

## LICENSING ACT 2003 SUB-COMMITTEE

MONDAY 22 APRIL 2013

1.30 PM

Council Chamber - Town Hall

### AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Application for Premises Licence - 613 Lincoln Road, Peterborough, PE1 3HA** 1 - 52

Committee Members:

Councillors: P Thacker (Chairman), P Hiller and B Saltmarsh

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – [gemma.george@peterborough.gov.uk](mailto:gemma.george@peterborough.gov.uk)



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 as soon as possible.

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<b>LICENSING ACT 2003 SUB-COMMITTEE</b>		<b>AGENDA ITEM No. 3</b>
<b>22 APRIL 2013</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Peter Gell, Strategic Regulatory Services Manager Terri Martin, Licensing Regulatory Officer	Tel: 453419 Tel. 453561

**APPLICATION: NEW PREMISES LICENCE**

**APPLICANT:** Mrs Hatice Koc

**REFERENCE NO:** 066813

**PREMISES:** 613 Lincoln Road, Peterborough PE1 3HA

**GLOSSARY OF TERMS:** Attached at **Appendix A** on **Page 6**

**1. PURPOSE OF REPORT**

1.1 To consider and determine this application for a new premises licence for 613 Lincoln Road, Peterborough, taking into account the representations received from Responsible Authorities (Director of Public Health, Children Services, Cambridgeshire Constabulary, Licensing Authority, and Trading Standards) and other persons (a local Councillor and MANERP a residents association) in opposition to the grant and a petition in support of the grant of a premises licence.

**2. BACKGROUND INFORMATION**

2.1 Historically this premises operated as The Greyhound Public House, a justices licence was converted and varied in August 2005 and was surrendered on 3 April 2009.

2.2 On the 15 July 2009 an application for a new premises licence was submitted by Mini Poli Ltd to allow the off sale of alcohol from 08.00 to midnight Monday to Sunday, with the DPS (Designated Premises Supervisor) identified as Mr Uyan. As no representations were received the licence was granted on 13 August 2009.

2.3 The premises failed a test purchase on 27 October 2009, where a member of staff (Ms Ewa Walas) sold alcohol to underage persons.

2.4 The premises failed a test purchase on 16 December 2009, where a member of staff (Ms Miase Bekrov) sold alcohol to underage persons.

2.5 On the 26 January 2010 a minor variation was submitted to add extra conditions to the operating schedule following the two test purchase failures. No representations were received and the licence was granted on 8 February 2010.

2.6 The premises failed a test purchase on 3 February 2011, where a member of staff (Amir Fard) sold alcohol to underage persons.

- 2.7 On the 14 April 2011 an application to vary the DPS from Mr Uyan to Ewa Walas was received. As no representation was received from the police, the licence was granted on the 29 April 2011.
- 2.8 On the 22 August 2011 an application was received to transfer the holder of the licence from Mini Poli Ltd to Mr Hasan Koc. As no representations were received, the application was granted on the 9 September 2011.
- 2.9 The premises failed a test purchase on 21 December 2011, where a member of staff (Alexandra Stepien) sold alcohol to underage persons.
- 2.10 On the 30 October 2012 information was passed to the licensing team stating that Mr Koc was no longer connected to the premises. A visit was made to the premises and Ewa Walas produced an application to transfer the premises licence with a receipt attached dated 25 June 2012. Whilst the application was receipted it was never handed in to the council's licensing department until 31 October 2012. This application requested transfer of the premises licence from Mr Hasan Koc to Ewa Walas. As no representations were received the application was granted on 15 November 2012
- 2.11 On the 6 December 2012 Trading Standards served an application to review the premises licence following a joint operation with HMRC where illicit alcohol and tobacco were seized, also due to the test purchase failures at the premises. The review requested revocation of the licence, this was supported by Cambridgeshire Constabulary, The Director of Public Health, Neighbourhood Can-do team and MANERP (residents association) representing other persons. A hearing to determine the review application went before the licensing committee on 28 January 2013, the decision of the sub committee was to revoke the licence.
- 2.12 An appeal to the Magistrates was made by the licensee's representative, however the appeal was out of time and therefore rejected by the Magistrates Court on 20 February 2013. Consequently, the premises is currently unlicensed.

### **3. AUTHORISATIONS AND TIMES APPLIED FOR**

- **Sale of alcohol for consumption off the premises**

Monday to Sunday 08.00 to Midnight

- **Hours premises are open to the public**

Monday to Sunday 08.00 to Midnight.

### **4. APPLICATION**

- 4.1 Please refer to the application attached at **Appendix B – Pages 9**
- 4.2 The applicant is Mrs Hatice Koc who is also the proposed DPS (Designated Premises Supervisor), the agent acting on behalf of the applicant is NARTS. Mrs Koc does not currently hold a personal licence, however her agent has stated that she passed her licensing qualification on 28 February 2013 and is awaiting a criminal record check which is required when applying for a personal licence.
- 4.3 Representations have been received from Trading Standards, Children's Services, Cambridgeshire Constabulary, Public Health, Licensing Authority all as Responsible Authorities these representation are attached at **Appendix C – Page 31**. A local Councillor and MANERP have submitted representations as other persons. These representation are attached at **Appendix D – Page 45**.
- 4.4 A petition in support of the premises was hand delivered to the Licensing Department by Mr Huseyin Koc on 11 March 2013. It must be noted that all of the 213 signatures, except one,

pre date the date the application was made. It was also noted that some addresses appear several times with different names and the heading of the petition states ‘*To keep the licence*’. It is for members to determine what weight they attach to this petition.

- 4.5 Due to the recent revocation of the prior licence for this premises, Responsible Authorities requested information to establish that this new application was ‘arms length’ from the licence which was revoked. The agent for the applicant provided a solicitors letter dated 25 March 2013, a copy of this letter is attached at **Appendix E – Page 49**
- 4.6 Part P of the application sets out the applicant’s proposed conditions under the licensing objectives, these being, ‘The Prevention of Public Nuisance’, ‘Public Safety’, ‘Prevention of Crime and Disorder’ and ‘The Protection of Children from Harm’. These are also contained within the body of this report (in section 7) and in accordance with section 10.5 of Guidance have been interpreted into enforceable conditions. Only those appropriate and proportionate for the promotion of the licensing objectives have been included in the Operating Schedule.
- 4.7 No representations have been received from any of the remaining Responsible Authorities i.e. Cambridgeshire Fire and Rescue Service, Peterborough City Council Planning Department, Peterborough City Council Health & Safety Department, or Peterborough City Council Environmental Pollution Team.
- 4.8 A copy of the ‘Notice’ that was displayed in the newspaper in accordance with Part 4 No. 25 of Statutory Instruments 2005 No. 42 – The licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 is attached at **Appendix F – Page 51**

**5. RESPONSIBLE AUTHORITIES**

<b>LICENSING OBJECTIVE:</b>	<b>REPRESENTATIVE:</b>
<b>Public Safety</b>	Trading Standards
<b>Crime and Disorder</b>	Licensing Authority
<b>Protection of Children from Harm</b>	Cambridgeshire Constabulary
<b>Prevention of public nuisance</b>	Children’s Services
	Public Health

5.1 Summary of issues raised:

- History of the premises (illicit tobacco and alcohol and underage sales);
- Not satisfied that the new application is ‘distanced’ from the prior revoked licence;
- Concerns about management of the ‘family run’ business will remain a controlling influence which led to the loss of the prior licence, with the same issues reoccurring;
- In ‘Op Can-do’ area which has been evidenced and consulted on in relation to it being a Cumulative Impact area, consultation has taken place and the Licensing Committee have recommended to Full Council for it’s adoption on 17 April 2013;
- Operating Schedule conditions do not sufficiently address the issues of the historic problems and location; and
- Concern that the application has been made to circumvent the revocation and lost/late appeal.

## 6. OTHER PERSONS

LICENSING OBJECTIVE:	REPRESENTATIVE:
<b>Crime and Disorder</b> <b>Protection of Children from Harm</b>	Local Councillor on behalf of Victoria Park Residents Association and in own right as a Councillor  MANERP – Residents Association

6.1 **‘Any Other Person’ is defined as:-** persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority

### 6.2 Summary of issues raised

- Locality has issues of anti social behaviour fuelled by alcohol;
- Historic problems with the management of family run business not upholding the objectives of the Licensing Act 2003;
- Application (if granted) would only be a cosmetic change of licence holder with no real changes to operation of the business;
- Sale of ‘cut price alcohol would exacerbate existing issues; and
- Application only submitted as the appeal was out of time, no more than cosmetic changes to circumvent revoked licence and lost / out of time appeal.

## 7. APPLICANT’S PROPOSED CONDITIONS UNDER THE LICENSING OBJECTIVES:

### 7.1 Crime and disorder

- CCTV equipment will be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system will record in real time and operate whilst the premises are open for licensable activities. The recordings will be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

### 7.2 Prevention of Public Nuisance

- Prominent, clear and legible notices will be displayed at the premises requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

### 7.3 Protection of children from harm

- Any person selling or supplying alcohol under the authority of a personal licence holder must ask for a photo ID proof where they have reason to suspect the individual may be under 25 years of age; and
- Written staff training records will be documented and updated on a monthly basis. These training records will be produced to an authorised officer on demand.

## 8. POLICY & GUIDANCE IMPLICATIONS

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

### 8.2 Council’s Statement of Licensing Policy

- Objectives, Section 4 on Page 5 and 6

- Fundamental Principles, Section 6 on Page 6
- Cumulative Effect, Section 11 on Page 8 to 10
- Children and Licensed Premises, Section 13 on Page 10 and 11
- Licence Conditions, Section 14 page 11 and 12
- Delegation / Decision Making / Administration, Section 17 on Page 13 and 14

### 8.3 **Guidance Issued under Section 182 of the Licensing Act 2003 October 2012**

- The Licensing Objectives – Section 2 pages 11 to 16
- Applications for Premises Licences – Section 8 pages 41 to 48
- Determining applications – Section 9 pages 58 to 64
- Conditions Attached to Premises Licences – Section 10 page 65 to 74

## **9. LICENSING OFFICER’S COMMENT (FOR INFORMATION)**

- 9.1 Regulation 19(a) requires authorities to disregard any information given by a party or person that is “not relevant” to the application.
- 9.2 Members should note that the letters attached are in their entirety and that not all matters raised within the representations are relevant matters for consideration under the Licensing Act 2003. It is up to the Committee to decide upon what ‘weight’ they attach to these areas.

## **10. LEGAL OFFICER’S COMMENTS**

- 10.1 The Licensing Authority (hereafter referred to as “the Council) is charged with implementing the provisions of the Licensing Act 2003. This is an application for a new licence made under Section 17 of the Licensing Act.
- 10.2 In this case, the application was received at these offices on 26 February 2013.
- 10.3 The application before this Committee will be treated on its own merits, and the Licensing Committee will make its decision based upon:
- The merits of the application;
  - The promotion of the four licensing objectives;
  - The statement of policy of the Licensing Authority; and
  - The Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003 – October 2012.
- 10.4 The licensing authority may determine the application, depending upon what is appropriate for the promotion of the licensing objectives, in any of the following ways:
- Decide to grant the licence in the same terms as it was applied for;
  - Decide to grant the licence, but to modify or add conditions (to promote the licensing objectives);
  - Exclude from the scope of the licence a licensable activity; and
  - Decide to refuse to grant the licence.
- 10.5 Conditions are modified if they are altered, omitted or any new condition added (Section 35(4) Licensing Act 2003.

**LICENSING ACT 2003  
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.

**‘Other Persons’:**

- persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

**‘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
- Primary Care Trust or Local Health Board (Director of Public Health)
- The Relevant Licensing Authority, Peterborough City Council
- 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 168 hours (7 days);
- 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 21 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

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

**I/We** Mrs Hatice Koc

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> 613 Lincoln Road			
<b>Post town</b>	Peterborough	<b>Post code</b>	PE1 3HA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£14500

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input type="checkbox"/>            | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |
| d) a charity                                    | <input type="checkbox"/>            | please complete section (B) |

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Koc			<b>First names</b> Hatice		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
<b>Current postal address if different from premises address</b>		69 Millicent Grove Palmers Green			
<b>Post Town</b>	London		<b>Postcode</b>	N13 6HF	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes

<b>Current postal address if different from premises address</b>			
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year	
2	6	0	3	2	0
1	3				

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)  
Supermarket and Offlicence. Please refer to the enclosed plan.

If 5,000 or more people are expected to attend the premises at any  
one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the  
Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

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

**Provision of entertainment facilities:**

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

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

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

**A**

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

**B**

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



**C**

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

**D**

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

# E

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

**F**

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

**G**

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

# H

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

I

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

**J**

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



**K**

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

L

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

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Mon	08:00	00:00			
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	00:00			
Fri	08:00	00:00			
Sat	08:00	00:00			
Sun	08:00	00:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) N/A		

**State the name and details of the individual whom you wish to specify on the licence as premises supervisor**

<b>Name</b> Hatice Koc	
<b>Address</b> 69 Millicent Grove Palmers Green London	
<b>Postcode</b>	N13 6HF
<b>Personal Licence number (if known)</b> Not known yet	
<b>Issuing licensing authority (if known)</b> L.B. of Enfield	

**N**

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

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) N/A
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) N/A
Mon	08:00	00:00	
Tue	08:00	00:00	
Wed	08:00	00:00	
Thur	08:00	00:00	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	00:00	

**P** Describe the steps you intend to take to promote the four licensing objectives:

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

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

**b) The prevention of crime and disorder**

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

**c) Public safety**

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

**d) The prevention of public nuisance**

All customers are asked to leave quietly. Clear and legible notices will be displayed to remind customers to leave quietly.

**e) The protection of children from harm**

To protect the children from harm we have following steps taken:

- 1- the premises are effectively and responsibly managed
- 2- provision of a sufficient number of people employed or engaged
- 3- appropriate instruction, training and supervision of those employed or engaged
- 4- to adopt challenge 25 policy

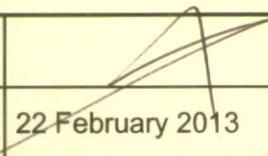
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	22 February 2013
Capacity	Authorised Agent

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

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

Licensing Department  
NARTS  
53 Stoke Newington High Street

<b>Post town</b>	London	<b>Post code</b>	N16 8EL
------------------	--------	------------------	---------

<b>Telephone number (if any)</b>	020 7241 3636
----------------------------------	---------------

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**  
info@narts.org.uk

**Part A**

**Consent of individual to being specified as premises supervisor**

I HATICE KOC ..... [full name of prospective premises supervisor]

of 69 Millicent Grove  
PALMERS GREEN, London N13 6HF ..... [home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for NEW PREMISES LICENCE ..... [type of application]

by MRS HATICE KOC ..... [name of applicant] relating to a premises licence NOT KNOWN YET ..... [number of existing licence, if any] for

613 Lincoln Rd. Peterborough PE1 3HA .....

[name and address of premises to which the application relates] and any premises licence to be granted or varied in respect of this application made by

MRS HATICE KOC ..... [name of applicant] concerning the supply of alcohol at 613 Lincoln Rd. Peterborough PE1 3HA .....

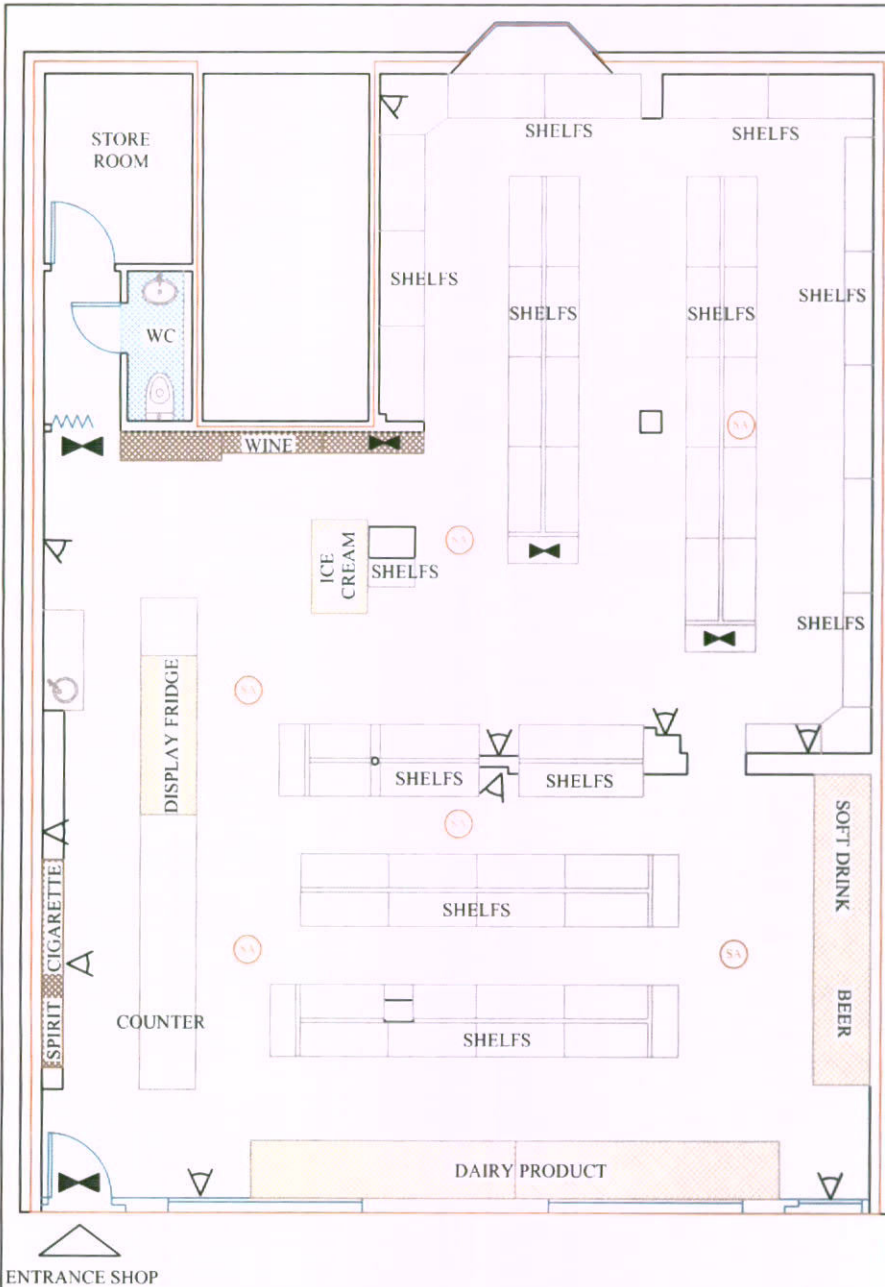
[name and address of premises to which application relates].

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number Not known yet ..... insert personal licence number, if any]

Personal licence issuing authority L. B. of Elyfield .....

..... signed  
Hatice KOC ..... name (please print)  
21st Feb '13 ..... dated



**LEGEND**

- FIRE ALARM BELL
- VEGETABLES
- WC AREA
- FRIDGES
- OFF LICENCE SHELVES
- AMBIT OF LICENSED PERMITS
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 L.T. WATER FIRE EXTINGUISHER
- FIRE BLANKETS

AMENDMENTS	
A	
B	
C	
D	
E	

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**SUPER POLI SUPERMARKET**  
 613 LINCON ROAD PE13HA  
 PETERBOROUGH

PROPOSED  
 - GROUND FLOOR PLAN

SCALE 1/100 @ A4      Date : 23 FEBRUARY 13

Ref.No : ESTER 2

ACT 2003  
 55 STOKE NEWINGTON HIGH STREET  
 N16 8EL  
 TEL: 020 72413636    FAX: 08716615283  
 www.act2003.com



The Trading Standards team are submitting an objection to the grant of a premises licence for **613 Lincoln Road Peterborough PE1 3HA** on the grounds of the prevention of crime and disorder and the protection of children from harm.

Trading Standards have had a number of dealings with the premises.

In December 2011 Trading Standards visited the shop with children under the age of 18 to attempt to purchase alcohol following complaints of under age sales. A sale of alcohol was made to two 16 year old volunteers. The seller of the alcohol did not challenge the volunteers on their age or ask for identification.

Whilst in the shop a sale of illicit tobacco was witnessed and were being stored in a sack of potatoes. In the potato sack was a large amount of foreign labelled cigarettes and suspected counterfeit hand rolling tobacco pouches.

Mr Hasan Koc that was working at the time of the test purchase operation advised that he was the owner and the premises licence holder. Ms Ewa Walas was the designated premises supervisor.

Previous records show 2 other sales of alcohol to children in October and December 2009.

In January 2012 Trading Standards and HM Revenue and Customs visited the shop following intelligence of the sale of illicit alcohol and tobacco. HMRC officer seized 0.8g of Hand Rolling Tobacco, 880 King Size Filter Cigarettes and an associated vehicle registered to a Mr **Huseyin Koc**, brother of **Hasan Koc** who was working in the shop at the time.

On the 30<sup>th</sup> October 2012 HMRC officers seized a total of 57.4 Litres of mixed spirits from Mr **Serdari Koc** who lives above the shop. Of the 57.4 litres seized 36 bottles of Glens Vodka were signed over to Trading Standards as the labels were counterfeit and a diverted product. Ms Walas advised that there was a new owner from June 2012 and provided documentation for Nexpower Ltd with the new owner Mr **Ibrahim Koc**.

Companies house records show that the owner of the business was a Mr **Serhat Koc** from 5/7/11 and changed directors to a Mr **Ibrahim Koc** from 15/6/12

A review of the licence was served by Trading Standards on the 6<sup>th</sup> December 2012 and on the 28<sup>th</sup> January 2013 a review hearing took place by the Licensing Sub-Committee where the premises licence was revoked.

Trading Standards have concerns with the ambiguity over who is concerned with the premises and who in fact is responsible of running the shop. On the 6<sup>th</sup> March 2013 It was requested that the licensing department contact the agent to establish that there is a separation between the applicant and the revoked licence and the owner bearing the same family name.

The agent has advised that there is a sale of the business and could evidence this however to date this evidence has not been received.

On further investigation, the applicant Ms **Hatice Koc** has given an address in London where 3 other members of her family are registered namely **Heseyin, Hirdir** and **Serdari**.

Records show that these 3 family members have all been connected to 613 Lincoln Road with Serdari presently working in the shop.

If the licence is granted and persons previously involved in the business still have control in some capacity then further concerns that reports of illegal activity would continue and would not promote or uphold the licensing objectives.

Although the premises licence holder will change, Trading Standards has concerns over Ms Koc becoming the premises licence holder as being a family run business with the same owner, this application is being used to circumvent the revocation of the previous licence for the same premises.

Adrian Day

From: Day Adrian  
Sent: 26 March 2013 10:34  
To: Licensing  
Cc: Dolby Darren  
Subject: RE: Licensing Act 2003 - New Application , 613 Lincoln Road

As the Responsible Authority for the Licensing Authority I wish to make a representation against the grant of the new premises licence application in relation to Central Food at 613 Lincoln Road, Peterborough which I believe is now known as Superpoli Express.

My representation is in relation to the following licensing objectives:

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

The application is requesting a premises licence to authorise off sales of alcohol Mon to Sun 8:00 am to midnight.

The premises is situated in the 'Op Cando' area of Peterborough, Op Cando is a multi agency partnership set up to address the various problems in this area and looks at ways to regenerate and resolve problems experienced by the community. This is a densely populated multicultural residential and retail area subjected to a high concentration of premises authorised to sell alcohol. This has had a negative effect on the licensing objectives, as many of the reported issues relate to the supply and use of alcohol, thus causing high levels of alcohol related anti social behaviour and public nuisance.

Paramount consideration has to be given to the wider community in which this premises is situated, anti social behaviour and nuisance associated with alcohol sales and consumption is well documented as blighting the every day life of residents in this locality. The Licensing Act 2003 provides a regulatory framework for ensuring that licences are only granted where it is deemed appropriate and the needs of local communities should be reflected in these decisions.

Currently Peterborough does not have a cumulative impact policy (special policy); however a full consultation in relation to the adoption of a policy for the area known as "Op Can Do" was completed and at a meeting of the Licensing Committee on 14 March 2013 the committee made a recommendation that a report is taken to full council in April 2013 recommending that the policy is adopted and should apply to all licensed premises. whilst this application should not be considered under such a policy at present due to the fact the policy has not been formally adopted, the fact that the issues in the area have been acknowledged to the extent that a policy is deemed appropriate I feel that similar consideration should apply to this application.

Previously the Director of Public Health has provided information about alcohol related hospital admissions from the Millfield area and also considers the demographic of residents and the issues this causes to them, to the health service and to Peterborough generally. This all relates to the public safety

Page 1

Adrian Day

objective, as persons consuming alcohol to excess leads to crime, disorder, and public nuisance, a drain on hospital resources and deterioration on public health in the broader sense. The Governments Alcohol Strategy (March 2012) states '...alcohol is one of the three biggest lifestyle risk factors for disease and death in the United Kingdom after smoking and obesity.' It goes on to state '...alcohol related harm is now estimated to cost society £21 billion annually.' It further adds, 'the problem has developed for the following reasons: Cheap alcohol is too readily available and industry needs and commercial advantages have too frequently been prioritised over community concerns.'

Although this is a new premises licence application we should be mindful of the history of the premises and the individuals associated with it. The history is relevant as I believe that the persons who will be involved or associated with the running of the business are in fact the same as when the previous licence was in existence and will carry on running the premises in the same manner as before. I believe that the previous licence holder Ewa Walas although held the licence did not actually manage the premises.

I have ascertained from our records that originally the premise was known as Mex Power Ltd with a business contact name of Mr Sarhat Koc.

In July 2009 an application for a premises licence was received with a premises name of Mini Poli, the applicant was Mini Poli Ltd, the Designated Premises Supervisor (DPS) was Nezir Uyan

In April 2011 an application was received to change the DPS from Nezir Uyan to Ewa Walas

In August 2011 an application was received to transfer the licence from Mini Poli Ltd to Hazan Koc (Ewa Walas remained as DPS)

In October 2012 an application was received to transfer the licence from Hazan Koc to Ewa Walas (Ewa Walas remained the DPS)

In December 2012 Trading Standards submitted an application to review the premises licence and on 28 January 2013 the licence was revoke by the licensing committee.

On 26 February 2013 an application was received for a new premises licence with the licence holder and DPS being named as Hatice Koc. This was following an unsuccessful attempt to lodge an appeal against the committee's decision to revoke the licence due to the application for the appeal being out of time.

I believe that the same persons involved in the running of the business previously are still involved with the running of the business now and therefore the licence should not be granted. This is a family run business by the Koc family. We have requested from the applicants agent to provide information to indicate that this is an "at arms length application" (that the applicant or the business has no connection with the previous licence holder or operation of the business). To date nothing has been provided to indicate that this is in fact

Adrian Day

the case. Officers have enquired as to Ewa Walas and her continued connect with the premises and have been given conflicting information from staff members, we have been told she has left the business, another member of staff has mentioned she is on holiday?

The applicant Hatice Koc (family member) has given a residential address as Palmers Green London and this again indicates that she will not be present to manage the area's of the business associated with the licence if granted.

Regards

Adrian Day  
Licensing Manager  
Strategic Regulatory Services  
Peterborough City Council  
Bayard Place  
Peterborough.  
PE1 1HZ

Email: [adrian.day@peterborough.gov.uk](mailto:adrian.day@peterborough.gov.uk)

Telephone: 01733 454437

To find out more about Peterborough City Council please go to [www.peterborough.gov.uk](http://www.peterborough.gov.uk)

Please consider the environment before printing this email.

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From: Licensing  
Sent: 28 February 2013 11:40  
To: Blake Stephen; Bowler Richard; Curtis Margaret; Day Adrian; Emmanuel Lisa; 'Graham Morgan'; Harding Cate; Littlemore Ken; Workman Mandy; Marica Ainaso; Matsell Victoria; Neighbourhoods; 'Nick '; O'Toole Amanda; 'PC Robinson'; PIng Control Enquiries; Pocock Dorothy; Rivett Julie; Scott John; Woods Karen; Dolby Darren  
Subject: Licensing Act 2003 - New Application , 613 Lincoln Road

Under the Licensing Act 2003 we have received the attached application. As a responsible authority you should have received an identical copy of this application from the applicant directly. If you have not received an identical copy please inform us immediately, as the application will be invalid.

Adrian Day

As a responsible authority you have 28 consecutive days to make any representations regarding this application, from the date we received the application (which is not necessarily today). If we have not heard from you by the end of 26-03-13 then we will assume that you have no representations to make regarding this application, and we will process it in accordance with the Act.

Please note that any representations must be related to the four objectives of the Act.

Please quote 066813 in any correspondence regarding this application.

Regards

The Licensing Team - Simon Andrews

Ref: 613 Lincoln Road / License Applications



Monday 25<sup>th</sup> March 2013

Darren Dolby  
Licensing Officer  
Peterborough City Council  
Bayard Place  
Broadway  
Peterborough  
PE1 1HZ

Dear Darren,

Re: Constabulary Representation – New Premises License Application – Superpoli Express, 613 Lincoln Road, Peterborough.

On 26<sup>th</sup> February 2013 email correspondence was received from Peterborough City Council Licensing Authority highlighting an application for a new premises license for Superpoli Express, 613 Lincoln Road, Peterborough, PE1 3HA. The applicant was identified as being Hatice Koc of 613 Lincoln Road, Peterborough, PE1 3HA. The application has been given the Council reference number: 066813. An original copy of the application was received by this office via mail from legal representation acting on behalf of the applicant, namely NARTS.

The application looks to install a Premises License covering off sale of alcohol effective from 26<sup>th</sup> March 2013 daily between 08:00am and 00:00pm. The DPS is offered as the applicant but with a different address - HATICE KOC of 69 Millicent Grove, Palmers Greens, London, N13 6HF. I am led to believe from the application details that Ms KOC is in the process of acquiring a Personal License from London Borough of Enfield.

613 Lincoln Road was an 'OFF License' grocery shop which is associated with the sale of illicit and/or counterfeit cigarettes and alcohol. On Monday 28<sup>th</sup> January 2013 Peterborough City Council Sub-committee revoked the license following a review application submitted by Trading Standards and supported by Cambridgeshire Constabulary, HM Revenue and Customs, PCC Licensing Department, The NHS, Operation CAN-DO and Millfield and New England Regeneration Partnership. The review application was heavily supported as the premises was concerned with the sale of illicit and or counterfeit cigarettes and alcohol and sales to underage stemming back to December 2011.

I have been licensing Officer for Northern Division since June 2011. I am familiar with 613 Lincoln Road and those associated with this premises either through licensing compliance visits or assisting HMRC and Trading Standards during their test purchases or inspections. The surname of KOC is one I recognise and attribute to

613 Lincoln Road regardless of who is installed as Premises License Holder or Designated Premises Supervisor.

Council records reflect the owner / association history of the premises since the previous license was granted, and after the Greyhound Public House closed down. These records were made readily available at the hearing, via the agenda paperwork, in January 2013.

I wish to recap and summarise that:

- On 15<sup>th</sup> July 2009 a new Premises License was submitted with the applicant and PL being Mini Poli Ltd and the DPS identified as Mr UYAN.
- On 13<sup>th</sup> August 2009 a new PL was issued authorising the daily off sale of alcohol 08:00am – 00:00pm.
- On 27<sup>th</sup> October 2009 - Failed Test Purchase Operation – EWE WALAS made a sale to underage. EWE WALAS was at the time a member of staff.
- 26<sup>th</sup> January 2010 a minor variation was submitted to add extra conditions following the failed test purchase operation in October 2009. The PL was changed to reflect conditions and re-issued on 08<sup>th</sup> February 2010.
- 14<sup>th</sup> April 2011 the DPS was varied from Mr. UYAN to Mrs. EWE WALAS. A new PL was issued on 29<sup>th</sup> April 2011.
- 20<sup>th</sup> May 2011 – Burglary at 613 Lincoln Road. Agg'd is HASAN KOC. Crime describes Agg'd and family as new owners and moving into flat above. No further details on crime as to who family are. CF0216980511 refers
- 22<sup>nd</sup> August 2011 the PL was transferred from Mini Poli Ltd to HASAN KOC. A new PL was issued on 09<sup>th</sup> September 2011.
- 21<sup>st</sup> December 2011 a joint Test Purchase by TS and Cambridgeshire Constabulary resulted in two failed sales to under 18 by EWE WALAS. It was also witnessed that illicit cigarettes were secreted within a potato sack but when officers went back the sack had been removed and evidence lost. This was reported to HMRC and a follow up inspection would take place in January 2012 (See below).
- 04<sup>th</sup> January 2012 – Burglary at 613 Lincoln Road. Agg'd described as HASAN KOC and witness is HATICE KOC who both give there address as flat above 613 Lincoln Road. CF0004080112 refers
- 11<sup>th</sup> January 2012 HMRC and Trading Standards made a visit to 613 Lincoln Road and illicit tobacco was seized. PL – HASAN KOC / DPS – WALAS.
- 19<sup>th</sup> February 2012 – HASAN KOC reports a Section 5 Public Order at 613 Lincoln Road. CF0069420212 refers



- 30<sup>th</sup> October 2012 a Joint inspection was carried out by TS and HMRC whereby a substantial amount of illicit alcohol was seized. PL – HASAN KOC / DPS - WALAS
- On the same day I learned via PCC Licensing Authority that HASAN KOC was no longer associated with the business and a visit was made to the premises by the responsible authorities. It was established that EWE WALAS had a receipted Application dated 25<sup>th</sup> June 2012 to transfer the DPS and PL over to her name. This was not officially submitted until 31<sup>st</sup> October 2012 and only granted on 15 November 2012.
- 17<sup>th</sup> March 2013 – Theft shoplifting reported to Police. CF 0095830313 refers. Enquiries reveal the manager is HUSEYIN KOC.

As a result of the evidence in relation to illicit alcohol and cigarettes Trading Standards applied to review license. Overwhelming support came from other responsible authorities including Cambridgeshire Constabulary under the licensing objectives of Crime and Disorder, Protection of Children and Public Safety.

Following the revocation of the License WALAS was given 21 days to appeal the decision and as she was present was verbally informed directly after the hearing and a notice in writing given into her hand. As no appeal was forthcoming myself and Teresa Martin, Licensing Officer, Peterborough City Council attended 613 Lincoln Road shortly after the deadline date and spoke to EWE WALAS. Also present was SERDARI KOC. Alcohol was still on show and despite representation stating that they had informed WALAS to remove alcohol; WALAS stated she hadn't and in fact didn't really know who her legal representation was. On speaking to WALAS she disclosed that Mr KOC was in charge. I remained with WALAS and SERDARI as he took control and removed the alcohol with a friend to their house next door. I did my part and showed reason in helping them to remove the alcohol and prevent them committing any further offences.

On 07<sup>th</sup> March 2013 I carried out some enquiries after I was informed that WALAS had been sacked and was no longer working at the store. After speaking to SERDARI KOC I was informed that she had not been sacked and was only on holiday for two weeks.

Enquiries via the Police Computer system have revealed that HATICE KOC was associated with the premises on 03<sup>rd</sup> January 2012. Between 20:55pm and 21:06pm on the same date a Burglary was reported at 613 Lincoln Road. The aggrieved to this crime were recorded as HASAN KOC and HATICE KOC – the applicant in this case. They both disclosed their address as 613 Lincoln Road, Peterborough.

Further enquiries via QUICK ADDRESS Search reveals that Hatice KOC is registered at 69 Millicent Grove, London along with Hidir Koc, Huseyin Koc and Serdari Koc.

It is my opinion that the applicant is related to previous / current operators of the premises and in fact through crime recording has been implicated as even being involved at the premises during a contentious period. I believe that this application is made by a close family member of those I suspect are heavily involved in the

premises either through administering or working at the store. I suspect this business is subject to a family run business namely the KOC's, albeit from behind the curtains. I am suspicious that this is an application submitted immediately after a revocation in an attempt to circumnavigate that decision and I make representation against the license application. I appeal to the Council Committee to refuse the application and fully support Trading Standards representation.

Yours faithfully,

Grahame Robinson  
Police Constable 1572  
Licensing Officer  
Peterborough District  
Cambridgeshire Constabulary  
Tel: 101 ext 4438  
Email: [grahame.robinson@cambs.pnn.police.uk](mailto:grahame.robinson@cambs.pnn.police.uk)  
Mobile: 07921095030

**Telephone:** 01733 863688  
**Facsimile:** 01733 863672  
**Please ask for:** Wendi Ogle-Welbourn  
**Our Ref:** WOW

**Children's Services**  
**Strategy, Commissioning & Prevention**  
**3<sup>rd</sup> Floor, Bayard Place**  
**Broadway**  
**Peterborough**  
**PE1 1FB**

The Licensing Team  
Peterborough City Council  
4th Floor, Bayard Place  
Broadway  
Peterborough  
PE1 1HU

**19 March 2013**

Dear Licensing Team

**Re: License application 613 Lincoln Road (ref: 66813)**

It has come to our attention that there has been an application for a license to sell alcohol at the above premises. Following a hearing by the Licensing Sub Committee on 28<sup>th</sup> January the previous license was revoked. While the main reasons for this related to unpaid Excise Duty, there was also evidence from 'test purchasing' operations of sale of alcohol to children.

Across the Council and across our communities we have a duty to safeguard children from harm. This must include protection from the harm alcohol can cause to young people.

If these premises are to regain a license to sell alcohol, I would ask the Licensing Committee for reassurance that the new management has either demonstrated it has no connection to the problems and lack of consideration for children's welfare that led to the revocation of the licence, and that they set out a transparent and auditable approach to safeguarding children in future.

I would expect that an applicant would understand this concern and that if reassurances are insufficient, Children's Services, as a Responsible Authority under the 2003 Licensing Act would oppose grant of licence on the grounds of prevention of harm to children.

Yours Sincerely



Wendi Ogle-Welbourn  
**Assistant Director for Strategy, Commissioning & Prevention**

Our ref: AL/mw

20 March 2013



**NHS Cambridgeshire and NHS Peterborough**  
working in partnership

1<sup>st</sup> Floor  
Town Hall  
Peterborough  
PE1 1HL

The Licensing Team  
Peterborough City Council  
4th Floor, Bayard Place  
Broadway  
Peterborough  
PE1 1HU

Direct: 01733 207172  
Email: [mandy.workman@peterborough.gov.uk](mailto:mandy.workman@peterborough.gov.uk)  
Web: [www.peterborough.nhs.uk](http://www.peterborough.nhs.uk)

Dear Licensing Team

**License application: 613 Lincoln Road (ref: 66813)**

Thank you for sending us a copy of this license application. I note that this application not only relates to a premises in the "Operation CAN-Do" area, but also to an address subject to a review and subsequent licence revocation earlier this year.

We have particular concerns for the Operation CAN-Do area in terms of problems relating to alcohol. Public Health supports the partnership approach to concerns for community cohesion and anti-social behaviour. We have seen police data showing crime and ASB to take place late into the evening in the Lincoln Road area and our own analysis shows the area to have the highest density of licensed outlets in the city already. Alcohol-related hospital admissions from wards in the area are among the highest for any neighbourhood in Peterborough which already suffers a rate higher than the national average. The Millfield area enjoys a particularly diverse population, including many from other European Union states and World Health Organisation data shows considerably higher rates of liver cirrhosis among people from Lithuania, Latvia, Poland and Portugal than the UK average. We believe it is important that we strive to reduce alcohol-related harm among all people living in our city and look forward to "health" becoming an objective under the Licensing Act, as currently proposed by government. We have supported the development of proposals for a cumulative impact policy for the area which we hope will be successfully implemented in time and contribute to health and wellbeing and community cohesion in the Operation CAN-Do area.

However, our concerns for the license application in question go beyond our general concerns for the area and we believe enable us to raise concerns under the existing licensing objectives, namely prevention of crime, public safety and protection of children from harm.

The Licensing Committee will recall the recent review of the premises at 613 Lincoln Road on January 28<sup>th</sup>. The review related to the sale of alcohol and tobacco upon which HMRC was satisfied no UK Excise Duty had been paid. We also learned that there had been incidents of sales of alcohol to children. It is important that any new licensee is able to demonstrate to the authorities and the local community that they will manage the premises correctly.

Alcohol misuse is the third greatest contributor to ill-health<sup>i</sup> and we have an objective to reduce alcohol-related hospital admissions and the associated health burden upon individuals, families and the community. Smoking is the primary cause of preventable morbidity and premature death, accounting for 81,400 deaths in England in 2009<sup>ii</sup>. In England, deaths from smoking are more numerous than the next six most common causes of preventable death combined (and given that it is estimated that alcohol misuse costs the NHS in England £3.5bn per year<sup>iii</sup>), the associated costs for

smoking related diseases is therefore also significant). Tobacco use has a devastating impact on public health in our communities causing harm not only to smokers but also to the people around them. In England 1 in 5 adults smoke while in Peterborough 1 in 4 adults smoke.

I concluded my letter of 3<sup>rd</sup> January regarding the license review for 613 Lincoln Road as follows: “alcohol and tobacco are dangerous drugs and we consider national strategies, taxation policy and licensing legislation to be important contributors to reducing harm by restricting availability and safeguarding the public, including the young and vulnerable. We consider deliberate non-compliance with the law in relation to selling alcohol and illegal tobacco very serious issues and where proven would support tough sanctions, including withdrawal of a license, towards individuals whose actions indicate insufficient regard for the public’s health and wellbeing.”

Given there is very limited information given in this application regarding improved future management and in the light of recent events I would strongly urge the Licensing Committee to consider whether the current application will sufficiently alter and improve the management of the premises. If not, I am concerned that there could be a repeat of previous illegal activity and disregard for the safety and health of people in the neighbourhood, including children.

Yours sincerely



**Dr Andy Liggins**  
Director of Public Health

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<sup>i</sup> Global Health Risks, WHO

<sup>ii</sup> Department of Health, 2010

<sup>[iii]</sup> Department of Health, 2012

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Subject: Super Poli 613 Lincoln Rd  
Date: Wed, 20 Mar 2013 13:36:51 +0000

Dear Mr Day

I am writing on behalf of the Victoria Park Residents' Association, as well as myself as a councillor for the adjoining Park Ward, to object to the application for a Premises Licence at 613 Lincoln Rd.

We understand that the Premises Licence for this establishment (the former Greyhound Public House) was revoked in December last year because of continuous breaches of the Licensing Act including the selling of counterfeit alcohol, counterfeit cigarettes and the sale of cigarettes and alcohol to children.

We further understand that the Premises Licence Holder appealed against this decision at the Magistrates Court but missed the deadline and it was rejected. They have now made a fresh application because of this.

The previous Designated Premises Supervisor and Premises Licence Holder is the wife of the current applicant and we therefore consider that the changes in Supervisor and Holder are no more than cosmetic in order to circumvent the legal requirements.

In view of the past record, we believe that this application should be refused on the grounds of the prevention of crime and disorder and the protection of children from harm.

Yours sincerely

John Shearman

**John Shearman**

**Secretary-Victoria Park Residents' Association  
and Councillor for Park Ward**

*...working together and getting things done in Park  
Ward...*

The Licensing Committee  
Peterborough City Council  
Bayard Place  
Peterborough

26<sup>th</sup> March 2013

Dear Sir / Madam

**Alcohol License Application  
Super Poli Express, 613 Lincoln Road, Peterborough PE1 3HA**

I am the Chair of Millfield & New England Regeneration Partnership (MANERP) which represents residents who live in the Millfield and New England areas of Peterborough. The reason for writing is to request that the application for an Alcohol License at Super Poli Express, 613 Lincoln Road, Peterborough PE1 3HA be refused.

As you are aware, the Millfield and New England area of Peterborough for several years has had a history of anti-social behaviour fuelled by alcohol and drug abuse. This has been exacerbated by the rapid growth of a number of outlets retailing alcohol by means of "off-sales." The area is also within the boundary of the "Operation Can-Do" initiative which has brought together the city council, police, NHS, Resident Associations and other partner agencies to jointly combat the serious issues being faced in this area. The area is very sensitive and volatile because of low priced and illicit alcohol and related issues.

In the past this business has blatantly disregarded the basic requirements that have brought them to the attention of the Police, Trading Standards and this committee. The management of this business have proven that they are not fit and proper persons to retail alcohol or other licensable goods and as a result the Licencing Committee quite rightly revoked the license in December 2012. It is noteworthy that at the revocation hearing, the defence the management of the premises offered was that:

- (a) Trading Standards and the Police were liars despite the overwhelming evidence that was given to the contrary and;
- (b) that they had no knowledge of contraband cigarettes that were being sold from a sack of potatoes.

Part and parcel of a DPS is to be aware of what is going on, in and around the premises and it therefore shows utter incompetence at best and therefore proves that they were neglecting their responsibilities and legal duties.

It is also utterly contemptuous behaviour by both the Premises License Holder and the Designated Premises Supervisor to have made such outrageous statements to the Licensing Committee as a defence, and that in itself brings into question the issuing of any alcohol related license to this establishment.



The change of names of the Premises License Holders are in our opinion are blatantly dishonest and are merely passing over technical responsibility to various members of the same family, and a cosmetic change of the company name to give the appearance of change. There is nothing in our opinion that has or will change in the way in which this company will operate if granted a license as they have continued to act in a criminal manner for the past 18 months.

There can be no excuse for the wholesale purchase of alcohol or cigarettes from disreputable dealers with the deliberate intention of defrauding Her Majesty's Revenue & Customs both in unpaid Duty and Taxes. Not only is there a criminal gain in such a purchase, there is also the issue of unfair trading amongst other businesses in the area already trying to compete for legitimate trade. The issue that MANERP would ask you to consider apart from the criminality of what the management in the past have been found guilty of, but what impact the sale of illegally purchased cut-priced alcohol has on an area that has more than its' fair share of alcohol related anti-social behaviour.

In conclusion, the Millfield and New England area has a phenomenal number of outlets selling alcohol (around the seventy plus mark) which has contributed significantly to anti-social behaviour in the area. Super Poli Express has shown that they have scant regard for the law and we would submit that their word cannot be trusted to be responsible persons to hold an alcohol license.

The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies through "Operation Can-Do" has highlighted the need to reduce the number of outlets and hours that alcohol can be freely purchased if it is to make any further headway towards the goals that it is striving to achieve.

At MANERP our focus is to try to regenerate an area that has been sadly neglected for many years and the largest problem of all revolves around the ease, low cost and availability at which alcohol can be purchased and subsequently abused. Any outlets that have a proven record of both criminal and reckless decisions such as this outlet would be a major obstacle in attempting to improve the quality of life this area of Peterborough.

We therefore respectfully request that this license be refused by the Licensing Committee for the reasons stated above and also on the grounds of;

- (a) The prevention of crime and disorder, and;
- (b) The prevention of children from harm.

Yours Sincerely,

**BRIAN W J GASCOYNE**  
**Chair - Millfield and New England Regeneration Partnership**

This page is intentionally left blank

Our ref : IS/FE/07554/13/KOC  
Your ref :  
25th March 2013

**To whom it may concern**

Dear Sirs,

**Our Client: Hatice Koc**  
**Property: 613 Lincoln Road Peterborough PE1 3HA**

We act on behalf of our above mentioned client in her purchase of the above leasehold premises.

Please note that we were instructed on the 8<sup>th</sup> March 2013 by our client in her purchase of the above mentioned leasehold premises. We have commenced work on the file however we have not completed in the purchase as yet. We hope to be in a position to complete this matter once all the documents are issued and ready.

We have been informed by our client that she took occupation of the premises on the 26<sup>th</sup> February 2013 and has been trading from thereon up to date. Our client also confirms that she has paid £8,000.00 toward the stock in the shop when taking occupation of the premises.

Yours faithfully,

  
**Sal & Co Solicitors**

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NOTICE OF APPLICATION FOR A PREMISES LICENCE FOR A TAKEAWAY PREMISES  
SARAH JANE DONALDSON (Deceased)  
Pursuant to the 1968 Act 1925 and to the provisions of the 2003 Act, I am applying for a premises licence for the Estate of the aforementioned deceased, late of 10 Earl Spencer Court, Peterborough PE2 9QC who died on 02/09/2012, are required to send particulars thereof in writing to the undersigned Solicitors on or before 17/05/2013 after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

**Public Notices**

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**Public Notices**

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