

LICENSING ACT 2003 SUB-COMMITTEE

MONDAY 27 OCTOBER 2014

1.30 PM

Bourges Room - 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 New Premises Licence - 327 Lincoln Road, Hypermarket

3 - 30



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 Philippa Turvey on 01733 452460 as soon as possible.

Committee Members:

Councillors: P Thacker (Chairman), P Hiller (Vice Chairman) and Davidson

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

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LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 3
27 OCTOBER 2014		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION: NEW PREMISES LICENCE

APPLICANT: Mr Ergin Tasci

REFERENCE NO: 070052

PREMISES: Hypermarket, 327 Lincoln Road, Peterborough, PE1 2PF

GLOSSARY OF TERMS: Attached at **Appendix A**

1. PURPOSE OF REPORT

1.1 To consider and determine this application for a new premises licence for Hypermarket, 327 Lincoln Road, Peterborough, taking into account the representation received from Cambridgeshire Constabulary, a Responsible Authority under the Licensing Act 2003.

2. BACKGROUND INFORMATION

2.1 A premises licence has previously been in place for the premises. This licence was issued to the Co- Operative Group in August 2005 and was surrendered when the business ceased at the premises in March 2007. Since that date there has been no premises licence authorising licensable activities at the premises.

2.2 Since 18th April 2013 the Licensing Authority has adopted a special policy relating to the cumulative impact in respect to all licensed premises within the 'Operation Can – Do' area. An explanation of what this special policy entails can be found on page 8 of the Council's Statement of Licensing Policy. A map showing the Can – Do area is attached at **Appendix B**.

2.5 The premises falls within the 'Operation Can – Do' area and is therefore subject to the provisions of the special 'cumulative impact' policy.

3. AUTHORISATIONS AND TIMES APPLIED FOR

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

Monday to Sunday 8am to 10pm

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

Monday to Sunday 8am to 10pm.

4. APPLICATION

- 4.1 Please refer to the application attached at **Appendix C**.
- 4.2 The applicant is Mr Ergin Tasci who is also the proposed DPS (Designated Premises Supervisor). The agents acting on behalf of the applicant are Leiberman Law Limited of 53 Stoke Newington High Street, London. Mr Tasci has held a personal licence since March 2006 and is currently the designated premises supervisor of an off licence situated at 317/321 Lincoln Road, Peterborough.
- 4.3 Representations have been received from Cambridgeshire Constabulary as a Responsible Authority attached at **Appendix D**.
- 4.4 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.
- 4.5 No valid representations have been received from any of the remaining Responsible Authorities i.e. Cambridgeshire Fire and Rescue Service, The Licensing Authority, Peterborough City Council Planning Department, Peterborough City Council Health & Safety Department, Local Health Authority, Children's Services or Peterborough City Council Environmental Pollution Team. There have been no valid representations from any 'other persons'.
- 4.6 A 'Notice' was displayed in the local 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.

5. RESPONSIBLE AUTHORITIES

5.1 Summary of issues raised

- In 'Op Can-do' area which is now subject to a special 'cumulative impact policy'.
- The Operating Schedule conditions contained within the application do not sufficiently address the issues of the historic problems of the location and the surrounding area.

6. MEDIATION

6.1 Mediation has not taken place.

7. APPLICANT'S PROPOSED CONDITIONS UNDER THE LICENSING OBJECTIVES:

7.1 Crime and disorder

- Appropriate signage will be displayed, in a prominent position, informing customers they are being recorded on CCTV.
- CCTV covering areas inside and outside of the premises should be installed and maintained to Police recommendations with properly maintained log arrangements. All images will be stored for a minimum of 31 days.
- CCTV is to comply with Data Protection Act 1998 and is to be working and recording correctly when the premises are open to the public.
- A staff member from the premises that is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show Police recent data footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.
- A refusal book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale and the reason the sale was refused. The book shall be made available to Police and authorised Council officers on request.

- The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.
- A proof of age scheme shall operate at the premises and all staff shall be trained in its implementation, eg Challenge 25. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification.
- There will be one personal licence holder on the premises at all times the premises is open to the public.
- A member of staff shall be left in charge at all times and able to present themselves to Police or a relevant Council Officer, as the person in charge when the premises is open to the public.

7.2 **Protection of children from harm**

- A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made.
- The premises licence holder or designated premises supervisor shall ensure that a sales refusal register is maintained to include details of all alcohol sales refused and the reason for refusal. The refusals register should be made available to an authorised enforcement officer on request.
- The licence holder or designated premises supervisor shall ensure that new staff, supervisors and managers receive induction in the legality and procedures of alcohol sales, prior to undertaking the sale of alcohol. Training will be signed and documented and training records be made available to an enforcement officer on request.
- All staff making sales of age restricted products will receive refresher training every 3 months.

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 June 2014**

- The Licensing Objectives – Section 2 pages 11 to 20
- Applications for Premises Licences – Section 8 pages 56 to 79
- Determining applications – Section 9 pages 80 to 89
- Conditions Attached to Premises Licences – Section 10 page 90 to 104

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 1 September 2014.
- 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
 - 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
 - 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: -

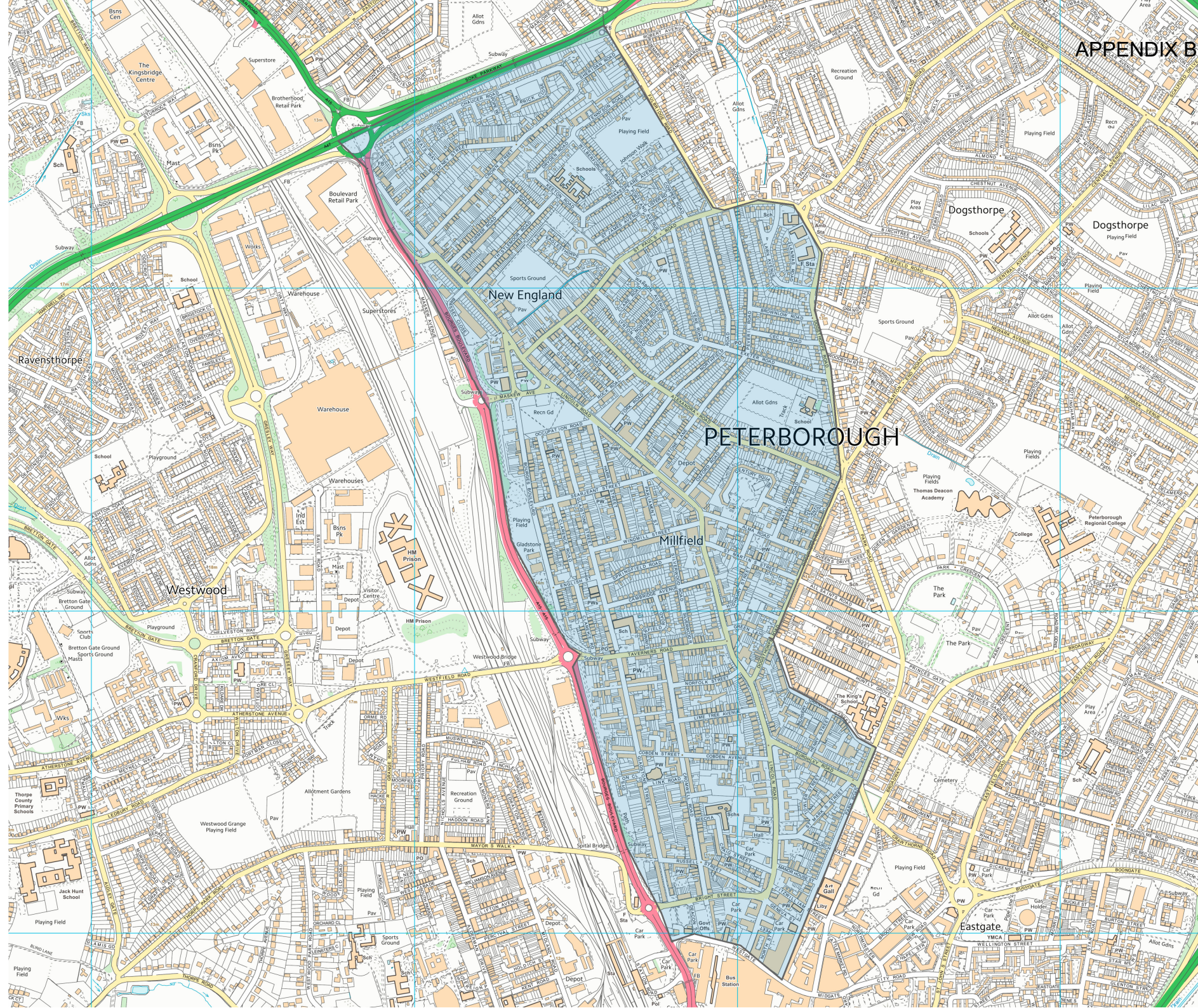
- Duration – they are limited to events lasting for up to 168 hours (7 days);
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall 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/

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* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

*Continued from previous page...***Address**

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	Hampton Hargate
* City or town	Peterborough
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	United Kingdom

Agent Details

* First name	Mahir
* Family name	Kilic
* E-mail	info@leibermanlaw.com
Main telephone number	02072413636
Other telephone number	<input type="text"/>

Include country code.

 Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number	08131383
* Business name	LEIBERMAN LAW LIMITED
* VAT number	- <input type="text" value="none"/>
* Legal status	Private Limited Company
* Your position in the business	Licensing Dep
Home country	United Kingdom

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

*Continued from previous page...***Agent Registered Address**

Address registered with Companies House.

* Building number or name	<input type="text" value="53"/>
* Street	<input type="text" value="Stoke Newington High Street"/>
District	<input type="text"/>
* City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="N16 8EL"/>
* Country	<input type="text" value="United Kingdom"/>

Section 2 of 19**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="327"/>
Street	<input type="text" value="Lincoln Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Peterborough"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="PE1 2PF"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="01733555801"/>
Non-domestic rateable value of premises (£)	<input type="text" value="35,500"/>

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Ergin

Family name

Tasci

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Please refer to Premises Plan provided. This is a large supermarket with butcher, bakery and other grocery items.

Continued from previous page...

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

Section 6 of 19**PROVISION OF PLAYS**

Will you be providing plays?

- Yes No

Section 7 of 19**PROVISION OF FILMS**

Will you be providing films?

- Yes No

Section 8 of 19**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes No

Section 11 of 19**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes No

Section 12 of 19**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes No

Section 13 of 19**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Continued from previous page...

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?
 Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?
 Yes No

Standard Days And Timings

Give timings in 24 hour clock.
 (e.g., 16:00) and only give details for the days
 of the week when you intend the premises
 to be used for the activity.

MONDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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Will the sale of alcohol be for consumption:

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End Start End

SUNDAY

Start End Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 19**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Please see conditions below

b) The prevention of crime and disorder

1. Appropriate signage will be displayed, in a prominent position, informing customers they are being recorded on CCTV.
2. CCTV covering areas inside and outside of the premises should be installed and maintained to police recommendations with properly maintained log arrangements. All images will be stored for a minimum of 31 days.
3. CCTV is to comply with Data Protection Act 1998 and is to be working and recording correctly when the premises are open to the public.
4. A staff member from the premises that is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police recent data footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.

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5. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to Police and authorised Council officers on request.
6. The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.
7. A Proof of Age scheme shall operate at the premises and all staff shall be trained in its implementation, eg Challenge 25. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification.
8. There will be one personal licence holder on the premises at all times the premises is open to the public.
9. A member of staff shall be left in charge at all times and able to present themselves to police or a relevant council officer, as the person in charge when the premises is open to the public.

c) Public safety

This objective has been considered and is covered by obligations under other legislation

d) The prevention of public nuisance

This objective has been considered and is covered by obligations under other legislation

e) The protection of children from harm

A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made.

The Premises Licence Holder or Designated Premises Supervisor shall ensure a sales refusal register is maintained to include details of all alcohol sales refused and the reason for refusal. The refusals register should be made available to an authorized enforcement officer on request.

The Licence Holder or Designated Premises Supervisor shall ensure that new staff, supervisors and managers receive induction in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. Training shall be signed and documented and training records be made available to an enforcement officer on request.

All staff making sales of age restricted products will receive refresher training every 3 months

Section 19 of 19**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

Continued from previous page...

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/peterborough/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Ref: '327 Lincoln Road / License Application



Creating a safer
Cambridgeshire

Tuesday 23rd September 2014

Teresa Martin
Licensing Officer
Peterborough City Council
Bayard Place
Broadway
Peterborough
PE1 1HZ

Dear Darren,

Re: Premises License Application – 327 Lincoln Rd, Peterborough

On 09th September 2014 Cambridgeshire Constabulary Licensing Department (Peterborough District) received e-mail notification from Peterborough City Council Licensing Authority of an application for a new Premises License at 327 Lincoln Road, Peterborough, PE1 2PF. The application has been submitted electronically by Mr. Mahir Kilic of Liebermann Law Ltd who is acting on behalf of the applicant and proposed Designated Premises Supervisor – Mr. Ergin Tasci, 25 Buckthorn Rd, Peterborough, PE7 8EE. Mr. Tasci holds an Alcohol Personal License issued by PCC Licensing Authority reference: 047597.

This application seeks to install a new premises license at 327 Lincoln Road with the premises open and the supply of alcohol 'Off Premises' between 08:00pm and 22:00pm daily. No other licensable activity has been applied for.

327 Lincoln Road is located centrally within the CAN-DO Operational area, on Lincoln Road and ultimately within the Cumulative Impact Area (Special Policy) drawn up and adopted on 18th April 2013. It has been positively identified that there is a significant concentration of licensed premises within the CAN-DO area. This premises was formerly an Asian supermarket which did not sell alcohol. Evidence exists of a negative impact on the statutory objectives caused by alcohol within the CAN-DO area. Peterborough City Council's 'Statement of Licensing Policy', 'Special Policy on Cumulative Effect' - Paragraph 11.6 states:

*"This special policy creates a rebuttable presumption that applications within the Op Can Do area for **new premises** or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced".*

Para 11.7 states:

“Applications will need to address the special policy issues in their operating schedules in order to rebut such a presumption”.

The formal application - part M states:

“Describe the steps you intend to take to promote the four licensing objectives”.

The applicant has asked for the standard conditions to be added to the license which include CCTV, refusal register, and proof of age scheme – conditions routinely applied for given normal circumstances. In my professional opinion as the Cambridgeshire Constabulary Licensing Officer for Peterborough District this application is likely to add to the existing cumulative impact. Alcohol is having a significant impact on the local community specifically to the community around the proposed shop location. There already exist a high number of licensed premises within a 100 metre radius making this the focal saturation point within the CAN-DO area. Unfortunately no formal suggestions by the applicant or his representative have been received that would satisfactorily demonstrate that the application, if granted, would **not contribute** towards the cumulative impact already being experienced.

Whilst this is yet another licensed premise application within the Cumulative impact area ultimately the decision on granting the license lies with the Licensing Sub-Committee. I am conscious that with a new license in place there is a real risk of a significant additional impact from the sale of alcohol on the local and wider community. As alluded to previously this premises was a supermarket without an alcohol license – a food registration certificate was submitted by Mr. Mohammed Zubair in 2012. I suspect that alcohol is applied for in order to boost and maximise profits sometimes found at the expense of the licensing objectives and ultimately impacting upon the community.

Furthermore Mr. Tasci is already the Premise License holder and Designated Premises Supervisor for Peterborough Food & Wine at 317 Lincoln Road –a large supermarket with an extensive stock of alcohol a few door down the street. I do not believe that given the nature of the area and the sensitivity surrounding the alcohol issues that he could effectively maintain supervision over both shops.

Cambridgeshire Constabulary do not support this application and appeal to the Licensing sub-committee to seriously consider the Special Policy and reject the application. Should a rejection of the application be considered as unsuitable in this case and the application is granted, may I ask that the following conditions are added to the license to support the licensee in upholding the Licensing Objectives.

The Prevention of Crime and Disorder:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions in particular facial recognition. Cameras shall encompass all entrances and exits to the premises, fire exits and all area where the sale / supply of alcohol occur. A camera will be positioned outside the premises covering the shop frontage.
2. CCTV equipment must be maintained in good working order, be correctly time and date stamped. Recordings must be kept in date order, numbered sequentially and kept

for a period of 28 days.

3. The Premises License Holder must ensure at all times a Designated Premises Supervisor or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format and hand this footage over to the Police / Local Authority on demand.
4. The recording equipment and discs / usb pen drives shall be kept in a secure environment under the control of the DPS or other responsible named individual.
5. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings of the system actions taken are to be recorded.
6. In the event of a technical failure of the CCTV equipment the Premises License Holder / Designated Premises Supervisor must report the failure to the Police or local authority immediately.
7. Notices advising that CCTV has been installed on the premises shall be posted so that they are clearly visible to the public within the licensed premises.
8. Staff training in relation to identifying and preventing sales of alcohol to any person who is, or appears to be drunk should be undertaken on a monthly basis. This training, together with on-going training to prevent underage sales (Challenge 25) should be recorded in a written format and be available to an authorised officer upon demand.
9. A refusals log will be maintained on a daily basis recording all refused attempted purchases of alcohol, carried out by drunks or underage persons.
10. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.
11. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the licensed premises and made available to Police, Council and HMRC Officers upon request.
12. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.
13. A ultra-violet light will be available and maintained at the store for the purpose of checking the UK Duty Stamp on all spirits as soon as practical after they have been purchased.
14. If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to the Trading Standards department and HMRC as soon as possible.
15. No single measures of Beer, Lager or Cider above 6.5% Abv (alcohol content) will be offered for sale in the premises.

Promote Public Safety -

16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
17. 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.
18. No person will be allowed to enter or leave the licensed premises (as defined by the plan) with an open vessel of alcohol and the licensee will actively discourage and prevent anyone congregating or drinking outside the premises.

The Protection of Children from Harm –

19. Signage will be prominently placed within the premises advertising the fact that the premises operate the 'Challenge 25' initiative.
20. 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 believe that the individual may be less than 21 years of age.
21. A refusal log will be accurately maintained on every refusal made in relation to the attempted purchase of alcohol by a juvenile or intoxicated person.

Kind regards

Grahame Robinson
Police Constable 1572
Licensing Officer
Northern District
Cambridgeshire Constabulary
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