

## LICENSING ACT 2003 SUB-COMMITTEE

**MONDAY 20 MAY 2013**

**1.30 PM**

**Council Chamber - Town Hall**

### AGENDA

**Page No**

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

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

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

- 3. New Premises Licence Application - Maxima, 43 Park Road, Peterborough, PE1 2TH** **3 - 42**



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

Committee Members:

Councillors: Thacker (Chairman), Hiller and Davidson

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

This page is intentionally left blank

<b>LICENSING ACT 2003 SUB - COMMITTEE</b>		<b>AGENDA ITEM No. 3</b>
<b>20 MAY 2013</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Adrian Day, Licensing Manager, Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

**APPLICATION: NEW PREMISES LICENCE APPLICATION**

**LICENCE REFERENCE:** MAU 066980

**APPLICANT:** Mr Dana Aziz

**PREMISES:** Maxima, 43 Park Road, Peterborough. PE1 2TH

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

**1. PURPOSE OF REPORT**

**1.1** To consider and determine this application for a new premises licence for Maxima, 43 Park Road, Peterborough, PE1 2TH taking into account the representations received from other persons.

**2. BACKGROUND INFORMATION**

**2.1** On the 27 March 2013 a new premises licence application was submitted to the Licensing Authority by Licensed – Inn – Tution on behalf of the applicant, Mr Dana Aziz. The premises was formerly a bed sales shop and has never had the benefit of any type of alcohol or public entertainment licence. A 'Notice' was displayed in the newspaper on 4<sup>th</sup> April 2013, in accordance on with Part 4 No. 25 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. The new premises licence application is attached at **Appendix B Page 9**

**3. AUTHORISATIONS AND TIMES APPLIED FOR (AFTER MEDIATION)**

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

Monday to Sunday 09.30 to 22.00

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

Monday to Sunday 07.30 to 23.00

## 4. REPRESENTATIONS

4.1 Representations against the application have been received from 2 local residents and a local business in their capacities as 'other persons'. These representations are attached at **Appendix D Page 33** and summarised at 5.1.

4.2 There have been no representations in support of the application.

4.3 It is for Members of the Licensing Sub-Committee to decide to attach whatever weight to the documentation that it sees fit. Regulation 19(a) of the hearing regulations require authorities to disregard any information given by a party or person that is not relevant to the application. Members should note that the representations attached are in their entirety and 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.

4.4 Representations were initially received from Cambridgeshire Constabulary, Peterborough Trading Standards & Peterborough City Council Pollution Control. Mediation was successful and the representations were withdrawn. No other representations have been received from any of the other Responsible Authorities i.e. The Licensing Authority, Cambridgeshire Fire and Rescue Service, Peterborough City Council Planning Department, Peterborough City Council Health and Safety Team, Public Health Authority and Peterborough City Council Child Protection.

## 5. 'NEGATIVE' REPRESENTATIONS RECEIVED

### 5.1 Summary of issues raised:

- An increase in anti social behaviour in the area;
- An increase in crime in the area;
- An increase in street drinking in the area; and
- Increase in parking issues.

## 6 MEDIATION

6.1 Mediation between the applicant and three of the responsible authorities (Cambridgeshire Constabulary, Peterborough Trading Standards & Peterborough City Council Pollution Control) was successful and the agreed conditions to be placed upon the licence, if granted, can be found at **Appendix C Page 31**.

## 7. POLICY & GUIDANCE IMPLICATIONS

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

### 7.2 Council's Statement of Licensing Policy

- Objectives, Section 4 on Page 5 and 6
- Fundamental Principles, Section 6 on Page 6
- Licensing Hours, Section 12 on Page 10
- Licence Conditions, Section 14 on Page 11 and 12
- Delegation / Decision Making / Administration, Section 17 on Page 13 and 14

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

- The Licensing Objectives – Section 2 pages 11 to 17
- Applications for Premises Licences – Section 8.1 to 8.42 pages 41 to 58
- Determining applications – Section 9 pages 58 to 64
- Conditions Attached to Premises Licences – Section 10 page 65 to 74

## **8. LEGAL OFFICER'S COMMENTS**

**8.1** 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 the grant of a premises licence made under Section 17 of the Licensing Act.

**8.2** In this case, the application was received at these offices on 27th March 2013.

**8.3** The application before this Committee will be treated on its own merits, and the Licensing Sub-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 Home Office in October 2012 under section 182 of the Licensing Act 2003.

**8.4** 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 or vary the licence in the same terms as it was applied for;
- decide to grant or vary 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 vary the licence.

**8.5** Conditions are modified if they are altered, omitted or any new condition added (Section 35(4) Licensing Act 2003).

## LICENSING ACT 2003 GLOSSARY OF TERMS

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

### **‘Child’**

(a) means an individual aged under 16

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

**DCMS:** Department for Culture Media and Sport

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

### **‘Other Persons’:**

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

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

**‘Licensable Activities’** means: -

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

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

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

### **‘Licensing Objectives’**

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

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

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

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

**'Regulated Entertainment'** (Schedule 1 of the Act) means: -

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

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

**'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

This page is intentionally left blank



066980

APPENDIX B

[Insert name and address of relevant licensing authority and its reference number (optional).]

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We MR DANA AZIZ  
(Insert name(s) of applicant)

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
'MAXIMA' 43 PARK ROAD			
Post town	PETERBOROUGH	Postcode	PE1 2TH

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

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

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

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <i>ARIZ</i>			First names <i>DANA.</i>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town	<i>KING'S LYNN</i>			Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
25	04	2013

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

DD	MM	YYYY

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

INTERNATIONAL SUPERMARKET LICENSED TO SELL ALCOHOL

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

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



**E**

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

**F**

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

# G

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

# H

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

**I**

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>						
Tue	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>						
Wed	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>						
Thur	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>				<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>						
Sat	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>						
Sun	<del>07<sup>00</sup></del> 09 <sup>30</sup>	<del>01<sup>00</sup></del> 23 <sup>00</sup>						

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

Name	M/R DANIA AZIZ
------	----------------

Address	
KING'S LYNN NORFOLK	
Postcode	
Personal licence number (if known)	053729.
Issuing licensing authority (if known)	PETERBOROUGH

K

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

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	<del>07<sup>00</sup></del> 7 <sup>30</sup>	<del>02<sup>00</sup></del> 23 <sup>00</sup>	
Tue	<del>07<sup>00</sup></del> 07 <sup>30</sup>	<del>02<sup>00</sup></del> 23 <sup>00</sup>	
Wed	<del>07<sup>00</sup></del>	<del>02<sup>00</sup></del>	

		<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)
Thur	<del>07<sup>00</sup></del> 07 <sup>30</sup>	<del>23<sup>00</sup></del> 23 <sup>00</sup>
Fri	<del>07<sup>00</sup></del> 07 <sup>30</sup>	<del>23<sup>00</sup></del> 23 <sup>00</sup>
Sat	<del>07<sup>00</sup></del> 07 <sup>30</sup>	<del>23<sup>00</sup></del> 23 <sup>00</sup>
Sun	<del>07<sup>00</sup></del> 07 <sup>30</sup>	<del>23<sup>00</sup></del> 23 <sup>00</sup>



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

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

ALL STAFF WILL BE AWARE OF THEIR RESPONSIBILITIES REGARDING REALISING ALCOHOL RESPONSIBLY - TRAINING RECORDS WILL BE MAINTAINED. ALCOHOL STOCK WILL BE SITED WITHIN VIEW OF THE CASH AREA. CCTV WILL BE INSTALLED THROUGHOUT THE STORE - WITH RECORDINGS BEING MADE AVAILABLE TO THE POLICE UPON REQUEST. 'CHALLENGE 25' - AGE VERIFICATION SCHEME WILL BE IN OPERATION. THE MAIN ENTRANCE WILL HAVE ADDITIONAL STEEL SHUTTERING. WE WILL TAKE AN ACTIVE ROLE IN LOCAL SCHEMES WHICH REDUCE CRIME & DISORDER - 'SIRCS'. NO ALE BEER & CIDER ABOVE 6.5% ABV WILL BE RETAILED.

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

CHALLENGE 25 - AGE VERIFICATION SCHEME IN OPERATION. CCTV THROUGHOUT THE PREMISES. NO BEERS/CIDERS ABOVE 6.5% ABV TO BE RETAILED. REFUSALS LOG WILL BE MAINTAINED. ACTIVELY TAKE PART IN 'SIRCS' TOWN WATCH SCHEME.

**c) Public safety**

THE PREMISES WILL CONFORM TO ALL STATUTORY REQUIREMENTS REGARDING HEALTH, SAFETY & HYGIENE.

**d) The prevention of public nuisance**

CUSTOMERS WILL BE DISCOURAGED FROM CONSUMING THEIR ALCOHOL PURCHASES OUTSIDE THE PREMISES. CCTV WILL BE LOCATED OUTSIDE MONITORING THE MAIN ENTRANCE. WE WILL WORK CLOSELY WITH THE RESPONSIBLE AUTHORITIES TO DISCOURAGE STREET DRINKING. NO BEER OR CIDER ABOVE 6.5% ABV TO BE RETAILED. ACTIVE MEMBER OF SIRCS.

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

AGE VERIFICATION SCHEMES / REFUSALS LOG - CHALLENGES AS  
 WILL BE MAINTAINED. STAFF WILL BE CONSTANTLY REMINDED ABOUT  
 THEIR OBLIGATIONS REGARDING SELLING ALCOHOL RESPONSIBLY  
 THROUGH INDUCTION OF NEW MEMBERS OF STAFF WILL TAKE PLACE.  
 WE WILL WORK VERY CLOSELY WITH ALL RESPONSIBLE AUTHORITIES TO  
 PROMOTE ALL LICENSING OBJECTIVES'

**Checklist:**


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	27.8.2023.
Capacity	OWNER

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

Signature	
Date	
Capacity	

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



LICENSED-INN-TUITION  
56 BROW OF THE HILL  
LEZLATE  
KING'S LYNN  
NORFOLK PE32 1EN

Post town		Postcode	
Telephone number (if any)	01553. 630993	07704 656469	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
info@licenseinn-tuition.com			

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## LICENSING ACT 2003

(COPY OF PUBLIC NOTICE  
PREMISES & PARTS)

### NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is given that Dana Aziz has on the 27 March 2013, applied to Peterborough City Council as the Licensing Authority for the grant of a Premises Licence in respect of;

'Maxima', 43 Park Road, Peterborough, PE1 2TH

To permit:

Sale of alcohol ( <i>for consumption off the premises</i> )	Mon – Sun	0930hr – 2300hrs
---	-----------	------------------

Anyone wishing to make representations concerning this application should do so in writing to: Peterborough city Council, 4<sup>th</sup> Floor Bayard Place, Broadway, Peterborough, PE1 1HZ

Representations in respect of this application must reach the Licensing Authority by 24 April 2013.

Persons wishing to inspect the register or the record of this application may do so by attending by appointment 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 £5,000.

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

I Mr DANA ARIZ  
[full name of prospective premises supervisor]

of 'MAXIMA'  
43 PARK ROAD  
PETERBOROUGH  
PE1 2TH  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE  
[type of application]

by DANA ARIZ  
[name of applicant]

relating to a premises licence \_\_\_\_\_  
[number of existing licence, if any]

for 'MAXIMA'  
43. PARK ROAD  
PETERBOROUGH  
PE1 2TH  
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

DANA AZIZ

[name of applicant]

concerning the supply of alcohol at

'MAXIMA'  
43 PARK ROAD  
PETERBOROUGH  
PE1 2TH.

[name and address of premises to which application relates]

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

Personal licence number

053729.

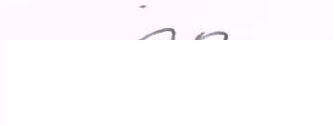
[insert personal licence number, if any]

Personal licence issuing authority

PETERBOROUGH.

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

DANA AZIZ

Date

27. 3. 2013

**MAXIMA – Agreed Conditions**

**Hours for the sale of alcohol are Monday to Sunday 9.30am to 10pm**

**The Prevention of Crime and Disorder:**

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions in particular facial recognition. Cameras shall encompass all entrances and exits to the premises, fire exits and all area where the sale / supply of alcohol occurs. A camera will be positioned outside the premises covering the shop frontage.
2. CCTV equipment must be maintained in good working order, be correctly time and date stamped. Recordings must be kept in date order, numbered sequentially and kept for a period of 28 days.
3. The Premises License Holder must ensure at all times a Designated Premises Supervisor or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format and hand this footage over to the Police / Local Authority on demand.
4. The recording equipment and discs / usb pen drives shall be kept in a secure environment under the control of the DPS or other responsible named individual.
5. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings of the system actions taken are to be recorded.
6. In the event of a technical failure of the CCTV equipment the Premises License Holder / Designated Premises Supervisor must report the failure to the Police or local authority immediately.
7. Notices advising that CCTV has been installed on the premises shall be posted so that they are clearly visible to the public within the licensed premises.
8. The Designated Premises Supervisor or nominated employee shall participate in the Pubwatch / NightSafe scheme.
9. Staff training in relation to identifying and preventing sales of alcohol to any person who is, or appears to be drunk should be undertaken on a monthly basis. This training, together with ongoing training to prevent underage sales (Challenge 25) should be recorded in a written format and be available to an authorised officer upon demand.
10. A Personal License Holder (APLH) will be on the premises at all times the sale by retail of alcohol takes place.
11. No Beer, Lager or Cider above 6.5% Abv (alcohol content) will be offered for sale in the premises.
12. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store
13. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the shop and made available to Police, Council and HMRC Officers upon request
14. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased

15. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on all spirits as soon as practical after they have been purchased
16. If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards department and HMRC as soon as possible

#### **Promote Public Safety -**

1. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
2. Valid Public liability Insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.
3. No person will be allowed to enter or leave the premises with an open vessel of alcohol and the licensee will actively discourage and prevent anyone congregating or drinking outside the premises.

#### **The Prevention of Public Nuisance**

1. Arrangements should be in place to ensure that waste collection contractors do not collect refuse from the site at a time that will cause disturbance to nearby properties
2. An adequate number of suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site.

#### **The Protection of Children from Harm –**

1. Signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative.
2. Any person selling or supplying alcoholic drink under the authority of a personal licence holder must ask for a photo ID proof of age where they have reason to believe that the individual may be less than 21 years of age.
3. A refusal log will be accurately maintained on every refusal made in relation to the attempted purchase of alcohol by a juvenile or intoxicated person.



Ali Sugar

Mr Ali Sugar

Sent: 09 April 2013 12:43

To: Andrews Simon

Subject: RE: OFF LICENCE APPLICATION FOR 43 PARK ROAD

Hi Simon

I refer to the above matter and to our telephone conversation and confirm that I would like to put forward my objection to the application for the above named premises. I have various concerns if the application of the premises licence was approved that would mean there will be an increase in amount of vandalism, anti-social behaviour, drunk and disorderly behavior and violence in the area. I reside at 57 Park Road, Peterborough. Park Road is a conservation area and I have witnessed on a weekly basis from my bedroom window the amount of violence that occurs on the street from the people leaving the night clubs and bars, vandiliding vehicles, drinking on the front premises 51, 53, 55 and 57 which are the neighbouring properties to the above named property. I have had the front walls damaged previously from people who have been drunk and disorderly, there has been a vast amount of anti-social behaviour. 51 Park Road was burgled 3 weeks ago which is the adjoining property to the above named premises. There is already prostitution problems on Park Road, there is a vast amount of anti-social behaviour outside Fitzwilliams Street where the takeaways are located and the majority of the customers hang around outside the takeaway and the pedestrians are hesitant to walk past there because of the number of men hanging around the area outside the takeaways. These premises will sell alcohol which will then bring many problems to the residents of Park Road and I believe if the premises licence was permitted this will cause financial harm to the property values and I suggest that you speak to the council as more than likely these premises will

**THE LICENSING ACT 2003**  
**REPRESENTATION FORM FOR INTERESTED PERSON / BODY**  
**(living in the 'vicinity' of the premises detailed below)**

Your name / Company name	CAROLE ALDOUS
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/>	
i) a person living in the vicinity of the premises <input type="checkbox"/> ii) a body representing persons who live in that vicinity <input checked="" type="checkbox"/>	
iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	[REDACTED]
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	MAXIMA
Address of the premises you are making a representation about:	43 PARK ROAD PETERBOROUGH PE1 2TH

This section is about your representation/s. They must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation, (under the relevant headings) and the reason for your representation/s. (Use additional sheets if necessary) *Regulations provide that in considering representations the authority may take into account documentary or othr information produced by the party either before the hearing or, with the consent of all parties, at the hearing.*

The prevention of crime and disorder PLEASE SEE SHEET 1	Public safety PLEASE SEE SHEET 2
The prevention of public nuisance PLEASE SEE SHEETS 3	The protection of children from harm PLEASE SEE SHEET 4

Suggested conditions that could be added to the licence to remedy your representations, or other suggestions you would like the licensing authority to take into account

THE HOURS OF OPENING BE REDUCED DRASTICALLY  
 THE HOURS OF SELLING ALCOHOL BE RESTRICTED  
 TO 6PM TO 10PM OR PREFERABLY NOT AT ALL.

ALL PARKING BAYS IN PARK ROAD TO BE  
RESIDENT PARKING TO STOP "CUSTOMERS"  
 USING THEM ILLEGALLY. THIS SHOULD BE DONE  
BEFORE PERMISSION IS GIVEN.

The term 'vicinity' is used in the Licensing Act 2003, in particular with reference to those 'interested parties' (see definition in guidance attached) who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Unfortunately the Act does not define the term 'vicinity' but the licensing authority will determine each case on its individual merit.

If the licensing authority considers that relevant representations are made the licensing team will consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence and the members of the [Sub]Committee, so that they can make an informal decision on the application.

Signed ..... Date 20 / 4 / 2013  
.....  
C. A. ALDOUS  
.....  
Please print name

Please return this form along with any additional sheets to:

The Licensing Team  
Peterborough City Council  
Bridge House  
Town Bridge  
Peterborough  
PE1 1HU

Telephone: 01733 747474

Email: [eh.licensing@peterborough.gov.uk](mailto:eh.licensing@peterborough.gov.uk)

**This form must be returned within the Statutory Period, which is generally 28 days from the date on which the application was given to the licensing authority by the Applicant.**

**However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and preferably within 14 days of notification of the application.**

**If in any doubt, please contact the Licensing Team on the above telephone number.**

## REPRESENTATION FORM

MAXIMA

ADDITIONAL SHEET 1

### PREVENTION OF CRIME AND DISORDER

While we are sure Maxima have the best of intentions in what they say they will put in place to prevent crime, we feel that this is the wrong area for this type of shop. This is a no drinking zone and the likelihood is that 'customers', especially the homeless or alcoholics, will not wait to drink until they get out of the area. This will make this area, once again, the focus of policing which we really do not want again.

This will only be accentuated by the fact there are nightclubs in the area which already cause disruption and disorder, this will encourage drinking in the street before they go in the clubs.

It is also likely to be a focus for the homeless and 'lower classes' of society to hang around which may possibly cause disorder and which may affect our house insurance.

## REPRESENTATION FORM

MAXIMA

ADDITIONAL SHEET 2

PUBLIC SAFETY

We are very surprised the use of this shop has been allowed to change so radically. The amount of customers will change from a couple a day, when it was a bed shop, to possibly many hundreds a day. Many of those customers may be of the lower classes, homeless etc. The area is a mainly residential area and we feel that we will not feel so safe with this type of shop in such close proximity to our houses.

There is **not** a large polish community in this area so the majority of its customers will probably drive to the shop. They will have to park somewhere while in the shop. The shop has room for a couple of cars on its forecourt, assuming they are going to allow customers to do that. All those cars will be crossing a public path to park, a few a day was acceptable but still dangerous, many, many more a day will be very dangerous. I personally have been almost backed into a couple of times while it was a bed shop by customers – that can only get worse and is very dangerous.

Customers who do not drive will be walking from the polish areas further away and will probably walk down Manor House Street, this will cause disruption in our (now) quiet residential street. We feel this will make the elderly residents in this area more frightened to leave their houses again, just as they were when St Teresa's was in the area.

## REPRESENTATION FORM

### MAXIMA

### ADDITIONAL SHEET 3

### PUBLIC NUISANCE

The main public nuisance, apart from those already mentioned as part of the other sections, will be parking. This area already had a problem with not enough parking for residents and this will only make the problem worse. As already mentioned, the shop has a forecourt for a couple of cars, but if they do not use that area (because it will be dangerous to the public) those customers will have to park somewhere. Even if they allow the dangerous parking on the forecourt, there may be many who don't park on there or there may not be room.

The only other parking nearby is currently pay and display, the likelihood that customers "popping in" will pay those charges is almost nil. Therefore it will encourage those customers to park illegally. There are also lots of double yellow lines which will also be tempting to park on "just for a minute". This will be a nuisance to everyone.

We have been promised by Parking Services that the current pay and display bays in Park Road from Fitzwilliam Street to Church Walk will be converted to resident parking. This is because in the past, Parking Services have illegally extended Zone V to include the houses in Park Road next to the shop in question. These were never supposed to be in Zone V and had caused the nearby legitimate Zone V streets to be overcrowded by those residents parking in the bays in Zone V.

When those bays are converted, as we have been promised for over a year now, customers illegally parking in these bays will again cause a great nuisance to residents not being able to park.

## REPRESENTATION FORM

MAXIMA

ADDITIONAL SHEET 4

### PROTECTION OF CHILDREN FROM HARM

Park Road is used every day by children from a school further up Park Road to get into town. We are sure Maxima have very good intentions to never sell to underage customers, but we all know that children are very inventive. We are certain they will easily get around any rules, possibly by asking adults who are hanging around to get the booze for them. The presence of such a large shop on their usual route can only put too much temptation in their way.

That route is also often walked by a local primary school when they are taking trips into town, therefore possibly exposing very young children to the sight of the drunks and homeless hanging around the area, which as already stated, they are likely to be doing.

Add this to the issues with dangerous cars backing across the public path (already mentioned above) into smaller children who are less likely to be seen by the cars, we feel this is the wrong place for this type of shop – even without the alcohol.

### CONCLUSION

We strong believe this is not the right type of establishment for this mainly residential Conservation Area.

Maxima are already advertising the fact they will be selling Alcohol. They seem to think you have already made the decision, we hope they are wrong and that you please take residents views into account.

Jeremy Roberts

Sent: 17 April 2013 14:25  
To: Dolby Darren  
Subject: Premises Licence - 43 Park Road Peterborough

Follow Up Flag: Follow up  
Flag Status: Red

Dear Mr. Dolby

We refer to the above matter and would like to advise that we are the neighbours at 51 Park Road Peterborough. We are a solicitors firm and understand that a licence has been applied for in respect of the Off Licence for the above property. We would like to put forward our objections to you granting such a licence to 43 Park Road, Peterborough.

If a Licence was granted there would be the following problems to the immediate area as follows:-

Increased crime such as burglaries and prostitution as there is a problem on Park Road already existing.

Anti Social behavior - there is already anti social behavior from the nearby nightclubs and bars. Park Road is a quiet area so when leaving the bars and nightclubs there tends to be fights and the anti social behaviour persists onto Park Road.

Violence - there is a continuous problem on Park Road from pubs and clubs when they stray up Park Road to the neighbouring properties and they tend to fight outside the front of the properties and also sit on the front walls drinking and disturb all the neighbours with foul language and abuse the passers by.

There is already a problem with alcohol problem in Park Road and by allowing a Premises Licence for the above property this will increase the drunk and disorderly behaviour in this area.

Tescos started opening up to 10 o'clock on Thursday, Friday and Saturdays to serve alcohol to customers. Within weeks Tescos reduced their hours back to 7.30 - 8pm to stop the anti-social behaviour and a lesson should be learned from Tescos. Once this Premises Licence is granted then the same scenario will happen again and the anti social behaviour and drunk and disorderly behaviour will continue in Park Road.

The matter should be listed for a Committee Hearing and in any event we should be grateful if you could take the above information into consideration before granting a Premises Licence for the above premises. We also consider that the police should be consulted once again putting forward the objections from ourselves and the residents of Park Road.

In any event, should the matter proceed to a Premises Licences, despite our  
Page 1



Jeremy Roberts  
objections, then this Premises Licence should not be granted any later than 6pm  
in order to stop anti-social behaviour in the town centre.

Please acknowledge receipt in due course.

Jeremy Roberts & Co  
Solicitors

This page is intentionally left blank