

## LICENSING ACT 2003 SUB-COMMITTEE

THURSDAY 22 NOVEMBER 2018

1.30 PM

Council Chamber - Town Hall

### AGENDA

Page No

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

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

3. **New Application for Ponto De Amigos - 40 Russell Street, Millfield, Peterborough, PE1 2BQ** 3 - 50



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 Daniel Kalley on 01733 296334 as soon as possible.

"Did you know? All Peterborough City Council's meeting agendas are available online or via the [modern.gov](http://modern.gov) app. Help us achieve our environmental protection aspirations and view this agenda online instead of printing it."

#### Emergency Evacuation Procedure – Outside Normal Office Hours

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair. In the event of a continuous alarm sounding remain seated and await instruction from the duty Beadle.*

#### Recording of Council Meetings

Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. Audio-recordings of meetings may be published on the Council's website. A protocol on this facility is available at:

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

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Daniel Kalley in the City Council's Democratic Services team on Peterborough 01733 296334 or by email at [democraticservices@peterborough.gov.uk](mailto:democraticservices@peterborough.gov.uk)

Committee Members:

Councillors: G Nawaz (Vice Chairman), Fuller and B Saltmarsh

Further information about this meeting can be obtained from Daniel Kalley on telephone 01733 296334 or by email – [daniel.kalley@peterborough.gov.uk](mailto:daniel.kalley@peterborough.gov.uk)

<b>LICENSING ACT 2003 SUB COMMITTEE</b>		AGENDA ITEM No. 3
<b>22 November 2018</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Kerry Leishman, Licensing & Business Manager Simon Andrews, Licensing Regulatory Officer	Tel: 453502 Tel. 453486

**APPLICATION: NEW PREMISES LICENCE**

**APPLICANT:** Ponto De Amigos

**REFERENCE NO:** 077885

**PREMISES:** 40 Russell Street, Millfield, Peterborough, PE1 2BQ

**GLOSSARY OF TERMS:** Attached at **Appendix A** on **Page 7**

**1. PURPOSE OF REPORT**

1.1 To consider and determine this application for a new premises licence for Ponto De Amigos, 40 Russell Street, Millfield, Peterborough, PE1 2BQ taking into account the background information and representations received from Mr Richard Ferris Centre Manager at the Allama Iqbal Centre. PC Grahame Robinson on behalf of Cambs Constabulary. Councillor Iqbal & Councillor Jamil.

**2. BACKGROUND INFORMATION**

2.1 There has not been any previous application under the Licensing Act 2003 for this premises. Representations mention an existing history but this relates to the adjoining premises.

2.2 Since 18<sup>th</sup> 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 in section 11 of the Council’s Statement of Licensing Policy. A map showing the Can – Do area is attached at **Appendix B Page 9**.

2.3 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 only**

Monday to Sunday 8am to 10pm

- **Recorded Music**

Monday to Sunday 8am to 10pm

- **Opening hours of premises**

Monday to Sunday 8am to 10pm

#### **4. APPLICATION**

4.1 Please refer to the application attached at **Appendix C – Pages 11**

4.2 Representations against the application have been received from Community Centre Manager Richard Ferris, Cllr Iqbal and Cllr Jamil. A representation to adjust the timings of the application and add licensing conditions has been received from Cambs Constabulary. These are attached at **Appendix D on Page 29**.

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 the following Responsible Authorities. 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.

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, Appendix E.

#### **5. REPRESENTATIONS**

5.1 Summary of issues raised by Councillor Iqbal, Community Centre Manager Richard Ferris objecting to the application:

- In 'Op Can-do' area which is now subject to a special 'cumulative impact policy.
- The impact of alcohol being sold at the premises is in a high density residential area.

5.2 There were no representations in support of the application.

#### **6. MEDIATION**

6.1 Mediation has been attempted but has proved unsuccessful. Cambridgeshire Constabulary have requested additional conditions and a reduction in opening hours to 21:30 hrs, Appendix F.

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

##### **7.1 Crime and disorder**

CCTV system installed to monitor entrances, exits and other parts of the premises in order to prevent any act of crime. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Not selling alcohol to drunk or intoxicated customers.

##### **7.2 Prevention of Public Nuisance**

Internal and external lighting fixed to promote the public safety objective. well trained staff adherence to environmental health requirements. Training and implementation of underage

ID checks. All parts of the premises and all fixtures and fittings will be maintained in good order and in a safe condition.

### 7.3 **Protection of children from harm**

Have a system in place that requires staff to ask for ID from customers who look below the age of 25 if they wish to buy alcohol.

### 7.4 **Public Safety**

Noise reduction measures to address the public nuisance objective. Deliveries of goods for the operation of the business will be carried out at such time or in such a manner as to prevent nuisance and disturbance to nearby residents.

### 7.5 **General**

To promote all four licensing objectives i will keep strong management controls and effective training of staff to ensure that they are aware of the premises licence and the requirements to meet the four objectives with attention to:

- No selling of alcohol to underage customers
- Only selling drinks made by us that contain alcohol and not bottles of alcohol so we know how much each customer is consuming at one time
- no drunk and disorderly behaviour on the premises
- no violent and anti-social behaviour
- no harm to children

## 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 2018**

- 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 17 September 2018.
- 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 – April 2018.
- 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.

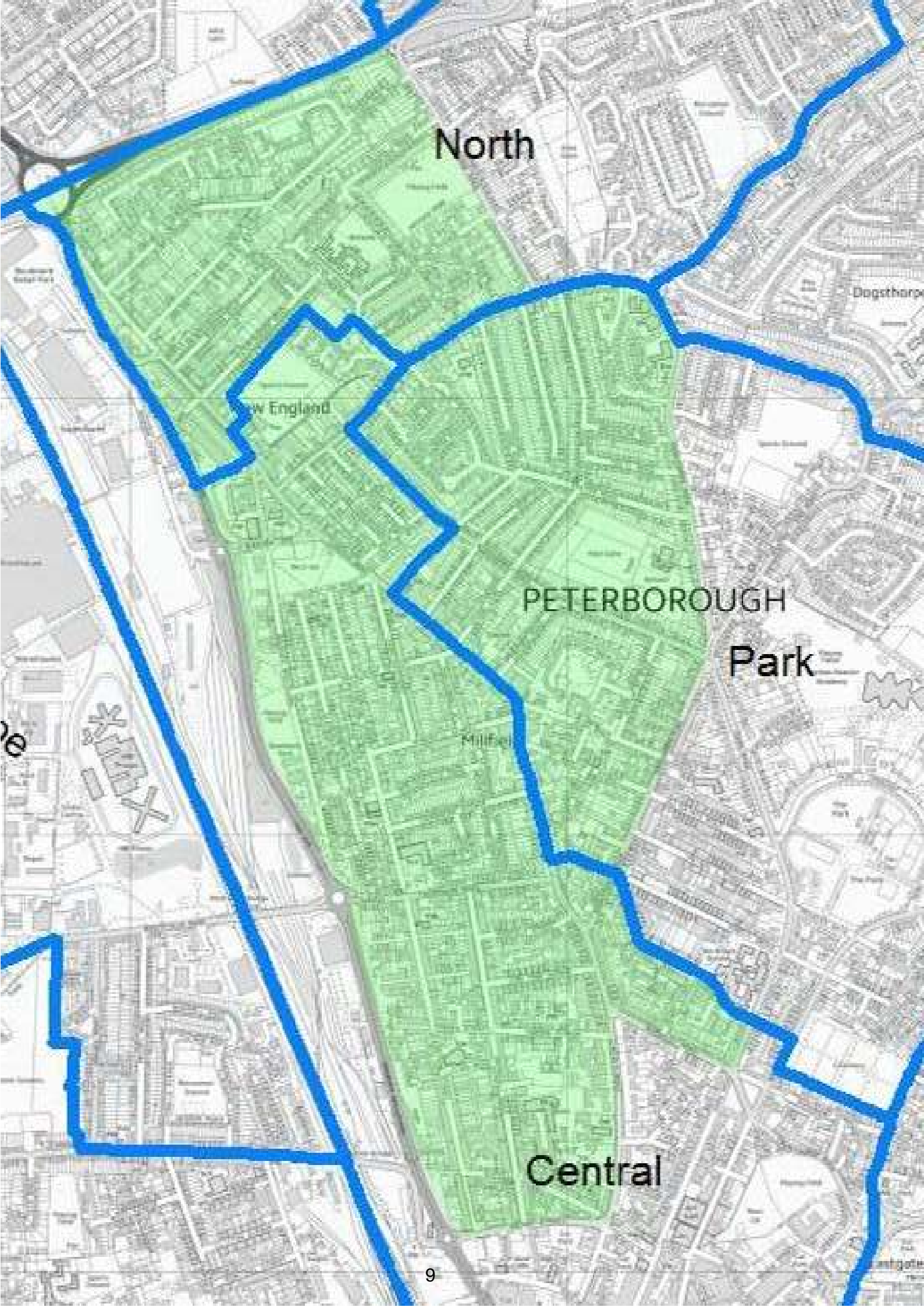
**‘Temporary Event Notice’** means a Permitted Temporary Activity involving one or more Licensable Activities subject to the following various conditions and limitations: -

- 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





North

New England

PETERBOROUGH

Park

Central

This page is intentionally left blank

\* required information

**Section 1 of 21**

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

Yes  No

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

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

Is your business registered outside the UK?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Business name  If your business is registered, use its registered name.

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**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

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

### 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 21

### 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

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential 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	<input type="text" value=""/>
Street	<input type="text" value=""/>
District	<input type="text" value=""/>
City or town	<input type="text" value="Peterborough"/>
County or administrative area	<input type="text" value="Cambridgeshire"/>
Postcode	<input type="text" value="PE3 6BA"/>
Country	<input type="text" value="United Kingdom"/>

### 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	<input type="text" value=""/>
Telephone number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>
* Date of birth	<input type="text" value=""/> dd mm yyyy
* Nationality	<input type="text" value=""/>

[Documents that demonstrate entitlement to work in the UK](#)

## Section 5 of 21

### 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.

*Continued from previous page...*

accompany the meals available.

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 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

#### Standard Days And Timings

Continued from previous page...

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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State 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.

Music will be unamplified.

State any seasonal variations for playing recorded music

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

No seasonal variations.



Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

Recorded music will only be played during the times listed on the left.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

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

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**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

Continued from previous page...

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"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

Continued from previous page...

### 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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

No seasonal variations.

*Continued from previous page...*

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.

Alcohol will be consumed on the premises during the times listed in the column on the left.

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

**Name**

First name	<input type="text" value="Maria Filomena Correla"/>
Family name	<input type="text" value="Marcelo"/>
Date of birth	<input type="text" value=""/>
	dd mm yyyy

**Enter the contact's address**

Building number or name	<input type="text" value=""/>
Street	<input type="text" value=""/>
District	<input type="text" value=""/>
City or town	<input type="text" value="Peterborough"/>
County or administrative area	<input type="text" value="Cambridgeshire"/>
Postcode	<input type="text" value="PE3 6BA"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="077589"/>
Issuing licensing authority (if known)	<input type="text" value=""/>

**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)	<input type="text" value=""/>
--	-------------------------------

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

Continued from previous page...

**Section 16 of 21**

**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.

No adult entertainment.

**Section 17 of 21**

**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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

*Continued from previous page...*

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

No seasonal variations.

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.

Recorded music will only be played during the times listed on the left.

## Section 18 of 21

### 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.

To promote all four licensing objectives i will keep strong management controls and effective training of staff to ensure that they are aware of the premises licence and the requirements to meet the four objectives with attention to:

- No selling of alcohol to underage customers
- Only selling drinks made by us that contain alcohol and not bottles of alcohol so we know how much each customer is consuming at one time
- no drunk and disorderly behavior on the premises
- no violent and anti-social behaviour
- no harm to children

b) The prevention of crime and disorder

CCTV system installed to monitor entrances, exits and other parts of the premises in order to prevent any act of crime. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Not selling alcohol to drunk or intoxicated customers.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. All parts of the premises and all fixtures and fittings will be maintained in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Deliveries of goods for the operation of the business will be carried out at such time or in such a manner as to prevent nuisance and disturbance to nearby residents.

e) The protection of children from harm

*Continued from previous page...*

Have a system in place that requires staff to ask for ID from customers who look below the age of 25 if they wish to buy alcohol.

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

#### **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.

*Continued from previous page...*

- 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.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

*Continued from previous page...*

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**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](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*

\*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

*Continued from previous page...*

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.

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

**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**

**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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

# PETERBOROUGH



CITY COUNCIL

## Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	CLLR M JAMIL
Your Address:	12 LINE TREE AVE PETERBOROUGH PE1 2NS

Details of premises representation is about	
Name of Premises:	PONTO DE AMIGOS
Address of premises:	40 RUSSELL STREET MILLFIELD PETERBOROUGH PE1 2BQ
Application No. (if known)	077885

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes
Public Safety	<input checked="" type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input checked="" type="checkbox"/> yes

### Please summarise your concerns about this application:

I am writing to object to the granting of a licence at 'Ponto De Amigos' - 40 Russell St, Peterborough, PE1 2BQ on all four of the licensing objectives. I do not believe that a licence should be granted on the following grounds

#### \* PREVENTION OF CRIME & DISORDER

I am sorry to advise that this building has had a very dubious history in the last 10 years. The premises has acted as a magnet for trouble caused by the alcohol consumed on the premises. Any new licence will be the same as none of the previous licences could control their patrons

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

\*

### PUBLIC SAFETY

With the drinking at '40 Russell Street' members of the public became scared to walk past the building during the day or night. This is not a healthy situation. People walking past were abused or threatened.

\*

### PREVENTION OF PUBLIC NUISANCE

This building is not ideal to sell alcohol. Within 5 minutes walking distance there are at least 5 off licences. These all attract the wrong type of crowd as most sell 'cheap alcohol'. This will add to the existing problem. Noise and smell are an issue.

\*

### PROTECTION OF CHILDREN FROM HARM

The potential of children being harmed is high. There is one primary school and ~~two~~ two nurseries nearby. Children were afraid to walk past in the not too distance past. Children felt threatened that the local school had to advise children to cross the road when walking past.

I humbly request that the application is refused.

John [Signature]

Return your completed form to: **By Post:**

Licensing Section  
Peterborough City Council  
4<sup>th</sup> Floor Bayard Place  
Broadway  
Peterborough  
PE1 1HZ  
**By Email:**  
Eh.licensing@peterborough.gov.uk



Simon Andrews <[simon.andrews@peterborough.gov.uk](mailto:simon.andrews@peterborough.gov.uk)>

---

**Fwd:**

1 message

---

**Simon Andrews** <[simon.andrews@peterborough.gov.uk](mailto:simon.andrews@peterborough.gov.uk)>  
To: Kerry Leishman <[kerry.leishman@peterborough.gov.uk](mailto:kerry.leishman@peterborough.gov.uk)>

9 November 2018 at 13:02

Simon Andrews  
Regulatory Officer - Licensing  
Growth and Regeneration  
Peterborough City Council  
01733 453491

----- Forwarded message -----

From: **Simon Andrews** <[simon.andrews@peterborough.gov.uk](mailto:simon.andrews@peterborough.gov.uk)>  
Date: 8 November 2018 at 11:16  
Subject: Re:  
To: Amjad Iqbal <[amjad.iqbal@peterborough.gov.uk](mailto:amjad.iqbal@peterborough.gov.uk)>

Dear Cllr

Based on the representation received from the Police I have started mediation with the applicant.

At this point the licensable hours will be reduced to 21:00hrs, considerably enhanced CCTV conditions and the sale of alcohol will be tied to customers purchasing a meal so the premises cannot be used as a bar/pub.

As you are aware the sale of alcohol is 'on' the premises only so patrons will not be permitted to leave the premises with alcohol.

The history regarding 62 Cromwell Road will not be taken into consideration due to this being a different premises. The lease agreement is a separate issue but we will take on board the fact that the tenants have disregarded the conditions of this lease and as such will they abide by licence conditions.

I would like your thoughts on this mediation and if you wish to continue making a representation at the sub committee hearing ?

Regards

Simon Andrews  
Regulatory Officer - Licensing  
Growth and Regeneration  
Peterborough City Council  
01733 453491

On 7 November 2018 at 19:59, Amjad Iqbal <[amjad.iqbal@peterborough.gov.uk](mailto:amjad.iqbal@peterborough.gov.uk)> wrote:  
Hi Simon

Further to my email of 25th October 2018, I would like to elaborate in the following way.

The existing tenant and the licensee's current lease prohibits the use of alcohol at 40 Russell Street and by the tenant applying for a alcohol license clearly demonstrates a total disregard of the alcohol

condition in the lease.

I would further submit that the tenant and the licencees failure to adhere to the lease condition regarding the alcohol clearly undermines her credibility to comply with the conditions attached to the alcohol licence.

As far as the property in question is concerned it was part of 62 Cromwell Road which has a history of abusing alcohol license conditions and also encouraging anti social behaviour.

As a whole this application should fail on all licensing grounds especially Public Health and Safety and Anti Social Behaviour.

Regards  
On Tue, 30 Oct 2018 at 12:31, Amjad Iqbal <[amjad.iqbal@peterborough.gov.uk](mailto:amjad.iqbal@peterborough.gov.uk)> wrote:

>

> Will do, thanks.

>

> On Tue, 30 Oct 2018 at 11:46, Simon Andrews <[simon.andrews@peterborough.gov.uk](mailto:simon.andrews@peterborough.gov.uk)> wrote:

>>

>> Dear Cllr

>>

>> I am starting to draft the report for the sub committee hearing that will be held on the 22nd of November.

>>

>> Would you be kind enough to elaborate on your email fro the 25th please.

>>

>> Regards

>>

>> Simon Andrews

>> Regulatory Officer - Licensing

>> Growth and Regeneration

>> Peterborough City Council

>> 01733 453491

>>

>>

>> On 25 October 2018 at 23:45, Amjad Iqbal <[amjad.iqbal@peterborough.gov.uk](mailto:amjad.iqbal@peterborough.gov.uk)> wrote:

>>>

>>> Hi Simon

>>>

>>> Further to our conversation of today, I would like to register my objection for a alcohol license being issued to 40 Russell Street in the capacity of a ward councillor and as a landlord.

>>>

>>> Please note that full representations under the licensing objectives are to follow.

>>>

>>> Regards

>>>

>>> Cllr A Iqbal

>>> On Thu, 25 Oct 2018 at 14:28, Simon Andrews

>>> <[simon.andrews@peterborough.gov.uk](mailto:simon.andrews@peterborough.gov.uk)> wrote:

>>> >

>>> > Representations must be under the four licensing objectives.

>>> >

>>> > Crime & Disorder

>>> > Public Safety

>>> > Public Nuisance

>>> > Protection of Children from Harm

>>> >

>>> > Temp Events

>>> >

>>> > Simon Andrews

>>> > Regulatory Officer - Licensing

>>> > Growth and Regeneration

>>> > Peterborough City Council

>>> > 01733 453491

>>> >

>>> >



>>>  
>>> --  
>>> Cllr Amjad Iqbal  
>>> Central Ward  
>>  
>>  
> --  
> Cllr Amjad Iqbal Central Ward Sent from my iPhone

--  
Cllr Amjad Iqbal  
Central Ward

This page is intentionally left blank

Ref: 'Pontos De Amigos' – 40 Russell Street / License Application



Creating a safer  
**Cambridgeshire**

Thursday 25<sup>th</sup> October 2018

Licensing Officers  
Peterborough City Council  
Sand Martin House  
Bittern Way  
Fletton Quays  
Peterborough  
PE2 8TY

Re: Premises License Application – 40 Russell Street, Peterborough, PE1 2BQ

On 28<sup>th</sup> September 2018 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 40 Russell Street, Peterborough, PE1 2BQ. The application has been submitted by Consultant Humera Rajpoot of Money Wize on behalf of Maria Marcelo of 15 Williamson Avenue, Peterborough, PE3 6BA. The DPS is proposed as Ms. Marcelo who holds an alcohol personal license reference 077589 issued by Peterborough City Council Licensing Authority.

I understand that the applicant wishes to open a Café / Restaurant with meals provided for consumption on the premises with alcoholic drinks to accompany the meals. The application seeks an 'ON' License to sell alcohol daily between 08:00hrs and 22:00hrs.

This proposed licensed premises is located in a dense residential area within the CAN-DO Operational area, and ultimately within the Cumulative Impact Area (Special Policy) drawn up and adopted on 18<sup>th</sup> April 2013. It has been positively identified that there is a significant concentration of licensed premises within the CAN-DO area, and there is sufficient evidence of a negative impact on the statutory 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".*

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 applicant has not recognised the Cumulative Impact Area and has not demonstrated within the application how this premises will not impact further on the saturation already present and the associated alcohol harms despite being asked to do so in mediation correspondence. The conditions offered are insufficient and in my opinion will not address how the sale of alcohol at this premises will not contribute to the existing negative cumulative impact.

I am aware that this premises is described as a Café / Restaurant, and the application seeks 'ON' sale of alcohol with recorded music. Although it is not clear within the application there is reference that the alcohol will be sold with a meal. Detailed within 'Section 5 – Operating Schedule' of the application – the applicant has provided a general description of the premises as –

*“Café / Restaurant – The meals provided are generally for the consumption on the premises and alcohol drinks to accompany the meals available”.*

Furthermore the premises lies in a residential area that does not form part of a commercial area. I feel that the applicant seriously needs to reconsider and address the timings that alcohol is available and when the premises is open.

Constabulary Proposal:

To amend all licensed hours to reflect:

Monday to Sunday: 09:00hrs to 21:00hrs. Premises to close at 21:30hrs

Alcohol will be strictly 'On' Sale only.

Alcohol will only be sold ancillary to the sale of food. *(Alcohol can only be purchased with a substantial meal)*

### **Prevention of Crime & Disorder**

1. The premises licence holder will ensure that a HD digital CCTV system is fully compliant with the Information Commissioner's Office (ICO) guidance document ([www.ico.org.uk](http://www.ico.org.uk)) regarding General Data Protection Regulations (GDPR); and that the relevant Data Controller is registered with the ICO.
2. CCTV will be provided in the form of a recordable system, capable of providing pictures of High definition (HD) evidential quality in all lighting conditions in particular facial recognition. Cameras must cover the entire licensed area including the curtilage of the premises.
3. CCTV equipment must be maintained in good working order, be correctly time and date stamped and must be retained for a minimum period of 28 consecutive days.
4. The premises licence holder must ensure at all times that an appointed member of staff is present when the premises is conducting a licensable activity, who is capable and competent at using the CCTV system and downloading CCTV footage on their own recordable media, and be able to hand this footage over to the Police / Local Authority on request.
5. All images downloaded must be provided in a format that can be viewed on readily available equipment without the need for specialist software.

6. The operator will stock their own downloaded media. The recording equipment and discs/USB pen drives must be kept in a secure environment under the control of the DPS or other responsible named individual.
7. 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.
8. A 'Refusals Register' will be kept at the premises and maintained by all staff, detailing declined sales to those suspected of being underage or drunk. The register will include 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. This register will be produced to a Police Officer / Local Authority Officer upon request.
9. All non APLH qualified staff will be trained immediately with regards to the sale of alcohol under the Licensing Act 2003 prior to making any alcohol sales. This training must be ongoing, documented on relevant training records and made available for inspection by the Police / Local Authority on request.
10. Alcohol will only be sold ancillary to a meal purchase and consumed within the premises.

#### **Promote Public Safety**

11. Adequate and appropriate first aid equipment and materials must be available on the premises.
12. Valid public liability insurance must be kept in force and a copy of the schedule must be available for inspection by a Police Officer / Local Authority Officer.
13. 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.

#### **Prevent Public Nuisance**

14. Any music at the premises will be unamplified and only as ambient background sound.
15. There will be no window display posters or similar advertising containing reference to alcohol on the premises frontage or the highway abutting the premises.
16. No person will be allowed to enter or leave the premises with an open vessel of alcohol and the licensee will proactively discourage persons from congregating at the front of the store.
17. A clear & legible notice will be displayed in a prominent location at the exit from the shop asking customers to respect local residents and to leave the area quietly.
18. Waste collection contractors will not collect refuse from the premises between 21:00hrs and 07:00hrs. Any litter or waste must be contained within the boundary of the premises (as indicated on the plan) and regularly cleared.
19. Receptacles for waste will be placed at the front of the premises, and the front of the premises will be kept litter free. These receptacles will be emptied on a regular basis to avoid public nuisance through smells or odours and shall be maintained in a clean condition.

20. Trade waste containers will only be left out on the day of collection and will be stored off the public right of way at all times.

#### **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. Any person selling or supplying alcoholic drink or other age restricted product must have received appropriate training, act under the authority of a personal license holder (DPS Authorisation), and must ask for photo ID proof of age where they have reason to believe that the individual may be less than 25 years of age.
23. No person under 18 will be allowed on the premises after 20:00hrs and must be accompanied by an appropriate adult at all other times.

If the applicant is willing to accept the aforementioned proposals there will be no further representation from the Constabulary.

Kind regards

PC1572 Grahame Robinson  
Cambridgeshire Constabulary  
Police Licensing Officer  
Partnership & Operational Support  
Northern District  
Thorpewood Police Station  
Peterborough  
PE3 6SD

Tel: 01733 424438

Email: [grahame.robinson@cambs.pnn.police.uk](mailto:grahame.robinson@cambs.pnn.police.uk)

---

**RE: 40 Russell Street - Premises License Application [OFFICIAL]**

1 message

---

**Humera** <[REDACTED]> 10 October 2018 at 12:37

To: "ROBINSON, Grahame 1572" &lt;Grahame.Robinson@cambs.pnn.police.uk&gt;

Cc: Simon Andrews &lt;simon.andrews@peterborough.gov.uk&gt;, Martin Terri &lt;terri.martin@peterborough.gov.uk&gt;, Licensing Mailbox &lt;eh.licensing@peterborough.gov.uk&gt;, "LEADBEATER, Nigel 287" &lt;Nigel.Leadbeater@cambs.pnn.police.uk&gt;, [REDACTED]

Dear Grahame,

By way of introduction, my name is Humera and we are the accountants representing Miss Maria Filomena on premises license issue. We filed the application to the Peterborough Council on our client's behalf.

I have copied her on to this email so she can respond to it accordingly. Her phone number is [REDACTED] & [REDACTED] in case you will need to contact her directly.

I will call contact them today and request a copy of the formal drawings.

Kind regards

Humera

Humera Rajpoot

Director

  
Website: [www.moneywize.uk.com](http://www.moneywize.uk.com)

Moneywize limited is registered in England as a Limited Company, Registration No. 6448994

Registered Address: Suite 150, Hayley Court, Linford Wood, Milton Keynes MK14 6GD

Disclaimer:

This e-mail and attachments are confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of MONEYWIZE LTD. If you are not the intended recipient, be advised that you have received this Email in error and that any use, dissemination, forwarding, printing, or copying of this Email is strictly prohibited. If this transmission is received in error please notify the sender immediately and delete this message from your E-mail system.

All electronic transmissions to and from MONEYWIZE LTD are recorded and may be monitored.

---

**From:** ROBINSON, Grahame 1572 <[Grahame.Robinson@cambs.pnn.police.uk](mailto:Grahame.Robinson@cambs.pnn.police.uk)>

**Sent:** 09 October 2018 18:47

**Cc:** Simon Andrews <[simon.andrews@peterborough.gov.uk](mailto:simon.andrews@peterborough.gov.uk)>; Martin Terri <[terri.martin@peterborough.gov.uk](mailto:terri.martin@peterborough.gov.uk)>; Licensing Mailbox <[eh.licensing@peterborough.gov.uk](mailto:eh.licensing@peterborough.gov.uk)>; LEADBEATER, Nigel 287 <[Nigel.Leadbeater@cambs.pnn.police.uk](mailto:Nigel.Leadbeater@cambs.pnn.police.uk)>; ROBINSON, Grahame 1572 <[Grahame.Robinson@cambs.pnn.police.uk](mailto:Grahame.Robinson@cambs.pnn.police.uk)>

**Subject:** 40 Russell Street - Premises License Application [OFFICIAL]

Good evening Maria,

I am currently reviewing your premises license application and attached plan. Would you please review your floor plan as a matter of urgency and send me a clearer representation of what the lay out of the premises will be.

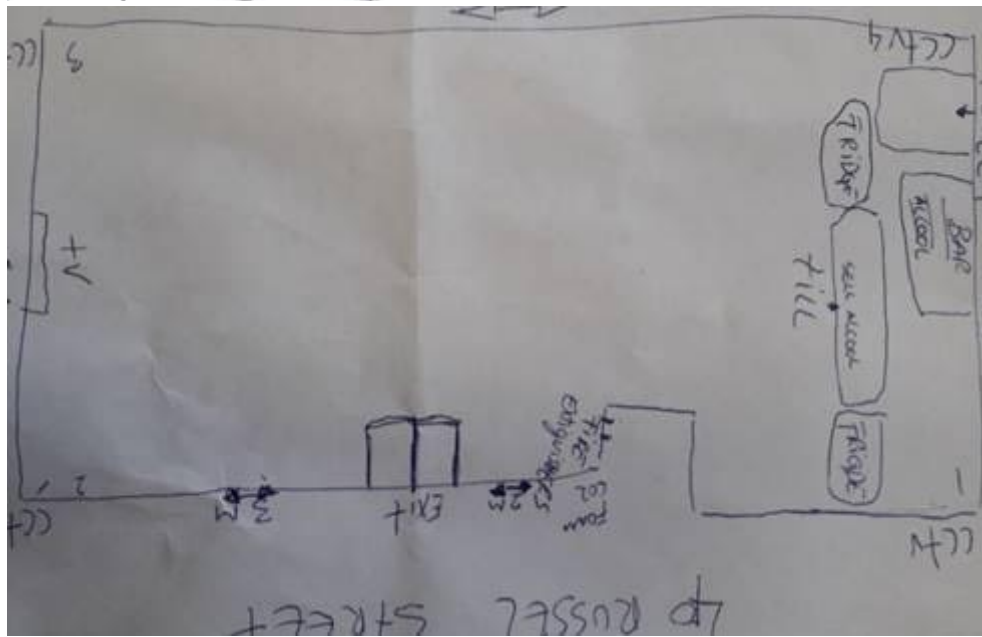
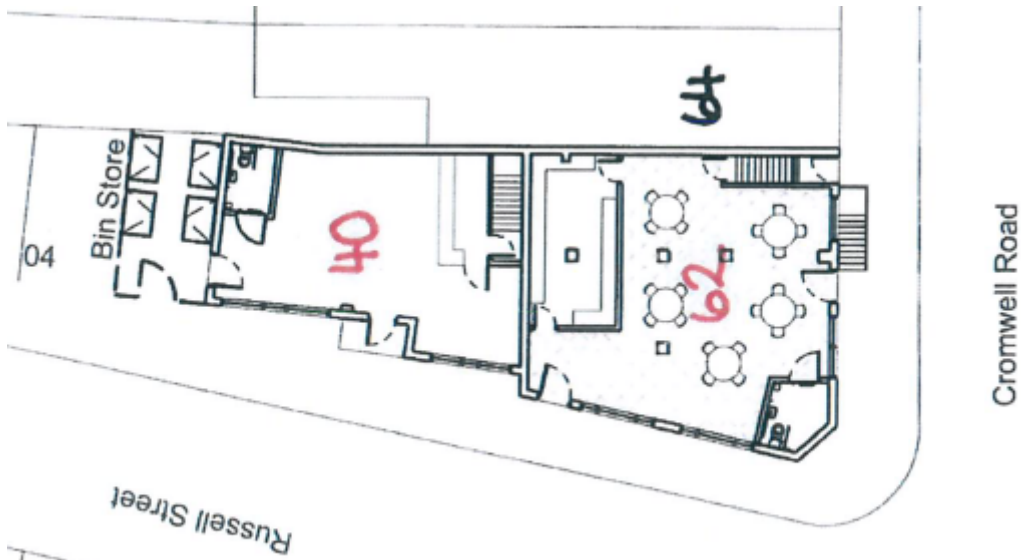
I understand that you wish to open a restaurant where alcohol will be sold ancillary to food. Could you please include on the plan where seating / tables will be permanently positioned.

The plan shown below is taken from Peterborough Highways correspondence dated 05<sup>th</sup> February 2018 and shows 40 Russell Street and [62 Cromwell Road](#). Your plan does not correlate to that shown below for 40 Russell Street. It appears your bar and serving area and toilet are where the stairs are. Please clarify within your revised plan.

Furthermore the premises for which this application refers to lies within a Cumulative Impact Area. Please detail how your planned business will not impact on the local community referring to the licensing objectives.

I will make contact with Local Authority Licensing and ask for a meeting with you as soon as possible. Please acknowledge receipt of this email.





Kind regards

Grahame

Police Constable 1572

Licensing Officer

Partnerships & Ops Support

Cambridgeshire Constabulary

Thorpewood Police Station

Peterborough

PE3 6SD

Tel:01733424438

Mob: 07921095030

Email: [grahame.robinson@cambs.pnn.police.uk](mailto:grahame.robinson@cambs.pnn.police.uk)



---

To visit Cambridgeshire Constabulary's website please follow this link:

<https://www.cambs.police.uk/home.aspx>

---

Internet e-mail is not to be treated as a secure means of communication.  
Cambridgeshire Constabulary monitors all internet e-mail activity and content.  
This communication is confidential and intended for the addressee(s) only.  
Please notify the sender if you have received this in error.  
Unauthorised use or disclosure of the contents may be unlawful.  
Opinions expressed in this document may not be official policy.  
Thank you for your cooperation. (c) Cambridgeshire Constabulary

---



Licensing Mailbox &lt;licensing@peterborough.gov.uk&gt;

---

**Objection to Licence application Ref. 077885**

1 message

---

**Gladstone Connect** <gconnect157@gmail.com>  
To: licensing@peterborough.gov.uk

9 October 2018 at 13:53

Good afternoon

On behalf of Gladstone Connect Ltd and the residents who use our facilities and have spoken to us about this issue, I wish to object to the application for a licence for the premises known as Ponto De Amigos, [40 Russell Street PE1 2BQ](#).

There are serious concerns about the likely impact of alcohol being sold at this venue, between the hours of 0800-2200, 7 days a week.

There have been a number of historical incidents when these premises previously sold alcohol, and local residents are rightly wary of a repeat of such ASB.

Further, this is within the current Cumulative Impact Area and, if this is to mean anything, there should be a presumption against any further expansion of licenses.

Regards,

Richard

--

***Richard Ferris***  
**Centre Manager**

**Gladstone Connect Limited**  
**Allama Iqbal Centre**  
**157 Cromwell Road**  
**Peterborough**  
**PE1 2EL**

01733 756275  
[www.gladstoneconnect.org](http://www.gladstoneconnect.org)  
@ConnectGlad

This page is intentionally left blank

## LICENSING ACT 2003

# NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is given that Maria Filomena Correla has on the 28 September 2018 applied to Peterborough City Council as the Licensing Authority for a Premises Licence for Pontos De Amigos, 40 Russell Street, Peterborough PE1 2BQ for the on Sales of Alcohol, Recorded Music Sundays 08.00hrs to 22.00hrs

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

Peterborough City Council, Licensing Section, Sand Martin House, Bittern Way Fletton Quays, Peterborough PE2 8TY

[http://www.peterborough.gov.uk/business/licensing\\_and\\_permits/licensing\\_act\\_2003/public\\_register.aspx](http://www.peterborough.gov.uk/business/licensing_and_permits/licensing_act_2003/public_register.aspx)

Representations in respect of this application must reach the Licensing Authority by 26th October 2018 Persons wishing to inspect the register or the record of this application may do so by attending the office of the Licensing Section, during office hours, Monday to Friday inclusive.

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

This page is intentionally left blank

*Mediation attempted with Cllr Iqbal, Cllr Jamil and Richard Ferris.*

Based on the representation received from the Police I have started mediation with the applicant.

At this point the licensable hours will be reduced to 21:00hrs, considerably enhanced CCTV conditions and the sale of alcohol will be tied to customers purchasing a meal so the premises cannot be used as a bar/pub.

As you are aware the sale of alcohol is 'on' the premises only so patrons will not be permitted to leave the premises with alcohol.

The history regarding 62 Cromwell Road will not be taken into consideration due to this being a different premises. The lease agreement is a separate issue but we will take on board the fact that the tenants have disregarded the conditions of this lease and as such will they abide by licence conditions.

I would like your thoughts on this mediation and if you wish to continue making a representation at the sub committee hearing ?

Regards

Simon Andrews  
Regulatory Officer - Licensing  
Growth and Regeneration  
Peterborough City Council  
01733 453491

This page is intentionally left blank





40 RUSSELL STREET

This page is intentionally left blank