidents have occurred over the past 12 months in which verbal disputes and conflicts have been badly managed, resulting in fights in the premises and in the street. Officers attending incidents have noted that fights have occurred in the street, emanating from the premises, at times when the outside area is busy with passing members of the public. These incidents demonstrate that the poor management of the premises is causing a public nuisance and risking the safety of passing members of the public. The incidents highlight the inadequacy of staff at the premises to manage the licensable activities and presence of members of the public, particularly after 03:00hrs.

Incidents suggest irresponsible practices by staff at the premises. Many of the customers of the premises who police officers come into contact with as a result of incidents are found to be very intoxicated, often unable to assist with police enquiries to the level of their intoxication. The police licensing team feel that excessive alcohol consumption, brought about by irresponsible sales of alcohol, at the premises are fuelling alcohol related crime and disorder and rendering some customers incapable of taking care of themselves and undermining their personal safety. The police licensing team do not feel that staff at the premises, and the designated premises supervisor, are upholding the objectives of the Licensing Act 2003.

Additionally, incidents allege, or directly demonstrate, the unsuitability of members of doorstaff at the premises. Many incidents demonstrate the use of excessive force by doorstaff, an inability to successfully manage conflict and an irresponsible approach to dealing with intoxicated customers, for example verbally abusing and 'winding up' aggressive and anti-social individuals.

The police have received several reports of drug dealing at the premises, some implicating members of the doorstaff team. Furthermore, one member of the doorstaff team was arrested for using an airwave radio to inflict head injuries on a member of the public whilst they were being restrained and unable to defend themselves from this attack. Alarming, the allegations made in incident number CC-24012010-0072 suggest prejudice and hate on the part of members of the doorstaff team at the premises. The Police Community Safety Team regularly encourage members of the public to consider doorstaff as a safety contact point should they feel concerned or in danger when they are out as part of personal safety talks. It is extremely worrying that the incident demonstrated violent prejudice on the part of doorstaff at the premises when the Police regularly encourage people to ask doorstaff for help if they feel scared. The police licensing team feel that the allegations in this incident demonstrate an unacceptable intolerance towards vulnerable communities and highlights the unsuitability of these individuals to support the personal safety of members of the community in licensed premises. The police licensing team believe that the conduct of doorstaff at this premise is totally unacceptable and that they are not only unable to prevent crime and disorder at the premises but, as the crime and incidents demonstrate, have often caused crime, disorder and injuries to members of the public. The police licensing team feel that the conduct and practices of doorstaff at this premise presents a risk to members of the public and that incidents and crimes at the premises demonstrate that the doorstaff team are incapable of preventing crime and disorder at the premises to an acceptable degree.

Recommendations:

In light of the incidents that have occurred at the premises the police would like to make the following recommendation in order to uphold the objectives of the Licensing Act 2003, specifically:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety.

The Police Licensing Team, supported by the Neighbourhood Policing Team Inspector and Neighbourhood Policing Chief Inspector, would like to recommend that the license for this premise be revoked. The Police Licensing Team feel that the management of this premises is inadequate to uphold the objectives of the Licensing Act and that the objectives would be best promoted by the revocation of this licence. The police have attempted to support the management of this premises to uphold the objectives, raise safety standards and promote responsible alcohol retailing. The Police licensing officer has contacted the management of the premises on numerous occasions in order to provide guidance regarding professional and responsible management. However, the incidents of crime, disorder, anti-social behaviour and injuries have continued to occur.

In 2008 the Police Licensing Team Leader, along with Peterborough City Councils Licensing Officer and the Police Licensing Officer met with the premise licence holder in order to address ongoing issues and uphold the objectives of the act. The Police Licensing Team leader called a follow up meeting this time with the Neighbourhood Sgt and Peterborough City Councils Licensing Manager. The correspondence documenting the outcomes of these meetings has been attached to this representation. These meetings were conducted in order to support the premises to uphold the objectives of the Licensing Act. They represented the first and second stage of formal action on the part of the Police and Councils Licensing department.

In December 2009 the Police Licensing Team held a meeting with representatives from Shooters, and other premises, in order to provide support to uphold the objectives of the Licensing Act 2003 over the Christmas and New Year period. The Police Licensing Team delivered a series of initiatives designed to improve the safety of the city centre night time economy, with a particular focus on New Road.

Therefore, the Police Licensing Team have attempted to work with staff at this premises for some time in order to improve standards and uphold the objectives of the Licensing Act 2003. The ongoing incidents demonstrate that the management of this premise, in spite of verbal commitments to better standards, have not adequately upheld the objectives of the Licensing Act 2003 nor have they demonstrated any ability to for the future. The Police Licensing Team believe that the staff at the premises, including the designated premises supervisor and doorstaff, are unable to sufficiently uphold the objectives of the Licensing Act 2003 and manage a professional, safe licensed premise. Therefore, the Police Licensing Team feel that only the revocation of this premise licence will sufficiently uphold public safety, prevent public nuisance and prevent crime and disorder in this area.

However, should the committee feel that revocation of this licence is not necessary in order to prevent crime and disorder, uphold public safety and prevent public nuisance, the Police Licensing Team would like to offer the following recommendations based on information from the incidents and crimes over the last twelve months:

- A reduction of hours for the sale of alcohol and hours of opening to 03:00hrs. The current licence provides the sale of alcohol and opening until 06:00hrs however the Police feel that the incidents and crimes demonstrate a particular problem after 03:00hrs which demonstrate that staff at the premises cannot manage the later sale of alcohol and presence of customers.
- A replacement of the current designated premises supervisor. The police feel that the current designated premises supervisor, responsible for all sales of alcohol at the premises, has demonstrated irresponsible sales through the incidents and crimes which highlight very intoxicated customers at the premises. In a number of incidents customers who became involved in disorder were so drunk that they were unable to provide details to the police or paramedics and were unable to take care of themselves or decide if they wanted to go to hospital or not. The evidence of dangerous drunkenness at the premises demonstrates an irresponsible and inadequate designated premises supervisor who the police feel should not be responsible for alcohol sales at the premises.
- A member of staff who can operate the CCTV system, and provide CCTV to authorised Officers on request, should be on site at all times whilst licensable activities are being conducted. On a number of occasions staff at the premises have not been able to provide CCTV to officers when requested and there has been a delay, sometimes of days, before investigating officers receive CCTV footage from the premises. The CCTV requested often relates to violent incidents where the early detection of offenders is crucial to public safety. Therefore, the Police would like for there to be someone on site at the premises, at all times when licensable activities are being conducted, who can operate the system and provide CCTV footage.
- The replacement of doorstaff at the premises. The incidents and crimes demonstrate the inability of doorstaff to manage conflict at the premises and maintain a safe environment for members of the public. Furthermore, the incidents demonstrate poor practice and criminal behaviour on the part of some of the doorstaff team. The Police Licensing Team would recommend a complete replacement of the doorstaff team at the premises and to ensure that any doorstaff working at the venue had received the Safer Peterborough Partnership conflict management training, in addition to the training undertaken in order to obtain an SIA licence.
- That a condition be added to the premises licence to ensure that no drinks purchased at the premises were allowed to be taken outside for consumption. The incidents and crimes demonstrate that doorstaff have not challenged some customers who have taken drinks outside for consumption on the street. The Police Licensing Team would like to ensure that a condition is placed on the licence to ensure that staff do not let any customers take drinks outside of the venue for consumption on the street. The Police Licensing Team feel that the consumption of drinks outside the venue facilitates crime, disorder and anti-social behaviour and presents a particular risk to injuries involving drinks containers.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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

Please tick ✓ yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature DB Sampson

Date 17/2/2010

Capacity Community Safety + Licensing Team Leader

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)

Debbie Sampson
Community Safety and Licensing Team Leader
Licensing Office
Bridge Street Police Station
Bridge Street

Post town Peterborough

Post code
PE1 1EH

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

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

Ref: Shooters



Creating a safer
Cambridgeshire

Monday July 14th

Shooters
29 New Road
Peterborough
PE1 1FJ

Dear Grahame,

Thank you for coming in to meet, Darren Dolby (PCC licensing Enforcement Officer) PC Ifor Maddox (Licensing Officer) and myself to discuss our concerns around recent incidents in Shooters.

As discussed there have been 20 incidents recorded in the last four months 8 of them have been after 4.00am.

We agreed the following:

- That you ensure all bar staff are adequately trained and that they understand that under the Licensing Act 2003 anyone involved in the licensing process, including anyone who sells alcohol, must promote;
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

And that sales to intoxicated persons represent a failure to promote the licensing objectives and the Police may consider taking further action.

- That you would increase your door staff from 2 to 4 after 1am on Friday and Saturday nights and part of their role would be to floor walk, and that you would ensure that they were SIA licensed.
- You would keep a list of people who were barred and keep your incident book up to date.
- You would ensure that more than one person is trained to burn CD's from your CCTV camera, so that if we need to view any incidents we can do so in a timely manner.
- We agreed that we would give you 4 weeks to improve things and that we would meet again in 4 weeks. If things do not improve we may need to consider taking you to review of your Premises Licence. A responsible authority may apply for a review of a premises licence at any time when it is believed that one or more of the licensing objectives including the prevention of crime and disorder are being undermined. (Section 51 of the Licensing Act 2003.)

I would like to take this opportunity to remind you that Section 140 of the Licensing Act 2003 states - *Allowing Disorderly Conduct - The holder of a premises licence, the designated premises supervisor or any person who works at the premises in a capacity, whether paid or unpaid, which authorises him to prevent the conduct commits an offence if he knowingly allows disorderly conduct on licensed premises. Maximum fine of £1000*

And that Section 141 of the Licensing Act 2003 states that *Allowing Sale of Alcohol to a drunk - Any person who works at licensed premises in a capacity, whether paid or unpaid, which gives him authority to sell the alcohol concerned, the holder of a premises licence or the designated premises supervisor commits an offence if they knowingly sell or attempt to sell alcohol to a person who is drunk, or allow alcohol to be sold to such a person. This offence applies where alcohol is sold for consumption on or off the premises. Maximum fine of £1000*

I am hoping that it will not be necessary to take any further action, we would like to work with you to improve things, if we can be of any further help, please do not hesitate to contact either myself, or PC I for Maddox.

Yours Sincerely

Debbie Sampson
Community Safety and Licensing Team Leader.
Bridge Street Police Station
Peterborough
PE1 1EH
01733 424445

Ref: Shooters



Creating a safer
Cambridgeshire

Thursday 28th August

Shooters
29 New Road
Peterborough
PE1 1FJ

Dear Grahame,

Thank you for coming in to meet, Adrian Day (PCC Licensing Manager) Sgt Mick Thorpe and myself to discuss our concerns around recent incidents at Shooters.

We did acknowledge that things had improved over the last 5 weeks since our meeting in July but we discussed our concerns about the two incidents on Saturday 16th August particularly the later incident.

We also discussed the situation regarding un-licensed door staff and we emphasised the importance of yourselves ensuring that all door staff are SIA licensed

We agreed the following:

- That from Thursday 28th August you would close at 5.00am
- From the same date your last entry would be 4.00am
- We would ask for the Police shift to be aware and where possible provide some visible presence between 4.00am - 5.00am in case you get problems refusing entry.
- You have started to use stamps for people leaving the premises to smoke. This would continue
- You would discuss with the property land lords ways in which you can define your boundary and report back to us,
- You would ask your door staff to ensure they are controlling any persons outside the premises to reduce crowd problems.
- You would ensure that door staff stay outside for 30 minutes after closing to disperse people
- You would regularly attend the PEP/ Centre safe meetings and ensure that your subscription is up to date.
- We agreed that we would give you 8 weeks to improve things and that we would meet again in 8 weeks. If things do not improve we will be taking you to review of your Premises Licence. A responsible authority may apply for a review of a premises licence at any time when it is believed that one or more of the licensing objectives including the prevention of crime and disorder are being undermined. (Section 51 of the Licensing Act 2003.)

- I would like to remind you that you should ensure all bar staff are adequately trained and that they understand that under the Licensing Act 2003 anyone involved in the licensing process, including anyone who sells alcohol, must promote;
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm

I would like to take this opportunity to remind you that Section 140 of the Licensing Act 2003 states - *Allowing Disorderly Conduct - The holder of a premises licence, the designated premises supervisor or any person who works at the premises in a capacity, whether paid or unpaid, which authorises him to prevent the conduct commits an offence if he knowingly allows disorderly conduct on licensed premises. Maximum fine of £1000*

And that Section 141 of the Licensing Act 2003 states that *Allowing Sale of Alcohol to a drunk - Any person who works at licensed premises in a capacity, whether paid or unpaid, which gives him authority to sell the alcohol concerned, the holder of a premises licence or the designated premises supervisor commits an offence if they knowingly sell or attempt to sell alcohol to a person who is drunk, or allow alcohol to be sold to such a person. This offence applies where alcohol is sold for consumption on or off the premises. Maximum fine of £1000*

I am hoping that it will not be necessary to take any further action, we would like to work with you to improve things, if we can be of any further help, please do not hesitate to contact either myself, or PC I for Maddox.

Yours Sincerely

Debbie Sampson
Community Safety and Licensing Team Leader.
Bridge Street Police Station
Peterborough
PE1 1EH
01733 424445

LICENSING ACT 2003

NOTICE OF REVIEW OF PREMISES LICENCE

Notice is given that Peterborough City Council, as the Licensing Authority, has on the 18th of February 2010 been asked to review the Premises Licence by Cambs Constabulary for the following licensed premises:

Shooters Bar, 29 New Road, Peterborough, PE1 1FJ

The grounds for review are made under the Licensing Objective 'Crime & Disorder' 'Public Safety' 'Public Nuisance'

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

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

Representations in respect to this review must reach the Licensing Authority by 18th of March 2010.

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

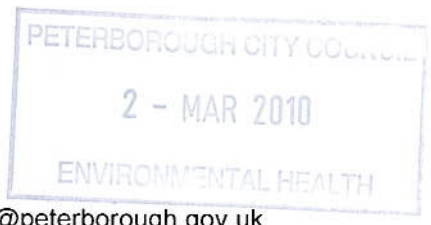
http://www.peterborough.gov.uk/business/licensing_and_permits/licensing_act_2003/public_register.aspx

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

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APPENDIX E



Telephone: 01733 863748
Facsimile: 01733 863692
E-Mail: Lynn.chesterton@peterborough.gov.uk
Please ask for: Lynn Chesterton
Our Ref: LC/MG
Your Ref:

CHILDREN'S SOCIAL CARE SERVICES

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

2nd Floor
Bayard Place
Broadway
Peterborough
PE1 1FB
DX 12310 Peterborough 1
Telephone: (01733) 747474

24 February 2010

Dear Colleague

**RE: REVIEW OF A PREMISES LICENCE IN RESPECT OF SHOOTERS BAR
29 NEW ROAD, PETERBOROUGH**

I have read the report from Chief Constable Julie Spence. Given the significant number and the nature of the concerns detailed in this report, I share Chief Constable Spence's concerns and would fully support the recommendation that the licence for this premises be revoked.

Should the committee feel that revocation of this licence is not necessary, I would agree with the recommendations set out in Chief Constable Spence's report.

Yours sincerely

PP

**Lynn Chesterton
Acting Service Manager for
Quality Assurance & Safeguarding**

Executive Director: John Richards

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INCIDENTS TO WHICH WE DO NOT ACCEPT FAULT

APPENDIX F

- 1. CC-04022010-0008 Our DJ was offered drugs by a male customer. The duty manager was informed of this and the police were called. A search was made but no drugs were found. We welcome any input as to how this incident could have been dealt with better. It was also accepted by the Police at the mediation that Shooters does not have a drug problem.**
- 2. CC-03022010-0029 We have no report for any incident happening on this night. We believe that this incident must of occurred as a result of people leaving New York New York as this ties in with their closing time. Please provide more information.**
- 3. CC31012010-0111 We have no report for any incident happening on this night. We believe that this incident must of occurred as a result of people leaving Liquid as this ties in with their closing time. Please provide more information.**
- 4. CC-29012010-0043 Firstly and most importantly we would dispute that this male was very drunk. He was ejected from the venue for aggressive behaviour to a group of females. Excessive force was not used as it states in the police report. We strongly believe that we dealt with this in the correct manner.**
- 5. CC-26012009-0077 We have no record of this incident. If this report was made to the police, I am not sure why it was not followed up with our doorman. Until we get further information I can only assume that we have done nothing wrong.**
- 6. CC-25012010-0013 There was a report written up about this incident. A male and a female approached our door but were refused as they were both drunk and the male had previously been barred from our venue. The male became aggressive which culminated in him attacking our doorman. He was restrained and the police were called and he was arrested. I was led to understand that when anyone is arrested who is drunk, they are questioned as to where was the last place they drank at. This being the case, the police should have a record of this males final movements and therefore should be able to vindicate us of any wrongdoing. In the police statement it says that these people were drinking at our bar, which is not correct. This relates to crime number CF0037060110.**
- 7. CC-21122009-0023 There was a report written up about this incident. A female customer of Liquid slipped over on the ice outside of our venue. 3 male customers of ours who were outside having a cigarette laughed about it and a male Liquid customer known as Sean Watkins approached one of the males and punched him in the mouth knocking a tooth out. The police were called and statements and CCTV footage was given to them at the time. This incident should be linked to Liquid and not Shooters. Relates to crime number CF0654021209.**
- 8. CC-07122009-0636 There was a report written up about this incident. A male seemed to be having a diabetic seizure so an ambulance was called. On arrival the male refused any treatment and left our venue. We strongly feel that our management of this incident was fully in line with our licensing objective with regard to public safety.**
- 9. CC-07122009-0012 There was report written up about this incident. A female known to us as Cherrie, who is a chef at O'Neil's appeared to be having an epileptic fit in the ladies toilets. An ambulance was called. She had been in our venue less than an**

INCIDENTS TO WHICH WE DO NOT ACCEPT FAULT

hour and was definitely not drunk. We strongly feel that our management of this incident was fully in line with our licensing objective with regard to public safety.

10. **CC-02122009-0054** A male had given his jacket to a female earlier in the night. At the end of the night the male asked the door staff where his jacket was and was told that he had given it to a female and that she had gone home. The male would not accept this from us or the police and was arrested for a Section 5. The following day the male returned to our venue still asking about his coat and was once again told what had happened. At this point the manager noted that the male did not seem to be mentally stable. In the police notes, it is stated that there is a fight. This is not correct. This relates to crime number CF0620901209.
11. **CC-27112009-0035** There was a report written up about this incident. A previously barred male known to us as Ian Griggs forced his way into our venue and refused to leave. This male is known for intimidation and violence and so we called the police so that they could assist us in removing him. This incident was dealt with in the only way that we could comply with the licensing objective of public safety.
12. **CC-19112009-0051** Obviously we have no report for this incident. There has never been any question that we run a very tight ship with regards to drugs. This was accepted by PC Maddox at the mediation.
13. **CC-29102009-0017** A male in a wheelchair was refused entry for being drunk. He became aggressive and stood up and punched our doorman. The control room were informed and the police attended and arrested the male. Once again, this incident stemmed from a person getting drunk at another venue, which the police should have a record of.
14. **CC-23102009-0019** A male came into our venue and went straight to the toilet where he proceeded to purposely damage our property. When this was discovered the male was approached and the police called. The male agreed to pay damages and was sent on his way by the police. At no point did the male have a drink in our venue and wasn't drunk. There is nothing to suggest we did not manage this incident properly.
15. **CC-10102009-0094** 2 males were walking down from Liquid when they started arguing. This resulted in one of the males being punched. The control room saw this on CCTV and radioed us to find out if the male wanted to make a complaint. He ultimately didn't and both males walked off. Our only involvement in this incident was to assist the control room and therefore uphold our licensing objective with regard to the prevention of crime and disorder, public safety and the prevention of public nuisance. We have not done anything wrong and this incident does not relate to our premises.
16. **CC-05092009-0115** We have no report for this incident. This probably has no connection with Shooters and has stemmed from another venue. Please provide further information.
17. **CC-10082009-0050** We have no report for this incident. At no time have we ever been informed of any of our staff selling drugs. Our venue has never been associated with having any sort of drugs problem, which was upheld by PC Maddox at the mediation meeting.

INCIDENTS TO WHICH WE DO NOT ACCEPT FAULT

18. **CC-01082009-0156** A male attempted to leave the venue whilst concealing a number of bottles down his trousers. He was approached by door staff and the bottles were taken from him. He became verbally abusive and was pushed away. He then claimed to police that he had been assaulted by a doorman and when the police spoke to the doorman they were informed that this was untrue. The police were offered CCTV evidence but they declined.
19. **CC-01062009-0030** We have no record of this incident. Please provide further information.
20. **CC-29052009-0321** This incident seems to have been reported 3 days after it was supposed to have occurred, and we have no record of any incident ever happening. Please provide further information.
21. **CC-11052009-0261** We have no report for this incident. Please provide further information.
22. **CC-02052009-0125** We have no record of this incident. None of our door staff were assaulted on this day and none of them received any compensation. This must relate to a different venue.
23. **CC-01052009-0045** We have no record of this incident. On several occasions we have contacted the control room to report disorder at other venues. This must be the case as we have no incident report to suggest that it occurred at Shooters. This would also suggest that we are upholding our licensing objectives.
24. **CC-22032009-0595** We have no report for this incident. I strongly believe that the report made to police is completely fictitious. I have absolute confidence that none of our staff are capable of such actions and there is no evidence otherwise. Maybe this is a disgruntled member of the public.

INCIDENTS WE DO NOT ACCEPT AND REQUIRE MORE DETAILS

25. **CC-22012010-0047** We have no record of this incident, as we believe this would have spilled out from another venue and like so many other Incidents gets attributed to Shooters due to its geographical location. Further evidence or details need to be made available.
26. **CC-27122009-0080** We have no record of this incident, as we believe this would have spilled out from another venue and like so many other Incidents gets attributed to Shooters due to its geographical location. Further evidence or details need to be made available.
27. **CC-20122009-0057** We have no record of this incident, as we believe this would have spilled out from another venue and like so many other Incidents gets attributed to Shooters due to its geographical location. Possibly relates to CC-21122009-0023 but the assailant was not a customer of Shooters, Further evidence or details need to be made available.
28. **CC-28112009-0121** If door staff were suspected of taking a wallet, why were they not questioned at the time? Obviously the police didn't believe this if they did why have they not fulfilled their job and we are being informed of this some 3 months later? Further evidence or details need to be made available.

INCIDENTS TO WHICH WE DO NOT ACCEPT FAULT

- 29. CC-25102009-0044** We have no record of this incident, as we believe this would have spilled out from another venue and like so many other Incidents gets attributed to Shooters due to its geographical location. Further evidence or details need to be made available as we had refused male entrance by police records, not sure what we have done wrong?
- 30. CC-04092009-0051** Our records show no assault has taken place and this incident relates to a confiscated ID. A male passed another male his driving licence and when we refused to let them in and confiscated the ID the male called the police.

APPENDIX G

Dear Andrew

Following the mediation meeting regarding Shooters, and your follow up paper, I would like to confirm that we will not take the following crimes/incidents any further:

- 5
- 6
- 7
- 8
- 9
- 12
- 13
- 15
- 16
- 23
- 24

We will how ever be including the others within our submission .
Regards

Debbie

Debbie Sampson
Community Safety and Licensing Team Leader
Ext -----
Mobex -----
Mobile -----
External -----
Email -----

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