

## LICENSING ACT 2003 SUB-COMMITTEE

FRIDAY 4 OCTOBER 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. **Application for New Premises Licence - Euro Shop - 135 Dogsthorpe Road, Peterborough PE1 3AJ** 3 - 38



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: P Thacker (Chairman), Simons and Harrington

Substitutes: Councillors: P Kreling and Johnson

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)

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<b>LICENSING ACT 2003 SUB COMMITTEE</b>		AGENDA ITEM No. 3
<b>4 OCTOBER 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**

**APPLICANT:** Ms Gitana Siatkiene

**REFERENCE NO:** 067854

**PREMISES:** 135 Dogsthorpe Road, Peterborough PE1 3AJ

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

**1. PURPOSE OF REPORT**

1.1 To consider and determine this application for a new premises licence for 135 Dogsthorpe Road, Peterborough, taking into account the representations received from Responsible Authorities (Director of Public Health, Cambridgeshire Constabulary and Trading Standards.

**2. BACKGROUND INFORMATION**

2.1 Euro Shop has been operating as a general retail store since January 2011 when Ms Siatkiene confirmed to the Food Safety team that she was the food business operator.

2.2 Historically there has been no authorisation for any licensable activities, through a premises licence, to take place at the premises.

2.3 There have been four instances since August 2011 of HM Revenue & Customs visiting the premises and confiscating a large amount of illicit alcohol and tobacco. These confiscations led to the prosecution of the businesses owner, Mr Saade Jalal Jabar and his imprisonment for duty tax fraud. It has been established that Mr Jabar is the partner of the applicant, Ms Siatkiene.

2.4 Since 18<sup>th</sup> April 2013 the Licensing Authority has adopted a special policy relating to the cumulative impact in respect to all licensed premises within the 'Operation Can – Do' area. An explanation of what this special policy entails can be found on page 8 of the Council's Statement of Licensing Policy. A map showing the Can – Do area is attached at **Appendix C Page 37**

2.5 The premises falls within the 'Operation Can – Do' area and is therefore subject to the provisions of the special 'cumulative impact' policy.

**3. AUTHORISATIONS AND TIMES APPLIED FOR**

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

Monday to Sunday 07.00 to 23.00

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

Monday to Sunday 07.00 to 23.00.

#### **4. APPLICATION**

- 4.1 Please refer to the application attached at **Appendix B – Pages 11 - 30**
- 4.2 The applicant is Ms Gitana Siatkiene who is also the proposed DPS (Designated Premises Supervisor), the agent acting on behalf of the applicant is Personal Licensing Training Ltd.
- 4.3 Representations have been received from Public Health, Trading Standards and Cambridgeshire Constabulary, all as Responsible Authorities, which can be referred to at **Appendix C – Pages 31 - 36**
- 4.4 Part P of the application sets out the applicant's proposed conditions under the licensing objectives, these being, 'The Prevention of Public Nuisance', 'Public Safety', 'Prevention of Crime and Disorder' and 'The Protection of Children from Harm'. These are also contained within the body of this report (in section 7) and in accordance with section 10.5 of Guidance have been interpreted into enforceable conditions. Only those appropriate and proportionate for the promotion of the licensing objectives have been included in the Operating Schedule.
- 4.5 No representations have been received from any of the remaining Responsible Authorities i.e. Cambridgeshire Fire and Rescue Service, Licensing Authority, Peterborough City Council Planning Department, Peterborough City Council Health & Safety Department, Children's Services or Peterborough City Council Environmental Pollution Team.
- 4.6 A 'Notice' that was displayed in the newspaper in accordance with Part 4 No. 25 of Statutory Instruments 2005 No. 42 – The licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

#### **5. RESPONSIBLE AUTHORITIES**

- 5.1 Summary of issues raised
- History of the premises (illicit tobacco and alcohol );
  - In 'Op Can-do' area which is now subject to a special 'cumulative impact policy;
  - Operating Schedule conditions do not sufficiently address the issues of the historic problems and location; and
  - Concern that the application has been made to circumvent the revocation and lost/late appeal.

#### **6. MEDIATION**

- 6.1 No mediation has taken place.

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

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

- CCTV equipment will be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system will record in real time and operate whilst the premises are open for licensable activities. The recordings will be kept and made

available for a minimum of 28 days. Recordings shall be made available to an Authorised Officer or Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

## 7.2 **Prevention of Public Nuisance**

- Prominent, clear and legible notices will be displayed at the premises requesting patrons to respect the needs of local residents and to leave the premises and the area quietly; and
- Deliveries of goods and collection of refuse will only be made between 8am and 8pm.

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

- Any person selling or supplying alcohol under the authority of a personal licence holder must ask for a photo ID proof where they have reason to suspect the individual may be under 25 years of age; and
- Written staff training records will be documented and these training records will be produced to an authorised officer on demand.

## 7.4 **Public Safety**

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

## 8. **POLICY & GUIDANCE IMPLICATIONS**

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

### 8.2 **Council's Statement of Licensing Policy**

- Objectives, Section 4 on Page 5 and 6
- Fundamental Principles, Section 6 on Page 6
- Cumulative Effect, Section 11 on Page 8 to 10
- Children and Licensed Premises, Section 13 on Page 10 and 11
- Licence Conditions, Section 14 page 11 and 12
- Delegation / Decision Making / Administration, Section 17 on Page 13 and 14

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

- The Licensing Objectives – Section 2 pages 11 to 16
- Applications for Premises Licences – Section 8 pages 42 to 48
- Determining applications – Section 9 pages 58 to 64
- Conditions Attached to Premises Licences – Section 10 page 65 to 74

## 9. **LICENSING OFFICER'S COMMENT (FOR INFORMATION)**

9.1 Regulation 19(a) requires authorities to disregard any information given by a party or person that is "not relevant" to the application.

9.2 Members should note that the letters attached are in their entirety and that not all matters raised within the representations are relevant matters for consideration under the Licensing Act 2003. It is up to the Committee to decide upon what 'weight' they attach to these areas.

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

10.1 The Licensing Authority (hereafter referred to as "the Council) is charged with implementing the provisions of the Licensing Act 2003. This is an application for a new licence made under Section 17 of the Licensing Act.

- 10.2 In this case, the application was received at these offices on 8<sup>th</sup> August 2013.
- 10.3 The application before this committee will be treated on its own merits, and the Licensing committee will make its decision based upon
- The merits of the application;
  - The promotion of the four licensing objectives;
  - The statement of policy of the Licensing Authority; and
  - The Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003 – October 2012.
- 10.4 The licensing authority may determine the application, depending upon what is appropriate for the promotion of the licensing objectives, in any of the following ways:
- Decide to grant the licence in the same terms as it was applied for;
  - Decide to grant the licence, but to modify or add conditions (to promote the licensing objectives);
  - Exclude from the scope of the licence a licensable activity; and
  - Decide to refuse to grant the licence.
- 10.5 Conditions are modified if they are altered, omitted or any new condition added (Section 35(4) Licensing Act 2003).

## 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.

**Or** the provision of entertainment facilities:

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

- making music
- dancing
- entertainment of a similar description

**'Relevant Licensing Authority'**: is the Authority in the area the premises are situated.

**'Responsible Authority'** means any of the following: -

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

**'Supply of alcohol'**:

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

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

- Duration – they are limited to events lasting for up to 168 hours (7 days);
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used; and



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

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

**‘the Act’**: means the Licensing Act 2003

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**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 GITANA SIATKIENE

*(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 EURO SHOP 135 DOGSTHORPE ROAD			
<b>Post town</b>	PETERBOROUGH	<b>Postcode</b>	PE1 3AJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£3900

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input type="checkbox"/>            | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |
| d) a charity                                    | <input type="checkbox"/>            | please complete section (B) |

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

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

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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> SIATKIENE			<b>First names</b> GITANA		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		87B CROWN STREET			
Post town	PETERBOROUGH		Postcode	PE1 3HX	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

Please give a general description of the premises (please read guidance note 1)  
A PURPOSE BUILT BRICK PREMISES OPERATING AS AN EASTERN EUROPEAN CONVENIENCE STORE

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						<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur								
Fri						<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)		
Sat								
Sun								

**B**

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



C

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

**State any seasonal variations for indoor sporting events** (please read guidance note 4)

**Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list** (please read guidance note 5)

**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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed			<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)		
Thur					
Fri					
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"/>		
			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 performance of live music</b> (please read guidance note 4)	
Thur						
Fri					<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)	
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"/>
				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 playing of recorded music</b> (please read guidance note 4)		
Thur					
			<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)		
Fri					
Sat					
Sun					



# G

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



**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	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00			
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00	<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)		

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

Name GITANA SIATKIENE	
Address 87B CROWN STREET PETERBOROUGH	
Postcode	PE1 3HX
Personal licence number (if known) TBA	
Issuing licensing authority (if known) PETERBOROUGH CITY COUNCIL	



K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07.00	23.00	
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

**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)**

The DPS fully understands her roles and responsibilities concerning the four licensing objectives obtained within the 2003 Licensing Act, a comprehensive breakdown of these objectives and how to ensure they are met are detailed below. The DPS attended the level 2 training programme and her personal licence will be issued by Peterborough City Council. The DPS will take full responsibility of ensuring all staff are trained and have full knowledge of all licensing issues concerning them under the 2003 Licensing Act including the Challenge 25 rule.

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

The applicant will have installed to the premises a CCTV recording system with a minimum 28 day recording capability to ensure the prevention of crime & disorder. The CCTV will follow the DCMS guidelines for camera systems in licensed premises and will be in accordance with Police recommendations. The CCTV system will cover all key internal and external areas. All members of staff shall be trained to deal with suspicious customers efficiently. All CCTV recordings shall be available to local Police or relevant authorities upon request.

**c) Public safety**

The installed and approved CCTV recording system of the premises with a minimum 28 days recording capability will monitor all public safety issues. The DPS will be responsible for conducting a Fire Risk Assessment and also a Health & Safety Risk Assessment for the licensed premises. All notices in relation to public health & safety will be displayed at the premises. The DPS will also ensure the premises will be operated in line with the Health & Safety Act and any environmental health issues will be the responsibility of both the licence holder for the premises and the DPS.

**d) The prevention of public nuisance**

The DPS/Premises licence holder fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses. They will monitor the external premises area in relation to any anti-social behaviour or public nuisance. The premises will only accept trade deliveries or rubbish collections during normal working hours. The DPS will also monitor the exterior of the premises to ensure litter is kept to a minimum. In the event of any anti-social behaviour both inside and outside of the premises, the DPS will make any CCTV recordings available to the local Police.



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

The DPS will be responsible for ensuring all staff working within the premises will be fully trained and aware of the Challenge 25 Rule and their responsibilities with regards to the sale of alcohol under the Licensing Act 2003. Any staff training will be recorded in a training register which will be retained at the premises and available on request to any authorised party. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved ID cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their identity when purchasing alcohol. The premises will also have a refusals register, which will be kept at the premises at all times and all refusals by any member of staff shall be recorded. The register will be made available to Responsible Authorities on request.

**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	06/08/2013
Capacity	Licensing Consultants on Behalf of Client

**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)

Personal Licence Training Ltd

Unit 3

The Oaks

Clews Road

Post town	Redditch	Postcode	B98 7ST
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Telephone number (if any)	01527 544780
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
jo@personalllicence.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.

Consent of individual to being specified as premises supervisor

I GITANA SIATKIENE  
*[full name of prospective premises supervisor]*

of 87B CROWN STREET  
PETERBOROUGH  
PE1 3HX

*[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

GRANT OF A NEW PREMISES LICENCE  
*[type of application]*

by

GITANA SIATKIENE  
*[name of applicant]*

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

for

EURO STOP  
135 DOGSTHORPE ROAD  
PETERBOROUGH  
PE1 3AJ

*[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

GITANA ŠIATKIENE  
[name of applicant]

concerning the supply of alcohol at

EURO SHOP  
135 DOGSTORPE ROAD  
PETERBOROUGH  
PE1 3AJ

[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.

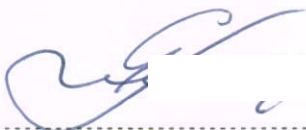
Personal licence number

TBA  
[insert personal licence number, if any]

Personal licence issuing authority

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

Signed



Name (please print)

GITANA ŠIATKIENE

Date

06/08/2013

The Trading Standards team are submitting an objection to the grant of a premises licence for **Euro Shop 135 Dogsthorpe Road Peterborough PE1 3AJ** on the grounds of prevention of crime and disorder.

Trading Standards have had a number of dealings with the premises over the past 2 years.

On 19<sup>th</sup> September 2012 I visited the shop with HM Revenue and Customs following complaints of selling illicit tobacco.

A seizure was made of 1420 foreign labelled cigarettes and 600g hand rolling counterfeit tobacco that was found in the premises including the gantry.

Ms Gitana Siatkiene was present and running the shop at the time of the seizure and advised that Mr Aziz recently purchased the business from her partner Mr Saade Jalal Jabar.

Mr Aziz advised HMRC officers that he had purchased the business in February 2012 for approximately 2 months then sold it back to Ms Siatkiene.

Previous history shows 3 seizures by HM Revenue and Customs in August 2011 / November 2011 and January 2012. These seizures total over 160000 foreign labelled cigarettes, 33.6 litres of Lithuanian Vodka and 121.6 litres of other alcoholic beverages from the Euro Shop and Mr Jabar's home address 87B Crown Street Peterborough.

Following a prosecution by HM Revenue and Customs in October 2012 the owner Mr Jabar pleaded guilty to 4 counts of knowingly concerned in harbouring keeping or in any manner dealing with those goods with intent to defraud Her Majesty of the duty payable of those goods. Mr Jabar was sentenced to 2 years imprisonment and a confiscation order was also issued.

Although the application is in the name of Gitana Siatkiene, she is the partner of Mr Jabar and residing at the same address.

Our records show that Ms Siatkiene has been liable for the business rates for 135 Dogsthorpe Road Peterborough from November 2010 and registered as the food business operator from January 2011.

Ms Siatkiene has been present and running the shop each time I have visited on other occasions and evidence obtained from the investigation shows the applicant being involved with the sale and supply of alcohol, illicit cigarettes and counterfeit tobacco.

If the licence is granted and persons previously involved in the business still have control in some capacity, Trading Standards have concerns that reports of illegal activity would continue and would not promote or uphold the licensing objectives.

**Telephone:** 01733 207173  
**Fax:** -  
**Email:** mandy.workman@peterborough.gov.uk  
**Please ask for:**  
**Our reference:** SM/mw  
**Your reference:** Licence application 067854



Peterborough City Council  
Town Hall  
Bridge Street  
Peterborough  
PE1 1HG

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

28 August 2013

Dear Licensing Team

**License application 067854: Euro Shop, 135 Dogsthorpe Road**

Thank you for sending us a copy of this license application. I note that this application relates to premises in the "Operation CAN-Do" area which is now subject to a Cumulative Impact Policy (CIP).

We have particular concerns for the area in terms of problems relating to alcohol. Public Health supports the partnership approach to concerns for community cohesion and anti-social behaviour. We have seen police data showing crime and ASB to take place late into the evening in the Operation CAN-Do neighbourhood and our own analysis shows the area to have the highest density of licensed outlets in the city already. Despite recent improvements thanks to a number of measures, alcohol-related hospital admissions from wards in the area remain among the highest for any neighbourhood in Peterborough, which already suffers a rate higher than the national average.

The CIP area enjoys a particularly diverse population, including many from other European Union states and World Health Organisation data shows considerably higher rates of liver cirrhosis among people from Lithuania, Latvia, Poland and Portugal than the UK average. We believe it is important that we strive to reduce alcohol-related harm among all people living in our city. We had hoped that "health" would become an objective under the Licensing Act, as previously envisaged by the government's National Alcohol Strategy launched in 2012.

We supported the development the CIP for the area which we believe makes an important contribution to health and wellbeing, community cohesion and crime and disorder reduction in the Operation CAN-Do neighbourhood. While the current licensing system does not allow for objection purely on the grounds of health, we oppose the application on the grounds of the indisputable link between alcohol and crime and disorder:

The National Alcohol Strategy (2012) estimates that annually in a community with Peterborough's population:

- 1,800 people will be a victim of alcohol-related violent crime;
- Over 700 11-15 year olds will be drinking weekly;
- Over 23,000 people will binge-drink.



Nationally we know that:

- 47% of violent offenders are believed to be under the influence of alcohol, rising to 62% in incidents of 'stranger' violence;
- 32% of young people surveyed reported being under the influence of alcohol when committing criminal damage offences (NICE, 2010);
- 30% of all sexual assaults are estimated to have taken place when the offender has been under the influence of alcohol; and
- Studies in America have shown alcohol is behind up to 73% of domestic abuse incidents. Research in the UK is showing that where alcohol is involved the severity of the assault is worse (Alcohol Concern, 2010).

In our region Peterborough has the highest rate of alcohol offences per thousand population, at 9.62. The cost of crime and antisocial behaviour linked to alcohol in England is estimated to be £8 billion (NICE, 2010). Analysis of these costs for Peterborough leads us to believe the annual cost of alcohol-related crime and antisocial behaviour to be in the region of £10m. We consider licensing legislation to be an important contributor to reducing harm by restricting availability and safeguarding the public, including the young and vulnerable.

We therefore oppose this license application in the Cumulative Impact Policy area.

Yours sincerely



**Sue Mitchell**  
Interim Director of Public Health

Ref: Euro Shop – 135 Dogsthorpe Road / License Applications



Creating a safer  
**Cambridgeshire**

Thursday 19<sup>th</sup> September 2013

Darren Dolby  
Regulatory Officer (Licensing)  
Peterborough City Council  
Bridge House  
Peterborough  
PE1 1HU

Dear Darren,

Re: Premises License Application – Euro Shop, 135 Dogsthorpe Road, Peterborough – Police Representation

On 15<sup>th</sup> August 2013 Cambridgeshire Constabulary received notification from the Licensing Officers at Peterborough City Council of an application for a new premises license for 135 Dogsthorpe Road, Peterborough, PE1 3AJ (Application reference:067854). A duplicate copy of that license application has been received by Cambridgeshire Constabulary.

The applicant GITANA SIATKIENE, of 87B Crown Street, Peterborough, PE1 3HX wishes to apply for a new premises license for the supply of alcohol daily - Monday to Sunday - between the hours of 07:00am and 23:00pm. The application also stipulates that Ms. SIATKIENE wishes to become the designated premises supervisor and is currently applying for her Personal License.

As the licensing Officer for Cambridgeshire Constabulary I wish to make formal representation against the granting of this premises license by wholly supporting Trading Standards and there representation. Ms. Woods has highlighted discerning information which links the applicant with previous issues of the sale of counterfeit and/or illicit cigarettes and alcohol.

Having been subject to high profile failed inspections in the past which resulted in a person being committed to custody I do not believe the application is appropriate given the circumstances. It is clear that the premises, management and possibly the applicant where positively identified as being involved in the sale of illicit harmful goods.

Dogsthorpe Road sits within a Cumulative Impact area and as such all new License Application and processes will be heavily scrutinized by the Licensing Authorities, in the best interests of the local community. This area comprises a significant concentration of licensed premises and there is sufficient evidence of a negative impact on statutory objectives. I would argue that the applicant has to give good evidence and sound reason as to how their application and planned sale of alcohol will not undermine the licensing objectives and negatively contribute towards the cumulative impact of the area. Whilst there intended licensing practice has been touched upon within the application I remain unconvinced given the historic circumstances.

Cambridgeshire Constabulary does not support this application and recommend to the Licensing Sub-Committee that the application is rejected in its entirety. Should the Sub-Committee feel it appropriate

and necessary to issue a premises license I would ask that the following conditions are added to the operating schedule as a matter of course.

Whilst considering the hours of operation I must make the applicant aware that anti-social issue affect the area later in the night and in order to protect the licensee and the residents from any ongoing or emerging issues I would ask that the licensing hours are reduced to 08:00am to 21:00pm daily.

### **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 occur. 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 refusals log will be maintained on a daily basis recording all refused attempted purchases of alcohol, carried out by drunks or underage persons.
11. A Personal License Holder (APLH) will be on the premises at all times the sale by retail of alcohol takes place.
12. No Beer, Lager or Cider above 6.5% Abv (alcohol content) will be offered for sale in the premises.
13. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.
14. 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.

15. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.
16. A ultra-violet light will be available and maintained at the store for the purpose of checking the UK Duty Stamp on all spirits as soon as practical after they have been purchased.
17. 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 the Trading Standards department and HMRC as soon as possible.

**Promote Public Safety -**

18. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
19. 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.
20. 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.

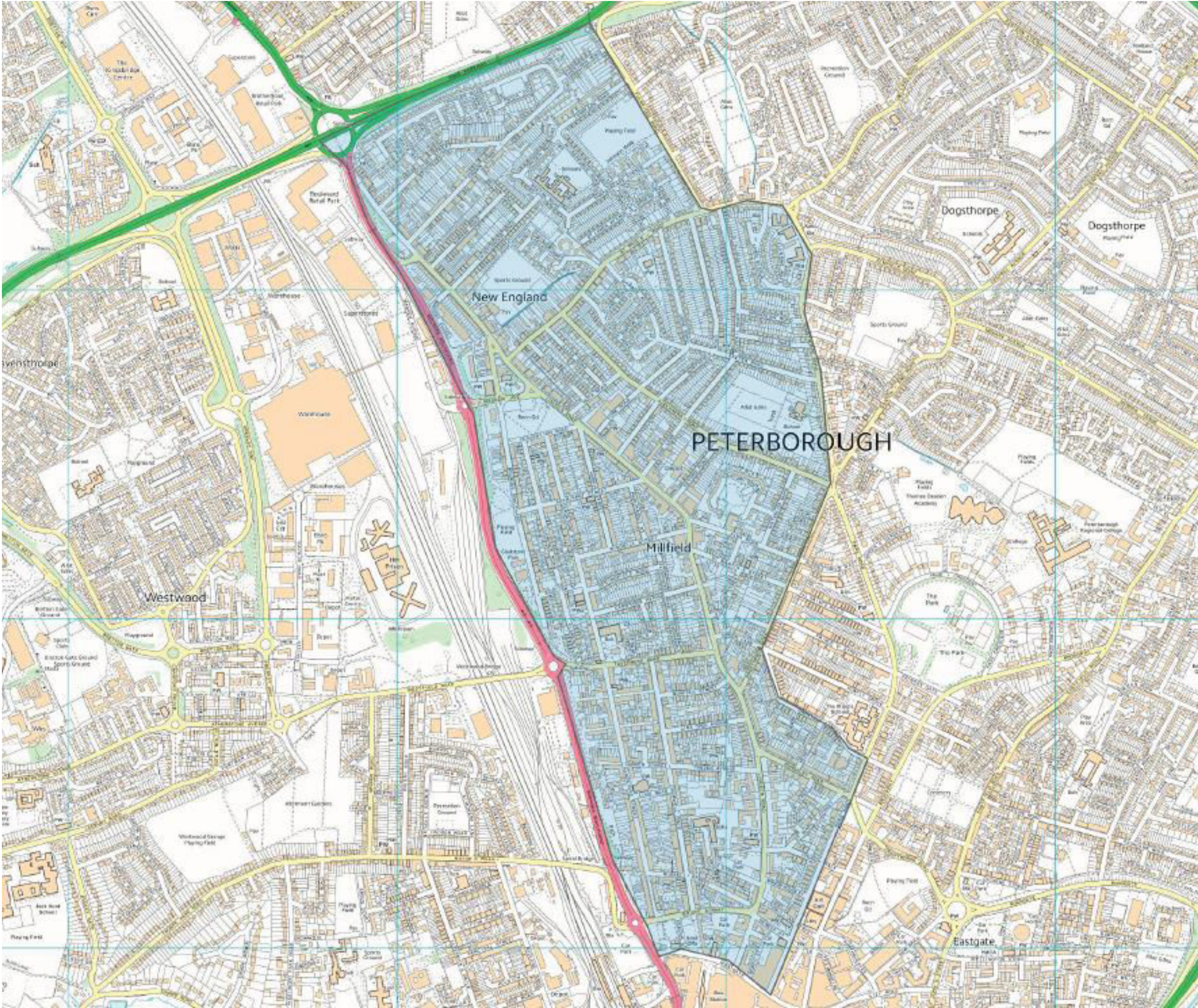
**The Protection of Children from Harm –**

21. Signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative.
22. Any person selling or supplying alcoholic drink 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.
23. A refusal log will be accurately maintained on every refusal made in relation to the attempted purchase of alcohol by a juvenile or intoxicated person.

Yours faithfully,

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







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