

NOTICE OF MEETING

MEETING:	LICENSING ACT 2003 SUB-COMMITTEE
DATE:	TUESDAY 4 OCTOBER 2011
TIME:	9.30 am
VENUE:	COUNCIL CHAMBER - TOWN HALL
CONTACT:	<i>Gemma George; Senior Governance Officer</i> <i>Telephone: 01733 452268</i> <i>e-mail address: gemma.george@peterborough.gov.uk</i>
<i>Despatch date:</i>	<i>26 September 2011</i>

AGENDA

PAGE NO

- | | | |
|----|---|---------------|
| 1. | Apologies for Absence | |
| 2. | Declarations of Interest | |
| 3. | Application for Review of Premises Licence Doce Mel, 345 Lincoln Road, Peterborough, PE1 2PF | 1 - 28 |



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268.

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LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 3
4 OCTOBER 2011		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION: Review of Premises Licence

PREMISES: Doce Mel, 345 Lincoln Road, Peterborough, PE1 2PF

REFERENCE NUMBER: MAU 061847

GLOSSARY OF TERMS: Attached at **Appendix A – on Page 4**

1. PURPOSE OF REPORT

1.1 To consider and determine an application for a review of a Premises Licence under Section 51 of the Licensing Act 2003 for the above premises, taking into account the representation made by Cambridgeshire Constabulary in their capacity as a Responsible Authority, and letter of support of the review from the Millfield and New England Regeneration Partnership (MANERP) in their capacity as an Interested Party representing local residents. The review was bought under all four of the licensing objectives.

2. BACKGROUND INFORMATION

2.1 On the 8th May 2006 a new application for an alcohol ‘on’ licence was submitted by Mrs Sandra Pais and Mr Mario Franco. As no representations were received from the police the premises licence was granted on 6th June 2006. A copy of this current premises licence is attached at **Appendix B - Page 7.**

3. APPLICATION

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

3.2 A copy of the application to review was received on 17th August 2011 and a copy of which is attached at **Appendix C – Page 17.**

3.3 A copy of the ‘Notice’ that was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 is attached at **Appendix D – Page 25.**

3.4 A representation in support of the review and recommendations was received from Millfield and New England Regeneration Partnership (MANERP) as an Interested Party

representing local residents, a copy of this representation is attached at **Appendix E – Page 27.**

3.5 No other representations have been received from any of the remaining Responsible Authorities or any interested parties.

4. RESPONSIBLE AUTHORITY / INTERESTED PARTY

4.1 Summary of issues raised by Responsible Authority & Interested Party

- i. Drug dealing at the premises.
- ii. Poor management of premises
- iii. Detrimental effect on the well-being of local residents.
- iv. Potential harm to children using the premises

5. LICENSING OFFICERS COMMENTS

5.1 Section 11.23 of Guidance (issued under section 182) states, *‘A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issues. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual, but to ensure that the crime prevention objective is promoted.*

6. POLICY & GUIDANCE IMPLICATIONS

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

6.2 Council’s Statement of Licensing Policy

- Objectives: *section 4 on Page 5*
- Other Legislation: *section 7 page 7*
- Reviews: *section 16 on Page 12 and 13*
- Delegation / Decision Making / Administration: *Section 17 page 13 and 14*

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

- Reviews: *Section 11 pages 98 to 102*
- Determining applications: *Section 9 pages 78 to 81*

7. LEGAL OFFICER’S COMMENTS

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

7.2 In this case, the application was received at these offices on 17th August 2011.

7.3 The application before this committee will consider –

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

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

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

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

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

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

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

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

‘Child’

(a) means an individual aged under 16

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

DCMS: Department for Culture Media and Sport

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

‘Interested parties’:

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

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

‘Licensable Activities’ means: -

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

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

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

‘Licensing Objectives’

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

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

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

- The steps being taken to promote the Licensing Objectives

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

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

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

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

Or the provision of entertainment facilities:

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

- making music
- dancing
- entertainment of a similar description

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

‘Responsible Authority’ means any of the following: -

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

‘Supply of alcohol’:

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

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

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

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

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

‘the Act’: means the Licensing Act 2003

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

Licensing Act 2003\glossary of terms 13 March 2007

Premises Licence

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

Premises Licence Number

047926

Part 1 - Premises Details

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

Doce Mel
345 Lincoln Road

Post Town Peterborough

Post Code PE1 2PF

Telephone Number

Where the licence is time limited the dates

Start Date N/A
End Date N/A

Licensable activities authorised by the licence

Recorded Music

The recorded music will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place indoors

Sale by retail of alcohol

The supply of alcohol will be for consumption on the premises

The times the licence authorises the carrying out of licensable activities

Recorded Music

Monday to Saturday Between 05.00hrs and 00.00hrs
Sunday Between 08.00hrs and 00.00hrs

Provision of late night refreshment

Monday to Sunday Between 23.00hrs and 00.00hrs

Sale by Retail of Alcohol

Monday to Sunday Between 11.00hrs and 00.00hrs

The opening hours of the premises

Monday to Saturday Between 05.00hrs and 00.00hrs
Sunday Between 08.00hrs and 00.00hrs

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

The supply of alcohol will be for consumption on the premises

Part 2

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

Ms Sandra Filipa Pais
Doce Mel
345 Lincoln Road
Peterborough
PE1 2PF

Mr Mario Duarte Franco
Doce Mel
345 Lincoln Road
Peterborough
PE1 2PF

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

N/A

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

Mrs Sandra Filipa Pais

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number	047890
Issuing Authority	Peterborough City Council

Annex 1 - Mandatory conditions

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

Supply of alcohol (Premises Licence)

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

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

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

Door Supervision (where supervisors are engaged this condition applies)

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

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

4. No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.
5. The maximum occupancy of the licensed premises is restricted at any one time to: 30
6. Any person selling or supplying alcoholic drink under the authority of a personal licence holder must ask for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.
7. The premises license holder shall be responsible for prevention and disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.

Public Safety

8. Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
9. Where chairs and tables are provided, internal gangways are to be kept unobstructed.
10. All staff shall be given instructions on the method and use of fire extinguishers and fire blankets on the licensed premises; the position of emergency switches, the use of normal and emergency exits and procedures to be followed in the event of an evacuation of the premises.
11. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
12. The following systems shall be maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and records kept of such inspections available for inspection by authorised officers on request:

Portable fire fighting equipment

Public Nuisance

13. Receptacles for waste shall be emptied regularly to minimise nuisance smells.
14. Adequate and suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site.
15. Receptacles for refuse storage shall be maintained in a clean condition.

Protection of Children from Harm - None

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

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Annex 4 – Plans

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PART B

Premises licence summary

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

Premises Licence Number

047926

Premises Details

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

Doce Mel
 345 Lincoln Road

Post Town Peterborough

Post Code PE1 2PF

Telephone Number

Where the licence is time limited the dates

Start Date N/A
 End Date N/A

Licensable activities authorised by the licence

Recorded Music

The recorded music will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place indoors

Sale by retail of alcohol

The supply of alcohol will be for consumption on the premises

The times the licence authorises the carrying out of licensable activities

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 Sunday Between 08.00hrs and 00.00hrs

Provision of late night refreshment

Monday to Sunday Between 23.00hrs and 00.00hrs

Sale by Retail of Alcohol

Monday to Sunday Between 11.00hrs and 00.00hrs

The opening hours of the premises

Monday to Saturday Between 05.00hrs and 00.00hrs
 Sunday Between 08.00hrs and 00.00hrs

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

The supply of alcohol will be for consumption on the premises

Name, (registered) address of holder of premises licence

Ms Sandra Filipa Pais
Doce Mel
345 Lincoln Road
Peterborough
PE1 2PF

Mr Mario Duarte Franco
Doce Mel
345 Lincoln Road
Peterborough
PE1 2PF

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

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mrs Sandra Filipa Pais

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

Restricted

061847

LC1

PETERBOROUGH



CITY COUNCIL

Environmental Services

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

**I Simon Parr, Chief Constable of Cambridgeshire Constabulary apply for
the review of a premises licence under section 51 of the Licensing Act
2003 for the premises described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
DOLCE MEL 345 Lincoln Road	
Post town PETERBOROUGH	Post code (if known) PE1 2PF

Name of premises licence holder or club holding club premises certificate (if known)	
Mr Mario Duarte Franco 345 Lincoln Road Peterborough PE1 2PF	Sandra Filipa Pais 345 Lincoln Road Peterborough PE1 2PF

Number of premises licence or club premises certificate (if known) 047926

PETERBOROUGH CITY COUNCIL
17 AUG 2011
ENVIRONMENTAL HEALTH

Part 2 - Applicant details

Please tick ✓ yes

I am

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

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

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Yes

Current address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address CAMBRIDGESHIRE CONSTABULARY HINCHINGBROOKE PARK HUNTINGDON CAMBRIDGESHIRE PE29 6NP
Telephone number (if any) 0345 456 4564 xtn: 4438
E-mail (optional) Grahame.robinson@cambs.pnn.police.uk

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

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note1)

This application to review relates to the four licensing objectives and breaches to those objectives.

1. **Crime and Disorder** – Regular and persistent activity which contributed to the commission of crime and disorder.
2. **Protection of Children from Harm** – The venue is a family bar / cafeteria and is accessible by children with families innocent to the activities taking place at Dolce Mel.
3. **Public Safety** – Activity at Dolce Mel has had a detrimental effect on public safety
4. **Public Nuisance** – Activity at Dolce Mel has become a nuisance to the general public giving it a bad name within the community.

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

Over a period of several months anti social activity based around open drug dealing and drug abuse at the Dolce Mel has had significant impact on the local community. This activity has vastly contributed towards the breaching of the licensing principles of Crime and Disorder and Public Nuisance. Evidence is also available that shows activity at this location has had a fundamental impact on the principles of protecting children and public safety. On Monday 2nd August 2011 and as a result of these activities Chief Superintendent HEBB authorized and issued DOLCE MEL with a Section 1 Anti Social Behavior Act 2003 Closure Notice, instructing the premises to close with immediate effect. A hearing was made at Peterborough Magistrates Court on Tuesday 3rd August 2011 where the presiding judge authorized the closure of the premises until 17th August 2011 whereby a further hearing would take place.

Comprehensive evidence can and will be produced that will show the premises has been involved in regular persistent activity which contravenes the 4 principles of licensing.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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Suggested recommendations:

Cambridgeshire Constabulary recommends the immediate suspension and revocation of the Premises License for Dolce Mel, 345 Lincoln Road, Peterborough, PE1 2PF.

Please tick ✓ yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature:..... *Ross*.....

Date: 17th August 2011.....

Capacity: Licensing Officer, Northern Division.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) PC1572 Grahame Robinson Licensing Officer Northern Division Licensing Office Bridge Street Police Station	
Post town Peterborough	Post code PE1 1EQ
Telephone number (if any) 0345 456 4564 xtn: 4438	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) grahame.robinson@cambs.pnn.police.uk	

Notes for Guidance

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

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LICENSING ACT 2003

NOTICE OF REVIEW OF PREMISES LICENCE

Notice is given that Peterborough City Council, as the Licensing Authority, has on the 17th of August 2011 been asked to review the Premises Licence for the following licensed premises:

Doce Mel, 345 Lincoln Road, Peterborough, PE1 2PF

The grounds for review are made by 'Cambridgeshire Constabulary' under the Licensing Objectives 'Crime & Disorder' 'Public Nuisance' 'Public Safety' 'Protection of Children from Harm'

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

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

Representations in respect to this review must reach the Licensing Authority by 14th September 2011

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

<http://www.peterborough.gov.uk/page-5436>

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

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Licensing Section
Peterborough City Council
Bridge House
Peterborough

5th September 2011

Dear Sirs

Doce Mel, 345 Lincoln Road, Peterborough

The licence in respect of the above premises is to be reviewed at the request of the Police. The following are the representations of Millfield and New England Regeneration Partnership, who would wish to support their application for the revocation of the licence at the above premises. We are a residents' group set up with the aid of the Peterborough City Council with a view to working with agencies to improve the area.

The conduct of the licence holder at this address has had a serious detrimental impact on the Millfield area, helping to make it become known as the place to go to get drugs and therefore attracting both drug dealers and users, the latter would then use the streets, alleys and car parks in the area for taking their drugs leaving behind used needles and other detritus.

It is understood that at the Magistrates hearing the owner of this business claimed not to have known that drug dealing was going on outside the cafe, despite the fact that the dealing was open and known to the wider community. However, it has been widely known in the local community that drugs dealing was going on at the cafe for at least 18 months before Operation Riptide, which resulted in the arrest of a number of drug dealers operating at the premises. If law abiding citizens, who have never made a drug deal in their lives, knew what was happening, how could the owner deny knowledge of something that was happening day after day in front of his cafe at the tables and chairs supplied by him? It is quite clear that either he knew what was going on and either turned a blind eye or knowingly allowed the trade to continue. The dealers were right outside the cafe and were being supplied with refreshment from the cafe. What did the owner think these men were doing day after day outside the cafe? The deals were not exactly hidden and were seen by members of the public, so it is extremely implausible that the owner could not see what was going on. If he was so "blind" to illegal acts going on, one has to wonder as to what else was being ignored.

If this cafe re-opens and is selling alcohol, then it is likely that the drug dealers will return. This business has already been responsible for a detrimental impact on the area. Residents of the area were not using the bus stop outside the cafe because of what was happening and were avoiding the area, particularly the more elderly, who were concerned as to their safety, as their were frequently groups of men hanging about in front of the cafe and frequently blocking the pavement. To allow that to happen again is unacceptable to the residents of the area and we require the support of the Licensing Committee by the revocation of the licence. It is quite clear that by the conduct of the owner and his staff in allowing this situation to continue without attempting to stop the dealers or to report them to

the police, then he is in breach of the requirements of the Licensing Act, in particular with regard to public safety and public nuisance. Before Operation Riptide, there had previously been an unsuccessful drugs raid at the Doce Mel, which should have served as a wake up call to the owner even if he was not complicit in the dealing.

We would therefore request on behalf of the residents of Millfield that the premises licence should be revoked.

Yours faithfully

Christine Abbs
Secretary
Millfield and New England Regeneration Partnership