

LICENSING ACT 2003 SUB-COMMITTEE

WEDNESDAY 10 JANUARY 2018
1.30 PM

FORLI ROOM

AGENDA

Page No

1. Election of Chairman

To elect a Chairman for this meeting.

2. Apologies for Absence

3. 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.

4. Application for a New Premises Licence - Temptation Taste of Portugal Limited, 309 Lincoln Road, Peterborough PE1 2PH 3 - 50



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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

Committee Members:

Councillors: P Hiller, B Saltmarsh and Amjad Iqbal

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

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LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 4
10 JANUARY 2018		PUBLIC REPORT
Contact Officers:	Kerry Leishman, Licensing & Business Manager Darren Dolby, Licensing Regulatory Officer	Tel: 453502 Tel. 453540

APPLICATION: NEW PREMISES LICENCE

APPLICANT: Temptation Taste of Portugal Limited

REFERENCE NO: 076406

PREMISES: Temptation Taste of Portugal Limited, 309 Lincoln Road, Peterborough, PE1 2PH

GLOSSARY OF TERMS: Attached at **Appendix A on Page 9**

1. PURPOSE OF REPORT

1.1 To consider and determine this application for a new premises licence for Temptation Taste of Portugal Limited, 309 Lincoln Road, Peterborough, PE1 2PH taking into account the background information and representations received from a responsible authority and two ‘other persons’ in opposition of the application.

2. BACKGROUND INFORMATION

2.1 On 6th February 2006 an application was made by Mr Serin for a new premises licence for Bingol Kebab and Pizza at 309 Lincoln Road, Peterborough. This application, for late night refreshment only, was granted in March 2006.

2.2 On 31st January 2007 an application to vary the premises licence to include the ‘off sales’ of alcohol was made by Mr Serin. This was granted in March 2007 with the permitted hours being: Monday Noon to 3am, Tuesday Noon to 2am, Wednesday and Thursday Noon to 3am, Friday and Saturday Noon until 4am, Sunday Noon until 2am.

2.3 After a premises licence holder change in March 2014 on 6th January 2016 the premises licence was revoked due to the licence holders, Euro Fried Chicken and Pizza Limited being liquidated as a company at Companies House.

2.4 The current applicant does not have any known link to the previous premises licence holders.

2.5 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 10 of the Council’s Statement of Licensing Policy. A map showing the Can – Do area is attached at **Appendix C Page 39**.

2.6 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 on and off the premises**

Monday	Noon to 03.00
Tuesday	Noon to 02.00
Wednesday	Noon to 03.00
Thursday	Noon to 03.00
Friday	Noon to 04.00
Saturday	Noon to 04.00
Sunday	Noon to 02.00

New Years Eve Noon on 31st December to Noon on 1st January

- **Late Night refreshment**

Monday	23.00 to 03.00
Tuesday	23.00 to 02.00
Wednesday	23.00 to 03.00
Thursday	23.00 to 03.00
Friday	23.00 to 04.00
Saturday	23.00 to 04.00
Sunday	23.00 to 02.00

New Years Eve 23.00 on 31st December to 05.00 on 1st January

- **Opening hours of premises**

Monday	Noon to 03.00
Tuesday	Noon to 02.00
Wednesday	Noon to 03.00
Thursday	Noon to 03.00
Friday	Noon to 04.00
Saturday	Noon to 04.00
Sunday	Noon to 02.00

New Years Eve Noon on 31st December to Noon on 1st January

On the morning that Greenwich Mean Time changes to British Summertime one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 1am.

4. APPLICATION

- 4.1 Please refer to the application attached at **Appendix B – Pages 11 – 37**. The applicant is being represented by their agent, Mr Andrew Heeler of Hegartys LLP.
- 4.2 Representations against the application have been received from Cambridgeshire Constabulary in their capacity as a 'Responsible Authority'. There have also been two further representations made against the application. The first is from the Millfield and New England Regeneration Partnership (MANERP) and the second from a local Councillor. These are attached at **Appendix D, E and F on Pages 41 - 50**.

- 4.3 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.
- 4.4 No representations have been received from any other of the Responsible Authorities i.e. Peterborough Trading Standards, Public Health Authority, Cambridgeshire Fire and Rescue Service, Licensing Authority, Peterborough City Council Planning Department, Peterborough City Council Health & Safety Department, Peterborough City Council Environmental Pollution Team, or Children's Services. There are no representations in support of the application.
- 4.5 A 'Notice' 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.

5. REPRESENTATIONS

- 5.1 Summary of issues raised by authorities objecting to the application:
- In 'Op Can-do' area which is now subject to a special 'cumulative impact policy.
 - 'Off Sales' of alcohol would lead to an increase in anti-social behaviour in the vicinity.
- 5.2 There were no representations in support of the application.

6. MEDIATION

- 6.1 Mediation has taken place with the applicant via his legal representative. However at the production of this report mediation has not been successful. .

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

7.1 Crime and disorder

- The premises licence holder will ensure that a digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
- CCTV images shall be retained for a minimum of 31 days and should be produced to a Police Officer (including PCSOs) or Local Authority Officer immediately upon demand..
- The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of a least 2 hours afterwards.
- The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders of every person entering or leaving the premises in all light conditions.
- At all times the premises are open for business a member of staff shall be present who is capable of operating the digital CCTV system and downloading images at the request of a Police Officer (include PCSO) or Local Authority Officer
- The CCTV system shall be capable of downloading images to a recognizable viewable format.
- All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.

- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a substantial take-away meal.
- Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- There will be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
- A alcohol refusals register will be kept at the premises and kept an maintained by all staff. The register will contain the date and time of the potential sale, what product was refused and a brief description of the person and the name and signature of the person who refused the sale
- The premises licence holder / designated premises supervisor, or in their absence another responsible person, is to maintain an 'Incident report register' in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to a Police Officer (inc PCSO) or an authorized Licensing Authority Officer when required. The records should be retained for a minimum of 12 months
- Patrons permitted to temporarily leave and then re-enter the premises (eg to smoke) shall not be permitted to to take drinks or glass containers with them.
- As soon as possible, and in any event within 1 month from the grant of the licence, the premises shall join the local Nightsafe / Pubwatch scheme scheme including the local radio scheme.

7.2 **Prevention of Public Nuisance**

- All windows and external doors shall be kept closed after 9pm except for the immediate access and egress of persons.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- Prominent, clear and legible notices at all exits shall be displayed on the premises requesting patrons to respect the needs of local residents and to leave the premises and the area quietly. Notices will also be prominently displayed in any area used for smoking requesting patrons to respect the needs of local residents and businesses and to leave the area quietly.
- During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that the area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- No deliveries will be made to the premises between 11pm and 8am the following day.

7.3 **Protection of children from harm**

- The 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises and signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative
- All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

7.4 **Public Safety**

- A fire risk assessment required under the Regulatory Reform (Fire Safety) Order 2005 (as amended) will be completed and be available for inspection by an authorised officer.

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 7 and 8
- Fundamental Principles, Section 6 on Page 6 and 7
- Licence Conditions, Section 14 page 17
- Delegation / Decision Making / Administration, Section 17 on Page 19 and 20

8.3 **Guidance Issued under Section 182 of the Licensing Act 2003 April 2017**

- The Licensing Objectives – Section 2 pages 7 to 17
- Applications for Premises Licences – Section 8 pages 52 to 62
- Determining applications – Section 9 pages 70 to 78
- Conditions Attached to Premises Licences – Section 10 page 79 to 90

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 and emails 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 16 November 2017.

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 2014.

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).

APPENDIX A

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

'Challenge 25' means that a retailer will ask for proof of identification if they have reason to believe that the person making a purchase of alcohol is under the age of 25.

'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

Except where there is an exemption under the Live Music Act 2012 or Statutory Instrument 2013 No. 1578 The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013

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.

'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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16 NOV 2017

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LICENSING

**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 TEMPTATION TASTE OF PORTUGAL LIMITED

(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

Postal address of premises or, if none, ordnance survey map reference or description 309 LINCOLN ROAD			
Post town	PETERBOROUGH	Postcode	PE1 2PH
Telephone number at premises (if any)	01733 766666		
Non-domestic rateable value of premises	£7,100		

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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 (by ticking yes to one box below):

- 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 type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 TEMPTATION TASTE OF PORTUGAL LIMITED
Address 311 – 313 LINCOLN ROAD PETERBOROUGH PE1 2PH
Registered number (where applicable) 10752005
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 01733 766666
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? **STRAIGHT AWAY**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
0	0	0
0	0	0
0	0	0

Please give a general description of the premises (please read guidance note 1)
RESTAURANT

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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 late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
Wed						
Thur			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4) <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) <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> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<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> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<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> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23.00	03.00			
Tue	23.00	02.00			
Wed	23.00	03.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23.00	03.00			
Fri	23.00	04.00			
Sat	23.00	04.00	<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> (please read guidance note 6)		
Sun	23.00	02.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12.00	03.00			
Tue	12.00	02.00			
Wed	12.00	03.00			
Thur	12.00	03.00			
Fri	12.00	04.00			
Sat	12.00	04.00			
Sun	12.00	02.00			
			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 (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name ALFREDO J G CORREIA	
Date of birth	
Address 4 DOGSTHORPE PETERBOROUGH	
Postcode	PE1 1XN
Personal licence number (if known) 045947	
Issuing licensing authority (if known) PETERBOROUGH CITY COUNCIL	



K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12.00	03.00	
Tue	12.00	02.00	
Wed	12.00	03.00	
Thur	12.00	03.00	
Fri	12.00	04.00	
Sat	12.00	04.00	
Sun	12.00	02.00	

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 (please read guidance note 6)

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

SEE ATTACHED PROPOSED CONDITIONS

b) The prevention of crime and disorder

SEE ATTACHED PROPOSED CONDITIONS

c) Public safety

SEE ATTACHED PROPOSED CONDITIONS

d) The prevention of public nuisance

SEE ATTACHED PROPOSED CONDITIONS

e) The protection of children from harm

SEE ATTACHED PROPOSED CONDITIONS

Checklist:

Please tick to indicate agreement

- 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 designated 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	14 th November 2017
Capacity	SOLICITOR ON BEHALF OF THE APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14) ANDREWHEELER HEGARTYLLP 48 BROADWAY PETERBOROUGH			
Post town	PETERBOROUGH	Postcode	PE1 1YW
Telephone number (if any)	01733 295661		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) ANDREWHEELER@HEGARTY.CO.UK			

Notes for Guidance

- Describe 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.
- In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Conditions

- MC01 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- MC02 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- MC14 All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- MC17 All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- MC18 Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- MC21 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- MC23 Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- MC27 All tills shall automatically prompt staff to ask for age verification identification when

presented with an alcohol sale.

MC34

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

MC36

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.

MC41

Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

MC42

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

MC46

There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

MC47

A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

MC48

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

- MC49 An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
- MC57 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- MC63 As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
- MC65 No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.
- MC68 All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
- MC71 The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- MC72 The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- MC73 The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in

accordance with the plans provided.

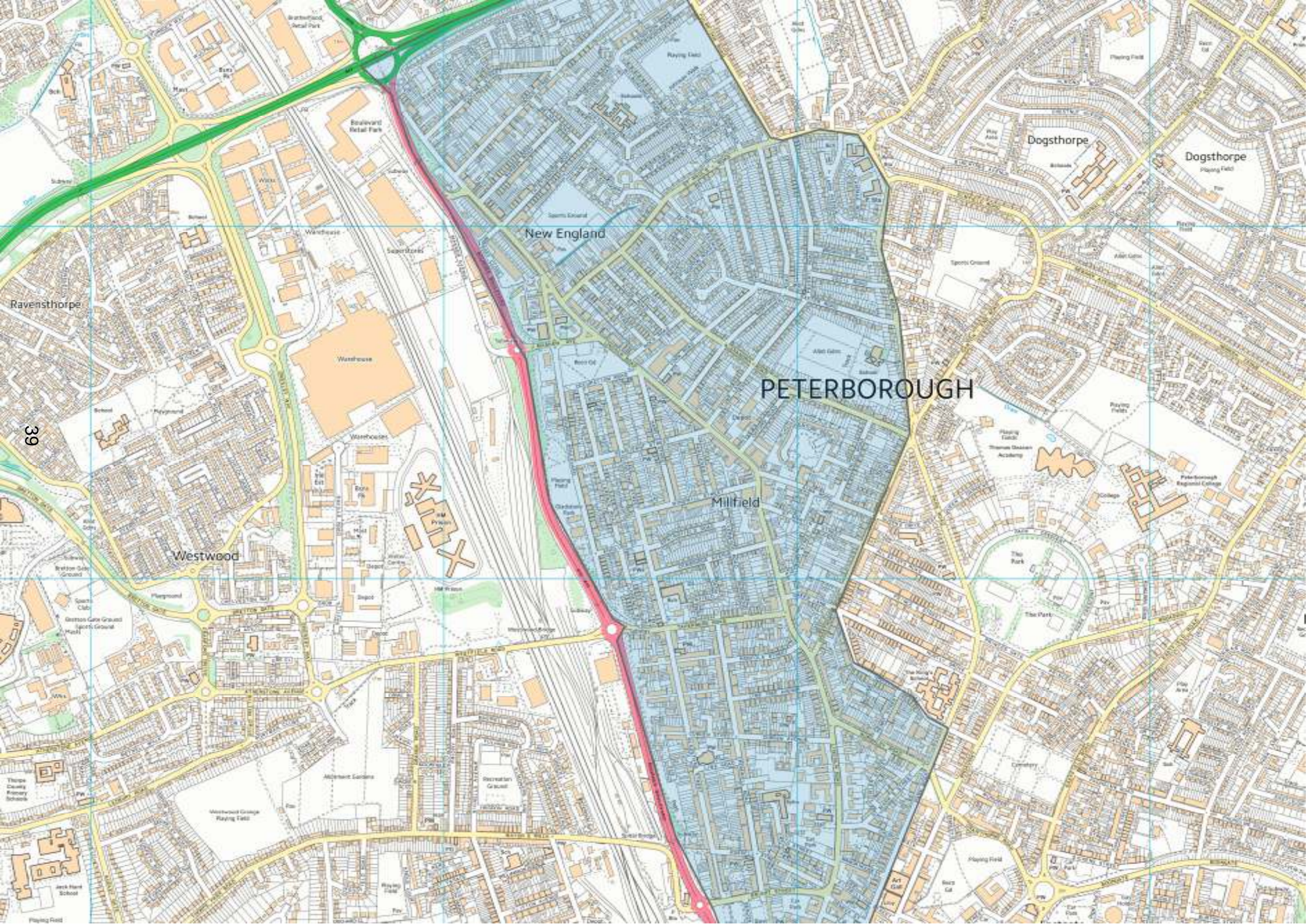
MC83

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

MC84

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

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PETERBOROUGH

39

New England

Westwood

Millfield

Dogsthorpe

Dogsthorpe

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Darren Dolby <darren.dolby@peterborough.gov.uk>

Re: Licensing Act 2003

1 message

Licensing Mailbox <licensing@peterborough.gov.uk>
To: Dolby Darren <darren.dolby@peterborough.gov.uk>

23 November 2017 at 13:34

for your attention

Licensing

Peterborough City Council

Resources Directorate

Town Hall

Bridge Street

Peterborough

PE1 1FA

(01733) 453491

licensing@peterborough.gov.uk

On 20 November 2017 at 20:41, Richard Ferris <richard.ferris@peterborough.gov.uk> wrote:

Good evening

I wish to register my opposition to this application. While I would not oppose alcohol being sold within a restaurant context, I cannot sanction any further expansion of off-sales in the Lincoln Road / Millfield area.

At a time when ASB is a particular concern to local residents, some certainly fuelled by the availability of cheap alcohol, this would simply add to the problem.

Regards,

Richard

On Mon, 20 Nov 2017 at 10:52, Licensing Mailbox <licensing@peterborough.gov.uk> wrote:

Under the Licensing Act 2003 we have received an application. Summary details are included below:

Reference: 076406

Premises Name: Temptation Taste of Portugal Ltd

Premises Address: [309 Lincoln Road, Peterborough PE1 2PH](#)

Details of this application are available in the Public Register, which can be found at the following web address:

www.peterborough.gov.uk/business/licences-and-permits/licensing-public-register

Alternatively it can be found on the Peterborough City Council website under the A-Z section, Licence - Public Entertainment and click on the hyperlink Licensing Act 2003.

Please note that the Public Register is updated at the end of each day.

This e-mail is for information purposes only.

Regards

The Licensing Team

Licensing

Peterborough City Council

Resources Directorate

Town Hall

Bridge Street

Peterborough

PE1 1FA

(01733) 453491

licensing@peterborough.gov.uk

--

Councillor Richard Ferris

Park Ward Labour Team

@Richard4Park

LABOUR: working together and getting things done in Park Ward

Ref: Temptation Taste of Portugal 309 Lincoln Rd / License Application



Creating a safer
Cambridgeshire

Thursday 14th December 2017

Darren Dolby
Licensing Officer
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HZ

Dear Darren,

Re: Premises License Application – ‘Temptation Taste of Portugal – 309 Lincoln Road, Peterborough, PE1 2PH.

On 20th October 2017 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 309 Lincoln Road, Peterborough, PE1 2PH. The application has been submitted by legal representation from Hegarty LLP, Peterborough acting on behalf of the applicant. The applicant is Mr. Alfredo Correia who has an Alcohol Personal License reference 045947 issued by Peterborough City Council. Mr. Correia is the premises license holder and designated premises supervisor at the next door premises ‘A Tasca’, 311, Lincoln Road, Peterborough, PE1 2PH – the premises next door.

I understand that the applicant wishes to open a new venue and describes it as a restaurant called ‘Temptation Taste of Portugal’. The applicant seek to install hours and conditions consistent with the ‘Off & On’ sale of alcohol and provision of late night refreshment. No other licensable activities are applied for. The hours applied for are from 12:00hrs to 02:00hrs Tuesday and Sunday; 12:00hrs to 03:00am Monday, Wednesday and Thursday; and 12:00hrs to 04:00hrs on Friday and Saturday.

Cambridgeshire Constabulary wish to make a formal representation in relation to this application. We seek to reject the application unless the applicant can consider and apply the following recommendations / amendments to the application.

309 Lincoln Road is a retail unit located centrally within the densely occupied retail / residential area of Lincoln Road. This area is subject to a Cumulative Impact Area (Special Policy) drawn up and adopted on 18th April 2013 and reviewed and continued in 2015. It has been positively identified that there is a significant concentration of licensed premises within the Millfield / Gladstone area, and there is sufficient evidence of a negative impact on the statutory licensing objectives. 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”.*

Cambridgeshire Constabulary, Thorpewood Police Station, Thorpewood, Peterborough, Cambridgeshire, PE3 6SD
Telephone: 01733 424438, Website: www.cambs.police.uk/licensing

Para 11.7 states:

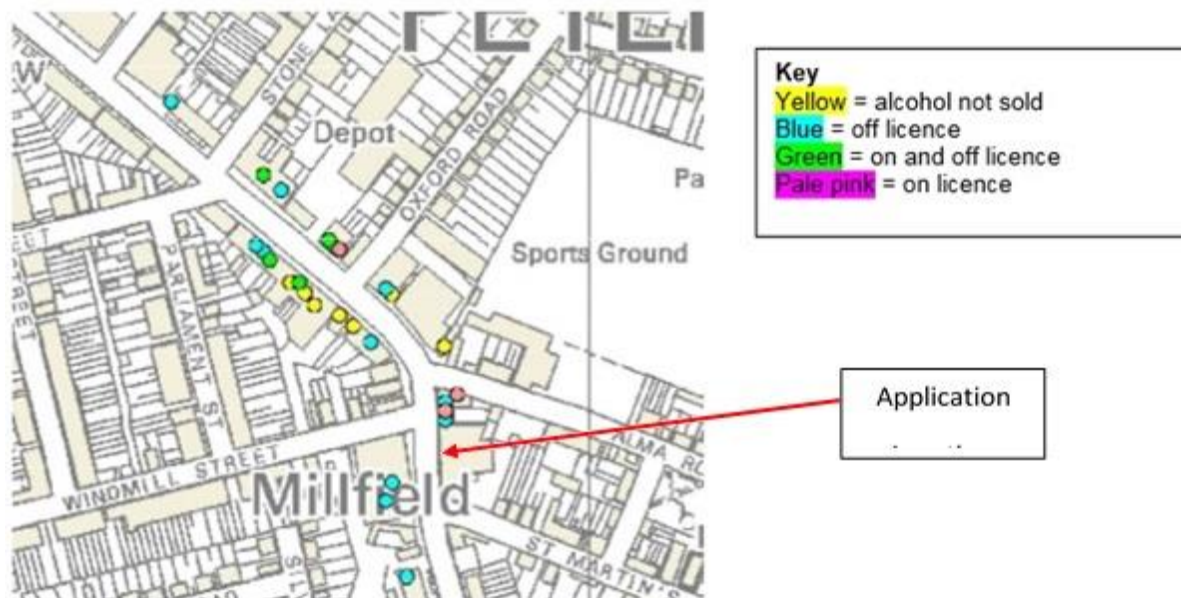
“Applications will need to address the special policy issues in their operating schedules in order to rebut such a presumption”.

The area surrounding 309 Lincoln Road has been specifically identified as having high levels of crime and anti-social behaviour, often associated to the saturation of licensed premises and abuse of alcohol. There is a direct correlation between the location of licensed premises and reports of noise, littering, violence and other forms of anti-social behaviour. This is not surprising when you consider that the immediate area is densely populated with families from a large variety of nationalities and backgrounds, living and working in housing stock which comprises mainly of Victorian style terracing and multi occupancy flats and houses. It is important to add that the licensed premises have grown up rapidly around people’s homes in the last few years – not the other way round.

Already saturated with alcohol retail premises, there are 10 ‘Off-License’ premises and 6 other licensed premises including two large supermarkets within 300 yards, which have contributed either directly or indirectly towards the alcohol harm issues which affect the area. Extending the availability of alcohol in the area via another ‘Off sale’ premises will undoubtedly hinder this effort and will significantly contribute to the already ever present issues.

Map taken from PCC Special Policy

Map 2: Licensed premises between St Martin’s Street and Stone Lane on Lincoln Road 2012-13



In the period 01st January 2016 to November 2017, year on year we have seen decreases in crimes associated with alcohol harm. However, we have seen an increase compared to 2015. The image below demonstrates that in Eastern North sector we have seen an overall increase in violent crime (+36%) and alcohol related incidents (10%). The detailed issues have been dealt with by Police and partners and we strive to reduce the figures further.

Crime / ASB figures comparison table

	Jan-16	Dec-16	Jan-17	Nov-17	Change %	2015 % Change
ASB	1279		988		-22.0%	-19.0%
Alcohol	569		535		-6.0%	+10.0%
All Violence	706		774		+9.6%	+36.0%
Assault with Injury	223		198		-11.2%	-4.8%
Domestic Violence	868		763		-12.1%	-8.0%

Whilst this is potentially another licensed premises within the Cumulative impact area ultimately the decision on granting the license lies with the Licensing Sub-Committee. The applicant has offered comprehensive conditions for inclusion on the license. I wish to offer a revision to these conditions that provide transparency.

I am aware that the applicant has been approached via his legal representation. However in the absence of a response either way, I am submitting this representation against the grant of the license. Should the applicant consider and choose to adopt my recommendations I see no need for a formal review of the application.

I firstly ask that *the sale of alcohol is restricted to 01:00am daily*. Whilst portraying itself as a *Restaurant* I feel that the premises *should be restricted to 'On' sale of alcohol only*. Conditions within the application suggest that alcohol will be sold with 'Take-away' food. I may be swayed if this was 'carry-out' alcohol following a substantial meal but feel it is alcohol being sold ancillary to a 'Take-Away' order. Allowing this to happen up to 04:00am in the morning would offer a continuation of available alcohol in an area already saturated and effected by alcohol harm.

I have reviewed the conditions offered by the applicant. For the sake of clarity and compliance I offer the following conditions which will be placed on the license.

Prevention of Crime –

1. The Premises License Holder and/or Designated premises supervisor will maintain an 'Incident report register' in a bound book, in which full details of all incidents are recorded, and all staff have access to. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to a Police Officer or an authorized Officer when requested. The records should be retained for a minimum of 12 months.
2. The premises licence holder will ensure that a digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
3. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of a least 2 hours afterwards
4. A digital CCTV system shall cover all areas of the premises to which the public have access including any outside areas; and shall be retained for a minimum of 31 days;

and should be produced to a Police Officer or authorised officer immediately upon request.

5. The CCTV system shall be capable of downloading images to a recognizable viewable format and will offer an unrestricted identifiable facial image of each person that enters the property in all light conditions.
6. At all times the premises are open for business a member of staff shall be present who is capable of operating the digital CCTV system and downloading images at the request of a Police Officer or authorised officer.
7. If the CCTV equipment (including any mobile units in use at the premises) breaks down the premises licence holder or the designated premises supervisor shall ensure that they verbally inform both the Police & Licensing Authority as soon as is reasonably practicable. This information should be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Police and Licensing Authority shall be informed when faults are rectified.
8. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
9. Written staff training records will be documented and updated on at least a 6 monthly basis, or where there is a change of staff. These training records will be produced to a Police Officer or authorised officer on demand.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available at the premises where alcohol is sold or supplied for consumption on the premises.

Public Nuisance -

11. The premise license holder shall not participate or encourage flyposting of events or the venue and any leaflet distribution shall be managed in such a way as to prevent litter.
12. The holder of the premises licence shall ensure that noise caused by persons using, arriving at or departing from the premises shall not cause nuisance or unreasonable disturbance to the occupiers of residential properties.
13. Prominent, clear notices shall be displayed at all exits **[and in outdoor areas]** requesting customers and staff to respect the needs of local residents and leave the premises and the area quietly.
14. The holder of the premises license shall ensure that no music or amplified speech originating from the premises shall be audible inside any residential property **(or hotel bedroom/other specified relevant receptor)** at any time.
15. All external doors and windows must be kept closed, other than for access and egress.
16. Disposal of waste bottles into external receptacles where noise will be audible to neighbouring properties must not occur between 23:00 and 07:00 hours.
17. The premises license holder will ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Public Safety -

18. A fire risk assessment required under the Regulatory Reform (Fire Safety) Order 2005 (as amended) will be completed and be available for inspection by an authorized officer.
19. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises
20. 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.

Protection of children from harm -

21. The 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises and signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative.
22. Signage will be prominently placed within the premises advertising the fact that the premises operate the 'Challenge 25' initiative.
23. Any person selling or supplying alcoholic drink must do so under the authority of a personal licence holder and must ask for a photo ID proof of age where they have reason to believe that the individual may be less than 25 years of age.
24. 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.

Yours sincerely

Grahame Robinson
Police Constable 1572
Licensing Officer
Northern District
Cambridgeshire Constabulary
Tel: 01733 424438
Email: grahame.robinson@cambs.pnn.police.uk
Mobile: 07921095030

Image 1



Image 2 –



The Licensing Team
Peterborough City Council
Bayard Place
Peterborough

20th November 2017

Dear Sir/Madam

Application for a Premises License 076406

Premises Name: Temptation Taste of Portugal Ltd

Premises Address: 309 Lincoln Road, Peterborough PE1 2PH

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 a Premises License be refused on that part of the application regarding the sale of alcohol for consumption off the premises. We have no objection regarding the sale of alcohol for consumption on the premises.

The Millfield and New England area of Peterborough has had for several years 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 “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.

It must also be noted that the area was made a Cumulative Impact Zone whereby the applicant needs to prove that there is a need for selling alcohol “off sales”. The premises in this application is surrounded by shops retailing alcohol and cannot therefore, prove that there is a need.

The whole area is very sensitive and volatile because of the ease of access to the purchase of alcohol often sold at a low price in order to attract customers or be competitive.

As the Millfield and New England area has a phenomenal number of outlets selling alcohol “off-sales” (around the seventy plus mark) which has contributed significantly to anti-social behaviour in the area. The current joint partnership between Peterborough City Council, Cambridgeshire Police and

other partner agencies through the “Can-Do” initiative has highlighted the need to reduce the number of outlets and hours that alcohol can be freely purchased, if it is to make any headway towards the goals that it is striving to achieve.

With this and the Cumulative Impact Policy in mind, we also make this representation under the following Licensing Objectives set out in the Licensing Act 2003.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance

The MANERP primary aim is to try to regenerate an area that has been sadly neglected for many years. The largest single problem of all revolves around the ease, low cost but above all, availability at which alcohol can be purchased and subsequently abused.

We therefore respectfully request that the “off sales” part of this application be refused by the Licensing Committee for the reasons stated above. We would reiterate that we have no objection for the sale and consumption of alcohol within the restaurant.

Yours Sincerely

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