

LICENSING ACT 2003 SUB-COMMITTEE

WEDNESDAY 17 JULY 2013

1.00 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. Application for New Premises Licence - Iain Gordon-Smith, 14 Alfric Square, Peterborough, PE2 7JP

3 - 26

Committee Members:

Councillors: Thacker (Chairman), Simons and Jamil

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



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.

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LICENSING ACT 2003 SUB-COMMITTEE		AGENDA ITEM No. 3
17 JULY 2013		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager, Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION: NEW PREMISES LICENCE APPLICATION

LICENCE REFERENCE: MAU 067344

APPLICANT: Mr Iain Gordon-Smith

PREMISES: Unit 14, Alfric Square, Peterborough, PE2 7JP

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

1. PURPOSE OF REPORT

1.1 To consider and determine this application for a new premises licence for Unit 14, Alfric Square, Peterborough, PE2 7JP taking into account the representations received from responsible authorities.

2. BACKGROUND INFORMATION

2.1 On the 31 May 2013 a new premises licence application was submitted to the Licensing Authority by Mr Iain Gordon-Smith. The premises is a warehouse and has never had the benefit of any type of alcohol or public entertainment licence. A 'Notice' was displayed in the newspaper on 6th June 2013, 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. The new application is attached at **Appendix B - Page 9**.

3. AUTHORISATIONS AND TIMES APPLIED FOR

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

Monday to Sunday 11.00 to 06.00

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

Not given on application form

4. REPRESENTATIONS

- 4.1 Representations against the application have been received from Cambridgeshire Constabulary and the local Health Authority in their capacity as a 'responsible authority'.. These representations are attached at **Appendix C - Page 21 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 have been received from Cambridgeshire Constabulary and the local Health Authority. No other representations have been received from any of the other Responsible Authorities i.e. The Licensing Authority, Cambridgeshire Fire and Rescue Service, Peterborough Trading Standards, Peterborough City Council Pollution Control, Peterborough City Council Planning Department, Peterborough City Council Health and Safety Team, and Peterborough City Council Child Protection. No representations have been received from 'other persons'.

5. 'NEGATIVE' REPRESENTATIONS RECEIVED

5.1 Summary of issues raised:

- Safety issues raised by Police
- Issues raised by Police over 'due diligence' measures in place to protect children.
- Safety of delivery persons if sales are refused.
- Health issues for purchasers of alcohol in the early hours.

6. MEDIATION

- 6.1 Mediation between the applicant and the responsible authorities (Cambridgeshire Constabulary & local Health Authority) has taken place and, at the time of the completion of this report, continues to take place to establish if the concerns of the responsible authorities can be appeased by placing additional conditions on the licence.

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 Licenses – Section 8.1 to 8.42 pages 41 to 58
- Determining applications – Section 9 pages 58 to 64

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 31st May 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
 - 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
 - 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



Peterborough
Application for a premises licence
Licensing Act 2003

For help contact
eh.licensing@peterborough.gov.uk
 Telephone: 01733 747474

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if 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

* 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 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

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

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.

Building number or name	<input type="text" value="17 Howes Place"/>
Street	<input type="text" value="Howes Place"/>
District	<input type="text"/>
City or town	<input type="text" value="Cambridge"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CB30LD"/>
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?

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.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

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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.

Unit 14, Alfric Square Business Park will be used as a storage unit and distribution point for the delivery of alcohol directly to customers who place orders by telephone or via the internet.

There will be no public access to the unit.

Continued from previous page...

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

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

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

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

- Yes No

Continued from previous page...

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- 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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

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.

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.

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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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.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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.

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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.

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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.

The DPS has carried out full risk assessment with due consideration of the four licensing objectives. The premises will not be accessible to members of the public, but only staff who will collect and deliver stock to satisfy customer orders by telephone or internet.

b) The prevention of crime and disorder

The DPS has identified potential issues relating to potential crime and disorder:

Thieves breaking into the premises to access the alcohol for re-sale (high volume spirits especially can be sold on with relative ease) could pose a potential security threat. CCTV Cameras will be installed both inside and outside of the premises. The premises will also be fitted with a burglar alarm. The DPS welcomes any further consultation offered by a police crime prevention officer that may further enhance the security of the premises. It is worth noting that the premises is likely to be occupied by admin staff during the daytime hours as well as delivery and telephone staff in the evenings which should help reduce the threat of theft from the premises.

Another threat of crime arises from the safety of staff when out on deliveries. The point of maximum risk would be when staff are exiting the vehicles and carrying out any cash transactions. To combat this issue the DPS intends to implement a number of measures through staff training and safety practices:

Continued from previous page...

- Drivers must not exit the vehicle if they feel any threat to their personal safety.
- Call backs will be made before deliveries arrive to re-confirm order details and also to confirm address of the recipient.
- Based on information gained from all checks and procedures drivers and telephone staff must be confident that deliveries will only be made to a bona-fide residential or business addresses before an order is delivered.

Fake or alternative addresses may be provided in the event of pre-meditated thefts or other undesirable circumstances. The driver must ensure they can see the customer exiting the delivery house or where this is not possible, proof of address (in the form of a bank statement, utility bill, passport or driving license) must be provided before the transaction takes place.

All deliveries will be signed for by the recipient at the address.

All cash taken on deliveries will be deposited into a safe securely installed in the delivery vehicles, the contents of which will never exceed 250GBP before being deposited into another secure safe on the premises.

c) Public safety

Members of the public shall not have access to the premises.

d) The prevention of public nuisance

Any customers deemed to be too heavily intoxicated either by their telephone manner or by their visible inebriation upon delivery will refused alcohol.

The service operates as an essentially retailed-based service. As a form of retailing the alcohol pricing will adhere to the 50p per unit Alcohol (Minimum Pricing) (Scotland) Act 2012. As has been proven this the policy targets young, harmful and hazardous drinkers who tend to chose the cheapest drinks and comprise a disproportionate share of the alcohol-related costs to public services.

e) The protection of children from harm

All orders shall be accepted and delivered with consideration of a challenge 25 age verification policy.

Only a PASS hologram card, passport or photographic driving license shall be accepted as suitable ID upon delivery.

A 'No ID, No Sale' policy shall be implemented at all times.

All staff shall be trained in the above company policy and records of maintained to demonstrate said training.

All refusals of sales shall be logged, recorded.

Section 19 of 19

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Continued from previous page...

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
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

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

DECLARATION

Continued from previous page...

* 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)

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

1. Save this form to your computer by clicking to 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.

Telephone: 01733 207173
Fax: -
Email: mandy.workman@peterborough.gov.uk
Please ask for:
Our reference: SM/mw
Your reference: App No: 067344



Peterborough City Council
 Town Hall
 Bridge Street
 Peterborough
 PE1 1HG

The Licensing Team
Peterborough City Council
4th Floor, Bayard Place
Broadway
Peterborough
PE1 1HU

24th June 2013

Dear Licensing Team

License application 067344: Unit 14 Alfric Square: alcohol delivery service

Thank you for sending us a copy of this license application. I am pleased to make the following observations.

The proposal is to provide alcohol to people's homes on demand, with certain safeguards described by the applicant. As health is not yet an objective under the Licensing Act, in Public Health we are limited in the contribution we can make. However, our concerns relate to the ability to prevent the potential harm associated with drinking too much. We know that increasingly people drink at home to mitigate the cost of alcohol in licensed premises. However, one role of the licensee is to ensure that people who are already drunk do not continue drinking, to safeguard the individual and others around them.

We are concerned that, despite the declared intention of the applicant, home deliveries up until 6.00am have the potential to enable people to carry on drinking long after the natural safeguard of "running out". The person delivering seems to be in a vulnerable position. They are unlikely to be able to assess whether there is a risk to anyone as a result of the sale (are there children under the care of the customer, for example, or is there risk of accidental injury or domestic abuse?). If the delivery driver does feel that the customer should not have any more, how vulnerable are they to assault if they refuse to sell?

I understand that a similar application in Cambridge attracted a number of conditions intended to safeguard the delivery driver, including no cash sales. It would seem appropriate, at the very least, to have a consistent approach to alcohol delivery services across the area, not least because we anticipate that a Peterborough depot would deliver to parts of Cambridgeshire on our doorstep.

Yours sincerely

A handwritten signature in cursive script that reads "Sue Mitchell".

Sue Mitchell
 Interim Director of Public Health

Ref: Unit 14 Alfric Square / License Application



Creating a safer
Cambridgeshire

Thursday 27th June 2013

Darren Dolby
Licensing Officer
Peterborough City Council
Bayard Place
Broadway
Peterborough
PE1 1HZ

Dear Darren,

Re: License Application – Unit 14, Alfric Square, Peterborough

On 06th June 2013 Cambridgeshire Constabulary Licensing Department (Peterborough District) received e-mail notification from Peterborough City Council Licensing Department of an application submitted via their on-line service. Reference 067344 applies. The application, submitted by Ian Gordon-Smith of 17 Howes Place, Cambridge, CB3 0LD is looking to apply for a Premises License on Unit 14, Alfric Square, Peterborough, PE2 7JP to commence on 25th June 2013.

I understand from the application that this is intended to be a storage unit and distribution point for the delivery of alcohol directly to customers who place orders by telephone or via the internet. The opening business hours are proposed as being daily from 11:00am to 06:00am. No other licensable activities are applied for. The Business has received no name on the application.

I am aware that the applicant currently holds a premises license (PRECAM000644) for a similar business in Cambridge City entitled 'Late Night Liquor' which was granted by Cambridge Licensing Authority on 22nd September 2012. 'Late Night Liquor' appears to be operating in Peterborough on the Cambridge License as I have been made aware of advertisements being posted through residential properties. Ultimately I have received correspondence from concerned residents over the safety and diligence of such a practice. Ultimately I am concerned with the numerous safety and due diligence issues and the regulation of such an activity.

I am also aware that the premises – 14 Alfric Square does not have the appropriate planning permission and this needs to be applied for as soon as possible.

Cambridgeshire Constabulary wish to make formal representation against this application. However this will be deemed unnecessary if the applicant, Ian Gordon-Smith would consider and implement onto the Premises License the appropriate and reasonable license conditions listed below:

The Prevention of Crime and Disorder:

1. CCTV will be installed at the Storage Unit and 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, exits and fire escapes at the premises internally and externally.
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 not less than 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 and 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.
8. An effective and working Security Alarm will be installed at the premises.
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. When the premises are unoccupied it shall be left secured correctly and a security alarm activated.
11. All sales of alcohol shall be taken by credit or debit card only at the point of order and prior to delivery or dispatch to the customers address.

Promote Public Safety -

1. Members of the Public will not be routinely allowed access to the Licensed Premises.

The Protection of Children from Harm –

1. Sales of Alcohol shall only be by debit or credit card to adults over 18. All orders will be confirmed with a return telephone call to the customer before goods are dispatched from the store.

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 25 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.
4. Alcohol deliveries will only be handed over to the customer who placed the order and upon satisfaction that that person is over 18 years of age. Alcohol will not be delivered or handed over, under any circumstances, to persons who are believed or suspected to be drunk or under 18 years of age.

These Operating Conditions are deemed necessary and fair in assisting the Premises License Holder maintain his obligations in upholding and proactively promoting the licensing objectives and ensuring the safety of staff and customers and the security and integrity of the business premises.

Kind regards

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