

LICENSING ACT 2003 SUB-COMMITTEE

FRIDAY 13 DECEMBER 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 a Variation for Peterborough International Food Centre
– 314/316 Lincoln Road** **3 - 46**



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 Karen S Dunleavy on 01733 452233 as soon as possible.

Emergency Evacuation Procedure – Outside Normal Office Hours

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

Committee Members:

Councillors: P Thacker (Chairman), L Serluca and Davidson

Further information about this meeting can be obtained from Karen S Dunleavy on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

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

APPLICATION: VARIATION TO PREMISES LICENCE

LICENCE REFERENCE: MAU 068221

APPLICANT: Mr Ismail Akdogan

PREMISES: Peterborough International Food Centre, 314-316 Lincoln Road, Peterborough, PE1 2ND

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

1. PURPOSE OF REPORT

1.1 To consider and determine this application for a variation to the premises licence for Peterborough International Food Centre, 314 - 316 Lincoln Road, Peterborough, PE1 2ND taking into account the representations received from responsible authorities and other persons.

2. BACKGROUND INFORMATION

2.1 On the 6th August 2009 an application for a new premises licence application at 314 - 316 Lincoln Road, Peterborough, was submitted to the Licensing Authority by Mr Riad Ahmed. This licence was granted as there were no representations received. Since the granting of this licence there has been three changes of licence holders and two changes of designated premises supervisors. The premises has also been known as 'International Supermarket', 'Europol Supermarket', 'Express Booze Market' and is currently known as 'Peterborough International Food Centre. A copy of the current premises licence can be found at **APPENDIX B PAGE 27**.

2.2 Since 18 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 B Page 45**.

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

2.4 The variation application was advertised correctly as per current guidelines.

3. VARIATION APPLICATION AND ADDITIONAL CONDITIONS PROPOSED

- i) To increase the hours authorised to sell alcohol from 8am until 2am. The premises is currently authorised to sell alcohol Sunday to Thursday 8am to Midnight and 8am until 2am on Fridays and Saturdays;
- ii) To add the condition – ‘8 CCTV cameras will be in place and be visible from behind the counter’;
- iii) To add the condition – ‘5 Fire alarms and fire exits will be in place’;
- iv) To add the condition - ‘Rubbish will be removed’; and
- v) To add the condition – ‘The Challenge 25 age policy and a refusal book will be in place’.

4. REPRESENTATIONS

4.1 Representations against the application have been received from Cambridgeshire Constabulary, Peterborough City Council Planning Department, the Local Health Authority and Peterborough City Council’s Noise Pollution Team in their capacity of responsible authorities. We also received a representation from a Peterborough resident in their capacity as an ‘other person’. The representations are made against the licensing objectives of ‘crime and disorder’ and ‘public nuisance’. These representations are attached at **Appendix B Page 30 and summarised at 5.1.**

4.2 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 letters and documentation 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.

4.3 Representations have not been received from any other of the Responsible Authorities i.e. Cambridgeshire Fire and Rescue Service, The Licensing Authority, Peterborough Trading Standards, Peterborough City Council Health and Safety Team and Peterborough City Council Child Protection. There were no representations in support of the application.

5. REPRESENTATIONS RECEIVED

5.1 Summary of issues raised:

- An increase in litter in the area;
- An increase in anti social behaviour in the area; and
- Negative impact on the principles of the ‘Operation CAN-do’ initiative and the Cumulative Impact Area.

6 MEDIATION

6.1 No mediation has taken place.

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
- Cumulative Effect, Section 11 on Page 8 to 10
- 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 – June 2013

- The Licensing Objectives – Section 2 pages 11 to 18
- Applications for Premises Licences – Section 8 pages 42 to 58
- Determining applications – Section 9 pages 58 to 65
- Conditions Attached to Premises Licences – Section 10 page 65 to 75

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 variation of a premises licence made under Section 34 of the Licensing Act.

8.2 In this case, the application was received at these offices on 16th October 2013.

8.3 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 Home Office in April 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’ means 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

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L4



Application to vary a premises licence under the Licensing Act 2003

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

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 you records.

I/We JSMAIL AKDOGAN....., (Insert name(s) of applicant) being the premises
licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003
for the premises described in Part 1 below

Premises licence number

066651

Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference, or description	
<u>314-316 LINCOLN ROAD</u>	
Post town	Post code
<u>PETERBOROUGH</u>	<u>PE1 2ND</u>

Telephone number at premises (if any)

01733 567002

Non-domestic rateable value of premises

£16,500

A

Plays			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

N/A

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<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> (please read guidance note 5)		
Sat					
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	
			Indoors	
Day	Start	Finish	Outdoors	
Mon			Both	
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

N/A

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
				Outdoors		
Day	Start	Finish		Both		
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed					<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)	
Thur						
Fri			<u>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</u> (please read guidance note 5)			
Sat						
Sun						

F

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

N/A

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 [Y] (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish	Both		
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

N/A

H

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

N/A

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)		Indoors
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

N/A

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<p><u>Please give a description of the facilities for dancing you will be providing</u></p> <p><u>Please give further details here</u> (please read guidance note 3)</p> <p><u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	Indoor	
Mon				Outdoor	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>Please give further details here</u> (please read guidance note 3)		
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

N/A

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	
			Indoors	
Day	Start	Finish	Outdoors	
Mon			Both	
Tue			Both	
Wed			Both	
Thur			Both	
Fri			Both	
Sat			Both	
Sun			Both	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>	
			Both			
Mon	0800	0200	State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Tue	0800	0200				
Wed	0800	0200				
Thur	0800	0200		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 (please read guidance note 5)		
Fri	0800	0200				
Sat	0800	0200				
Sun	0800	06.00				

N

N/A

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)

closed until further notice

O

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	0800	0200
Tue	0800	0200
Wed	0800	0200
Thur	0800	0200
Fri	0800	0200
Sat	0800	0200
Sun	0800	0200

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

closed until further notice

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None - other than hours.

Please Tick ✓ Yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b,c,d,e) (see guidance note 9)

*More consistent opening hours
see below.*

b) The prevention of crime and disorder

8 CCTV Cameras - all on to
screen seen from behind counter

c) Public safety

5 Fire Alarms
Fire exit signs front and back

d) The prevention of public nuisance

Rubbish removal

e) The protection of children from harm

Under 25's notice and refusal book

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to the responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (please read guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature 

Date..... 1st October 2013

Capacity..... Agent

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd 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 address for correspondence associated with this application (please read guidance note 13) <u>Langford B. Smith FRICS</u> <u>227 Park Road</u>	
Post town <u>Peterborough</u>	Post code <u>PE1 2UH</u>
Telephone number (if any) <u>01733 563310</u>	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Peterborough City Council is registered under the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the council will be processed in compliance with the eight principles of the Act. Further information relating to your rights under the Data Protection Act can be sent to you on request.

PART A

Premises Licence

Peterborough City Council, Operations Directorate,
Bayard Place, Broadway, Peterborough, PE1 1HZ

Premises Licence Number

066651

Part 1 - Premises Details

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

Europol Supermarket Limited
314-316 Lincoln Road

Post Town Peterborough

Post Code PE1 2ND

Telephone Number 01733 560213

Where the licence is time limited the dates

Start Date N/A

End Date N/A

Licensable activities authorised by the licence

Sale by retail of alcohol

The supply of alcohol will be for consumption off the premises.

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Monday to Thursday Between 08.00hrs and 00.00hrs

Friday to Saturday Between 08.00hrs and 02.00hrs

Sunday Between 08.00hrs and 00.00hrs

The opening hours of the premises

Monday to Thursday Between 08.00hrs and 00.00hrs

Friday to Saturday Between 08.00hrs and 02.00hrs

Sunday Between 08.00hrs and 00.00hrs

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

The supply of alcohol will be for consumption off the premises.

Part 2

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

Mr Ismail Akdogan
88 Star Road
Peterborough
PE1 5HQ

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

N/A

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

Mr Ismail Akdogan
88 Star Road
Peterborough
PE1 5HQ

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

Licence Number	LBH-PER-N-1723
Issuing Authority	London Borough of Hackney

Name, (registered) address of holder of premises licence

Mr Ismail Akdogan
88 Star Road
Peterborough
PE1 5HQ

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

N/A

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

Mr Ismail Akdogan

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

Restricted

From: John Shearman
Sent: 18 November 2013 20:16
To: Day Adrian
Subject: FW: Ref: 068221

To the Licensing Team
Peterborough City Council
Bayard Place
Peterborough

18th November 2013

Dear Mr Day

Variation to Existing Licence Reference 068221

Peterborough International Food Centre
314-316 Lincoln Road
Peterborough
PE1 2ND

I am a Peterborough City Councillor representing Park Ward which includes the Eastern side of Lincoln Road, Millfield, and the roads leading from it, and my reason for writing is to request that the application to vary the existing licence at these premises be refused.

As you are aware, the Millfield and New England area of Peterborough has for several years had a history of anti-social behaviour fuelled by alcohol and drug abuse. This has been exacerbated by the rapid growth of a number of outlets retailing alcohol by means of "off-sales." The area is also within the boundary of the "Operation Can-Do" initiative which has brought together the city council, police, NHS, Resident Associations and other partner agencies to jointly combat the serious issues being faced in this area.

The "Operation Can-Do" initiative has been robust but it is still hasn't achieved the goals that it and its partners need to achieve. The area is very sensitive and volatile because of the ease of access to the purchase of alcohol often sold at a low price in order to attract customers or be competitive.

The Millfield area has a huge number of outlets selling alcohol (around the seventy plus mark) which has contributed significantly to anti-social behaviour in the area. The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies through "Operation Can-Do" has highlighted the need to reduce the number of outlets and hours that alcohol can be freely purchased if it is to make any headway towards the goals that it is striving to achieve. I am therefore making this representation under the following Licensing Objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance

I work closely with the Victoria Park Residents' Association and the Millfield and New England Regeneration Partnership, as well as a number of statutory bodies, in trying to improve the quality of life for residents living in an area, an area that has been sadly neglected for many years with the largest problem revolving around the ease, low cost and availability of alcohol which is purchased and subsequently abused.

I therefore respectfully request that this application be refused by the Licensing

Committee for the reasons stated above.

Yours Sincerely

John Shearman

John Shearman

Councillor - Park Ward

Labour...getting things done in Park Ward

Ref: Express Booze Market – 314 Lincoln Road / License Application



Friday 15th November 2013

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

Dear Darren,

Re: License Variation Application – ‘Express Booze Market’ – 314 Lincoln Rd, Peterborough

On 30th October 2013 Cambridgeshire Constabulary Licensing Department (Peterborough District) received e-mail notification from Peterborough City Council Licensing Authority of an application to vary a Premises License at Express Booze Market, 314 – 316 Lincoln Road, Peterborough, PE1 2ND. The application has been submitted by Mr. Langford Smith of 227 Park Road, Peterborough, PE1 2UL on behalf of and acting as agent for the Premises License Holder and Designated Premises Supervisor (DPS) Mr. ISMAIL AKDOGAN of 88 Star Road, Peterborough, PE1 5HQ. Mr. Akdogan holds a Personal License, reference: LBH-PER-N-1723, which was issued by the London Borough of Hackney. The application, seeks to extend the licensable sale of alcohol from midnight to 02:00 hrs Monday to Thursday.

Express Booze Market has a current premises license issued by the Local Authority (Reference 066651) which only permits the licensed activity of ‘Sale by Retail of Alcohol’ ‘Off Premises’, and authorises the sale of such alcohol from Sunday to Thursday between 08:00 hrs and midnight and from Friday to Saturday between 08:00 hrs and 02:00 hrs.

Express Booze Market is located centrally within the CAN-DO Operational area, on Lincoln Road and ultimately central of the Cumulative Impact Area (Special Policy) drawn up and adopted on 18th April 2013. It has been positively identified that there is a significant concentration of licensed premises within the CAN-DO area, specifically local to Express Booze Market and there is sufficient evidence of a negative impact on the statutory objectives. Peterborough City Council’s ‘Statement of Licensing Policy’, ‘Special Policy on Cumulative Effect’ - Paragraph 11.6 states:

*“This special policy creates a rebuttable presumption that applications within the Op Can Do area for new premises or club premises certificates or **variations** that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced”.*

Para 11.7 states:

“Applications will need to address the special policy issues in their operating schedules in order to rebut such a presumption”.

The variation in this case – extending the licensable hours of the sale of alcohol until 02:00 hours – in my professional opinion as the Cambridgeshire Constabulary Licensing Officer for Peterborough District this application is likely to add to the existing cumulative impact. Unfortunately no formal demonstration by the applicant or his representative have been received that would satisfactorily demonstrate that the application, if granted, would **not contribute** towards the cumulative impact already being experienced.

The formal application (L4) part P states:

“Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation”.

I believe that this has not been addressed satisfactorily despite suitable advice and assistance being given to the applicant and his agent. The application merely offers ‘More consistent opening hours’. I would suggest that if the Special Policy received any form of consideration by the applicant he could have demonstrated his intentions more thoroughly. The applicant wants to make the opening hours ‘more consistent’, and I offer that being armed with the negative impact that alcohol currently has on this community I would recommend consideration be given to reducing the hours back to midnight on a daily basis. This application could be seen by the communities who are raising concerns as an attempt to capitalise on the adverse issues locally in the name of profit.

Express Booze Market is a large Off Licenses in the CAN-DO area. It consists of about 80% alcohol stock and 20% non-alcoholic goods and consumables. The store area at the rear of the shop comprises of 100% alcohol stock. The Licensee has a considerable stock of beer, larger and cider in single measures over 6.5% Abv and up to 11%, and a significant stock hold of two litre bottles of alcohol beverage under the name of cider. It can be evidenced that high strength alcohol primarily appeals to those who have adverse problematic issues with alcohol such as street drinkers or alcoholics. Both of which unfortunately continue to affect the local community on a daily basis and particular into the latter part of the day / night.

Whilst reviewing this application I have also reviewed the Premises License. I am surprised and disappointed to find that the License does not have many conditions consistent with the Operating Schedule and none relevant to the licensing objectives of Preventing Crime and Disorder and Preventing Public Nuisance. Such conditions would assist the licensee with operating his premises in line with the licensing objectives.

Cambridgeshire Constabulary do not support this application and appeal to the Licensing sub-committee to seriously consider the Special Policy and reject the application. Should a rejection of the application be considered as unsuitable in this case and the application is granted, may I ask that the following conditions are added to the license to support the licensee in upholding the Licensing Objectives.

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. 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 on-going training to prevent underage sales (Challenge 25) should be recorded in a written format and be available to an authorised officer upon demand.
9. A refusals log will be maintained on a daily basis recording all refused attempted purchases of alcohol, carried out by drunks or underage persons.
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 licensed premises 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. 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.
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 the Trading Standards department and HMRC as soon as possible.

Promote Public Safety -

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

19. 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 –

20. Signage will be prominently placed within the premises advertising the fact that the premises operate the 'Challenge 25' initiative.
21. 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.
22. 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.

Kind regards

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

Good Morning,

In respect of the application to vary the existing licence for the above premises, Pollution Control note that the applicant suggests "rubbish removal" will be a step aimed at the prevention of public nuisance. We would therefore suggest the following conditions be added to the licence with this in mind:

- a) An adequate number of suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site.
- b) Any litter or refuse generated must be contained within the boundaries of the premises and regularly cleared.
- c) Receptacles for waste shall be emptied regularly to avoid causing a public nuisance through smells or odours and shall be maintained in a clean condition.
- d) Trade waste containers will only be left out for collection of waste and will be stored off the public right of way at all other times.

Darren, think we spoke about this one last week?

Regards

Richard Bowler
Pollution Control Officer

Neighbourhoods - Central and East
Peterborough City Council
Bayard Place
Peterborough
PE1 1HZ

Email: richard.bowler@peterborough.gov.uk
Telephone: (01733) 453497
Fax number: 01733 863811

To find out more about Peterborough City Council please go to: www.peterborough.gov.uk

Please consider the environment before printing this email

Telephone: 01733 207173
Fax: -
Email: mandy.workman@peterborough.gov.uk
Please ask for:
Our reference: SM/mw
Your reference: Licence application 068221



Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HG

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

7th November 2013

Dear Licensing Team

License application: 068221– Europol, 314-316 Lincoln Road PE1 2ND

Thank you for sending us a copy of this license application. The application is to extend sale of alcohol from midnight on Monday – Thursday to 2.00am. We 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);
- 40% of all sexual assaults are estimated to have taken place when the offender has been under the influence of alcohol, and 30% where the victim has been drinking; 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.

As a result, we do not see how the extension of hours of selling alcohol in the Millfield area to 2.00am Monday – Thursday serves the intention of the CIP to reduce the risk of alcohol-related crime and anti-social behaviour and the promotion of community cohesion. We therefore oppose this license application in the Cumulative Impact Policy area.

Yours sincerely



Sue Mitchell
Interim Director of Public Health

Telephone: 01733 453410
Facsimile: 01733 453505
E-mail: planningcontrol@peterborough.gov.uk
Case Officer: Miss A McSherry
Our Ref: 13/01589/LICSNG
Your Ref:



Planning Services
Stuart House East Wing
St John's Street
Peterborough
PE1 5DD

DX 12310 Peterborough 1
Telephone: 01733 747474

Licensing Officer
Bayard Place
Fourth Floor
Broadway
Peterborough

6 November 2013

Dear Sir/Madam

Planning enquiry
Licensing request - 068221
314 - 316 Lincoln Road Peterborough PE1 2ND

Further to your enquiry received on 18 October 2013, in respect of the above, the Local Planning Authority makes the following comments:

I have researched the planning history and there are no planning permissions that restrict the opening hours of the premises.

However, in this location, as there are residential flats above these ground floor commercial retail premises, the Local Planning Authority are of the view that increasing the opening hours to 2 am on Mondays to Thursdays to sell alcohol would be harmful to the residential amenity of neighbouring properties. This would be as a result of noise and disturbance generated from customers entering and leaving the site between midnight and 2am. The Local Planning Authority's view therefore is that the current operating hours of the license should not be increased in duration as applied for.

Yours faithfully

Miss A McSherry
Principal Development Management Officer

The Licensing Team
Peterborough City Council
Bayard Place
Peterborough

18th November 2013

Dear Sir/Madam

Variation to Existing License Reference 068221

**Peterborough International Food Centre
314-316 Lincoln Road
Peterborough
PE1 2ND**

I am the Chair of Millfield & New England Regeneration Partnership (MANERP) which represents residents who live in the Millfield and New England areas of Peterborough. The reason for writing is to request that the application to vary the existing license be refused.

As you are aware, the Millfield and New England area of Peterborough for several years has had a history of anti-social behaviour fuelled by alcohol and drug abuse. This has been exacerbated by the rapid growth of a number of outlets retailing alcohol by means of “off-sales.” The area is also within the boundary of the “Operation Can-Do” initiative which has brought together the city council, police, NHS, Resident Associations and other partner agencies to jointly combat the serious issues being faced in this area.

The “Operation Can-Do” initiative has been robust but it is still hasn’t achieved the goals that it and its partners need to achieve. The area is very sensitive and volatile because of the ease of access to the purchase of alcohol often sold at a low price in order to attract customers or be competitive.

The Millfield and New England area has a phenomenal number of outlets selling alcohol (around the seventy plus mark) which has contributed significantly to anti-social behaviour in the area. The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies through “Operation Can-Do” has highlighted the need to reduce the number of outlets and hours that alcohol can be freely purchased if it is to make any headway towards the goals that it is striving to achieve. We therefore make this representation under the following Licensing Objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance

At MANERP our aim is to try to regenerate an area that has been sadly neglected for many years and the largest problem of all revolves around the ease, low cost and availability at which alcohol can be purchased and subsequently abused.

We therefore respectfully request that this application be refused by the Licensing Committee for the reasons stated above.

Yours Sincerely

BRIAN W J GASCOYNE
Chair - Millfield and New England Regeneration Partnership

Martin Lightfoot



3rd November 2013



Dear Sir,

EUROPOL SUPERMARKET LTD 314 – 316 LINCOLN ROAD

Objection to Extension of Licensed Hours on Weekdays.

This is a residential area.

The activity of vehicles to and from the shop will incur noise from the banging of car doors, and people talking loudly, as there will be during normal hours, keeping people awake.

There will inevitably be arguments from the alcoholics late at night, keeping people awake, as there will be now at weekends.

This is encouraging more antisocial behaviour at home, disturbing neighbours when they want to sleep, to go to work.

I question the licensing department, what is the necessity to drink into the early hours of the morning? Or to buy food?

I ask Licensing, what is the necessity for neighbours to have to put up with this disturbance 7 days a week, when there is a local delivery service?

Late night opening is not a necessity. Consider the impact on the environment.

Yours sincerely

A handwritten signature in black ink, which is partially obscured by a black redaction box.

Mr M.Lightfoot

Citizens Panel PCC
Consultee Planning PCC
Housing Residents Assur, Comm,
2x NHS Foundation Trusts
Street Leader

(WOULD YOU PLEASE REPLACE MY MESSAGE SENT AT 20.03 HOURS ON 18/11/13 WITH THE FOLLOWING MESSAGE. THANK YOU - Barry Chrisp.)

To the Licensing Team
Peterborough City Council
Bayard Place
Peterborough

18th November 2013

Dear Mr Day

Variation to Existing Licence Reference 068221

Peterborough International Food Centre
314-316 Lincoln Road
Peterborough
PE1 2ND

I am the Vice-Chair of the Victoria Park Residents' Association which represents the residents who live in the streets surrounding Victoria Gardens in Millfield, Peterborough. My reason for writing is to request that the application to vary the existing licence be refused.

As you are aware, the Millfield and New England area of Peterborough has for several years had a history of anti-social behaviour fuelled by alcohol and drug abuse. This has been exacerbated by the rapid growth of a number of outlets retailing alcohol by means of "off-sales." The area is also within the boundary of the "Operation Can-Do" initiative which has brought together the city council, police, NHS, Resident Associations and other partner agencies to jointly combat the serious issues being faced in this area.

The "Operation Can-Do" initiative has been robust but it is still hasn't achieved the goals that it and its partners need to achieve. The area is very sensitive and volatile because of the ease of access to the purchase of alcohol often sold at a low price in order to attract customers or be competitive.

The Millfield area has a huge number of outlets selling alcohol (around the seventy plus mark) which has contributed significantly to anti-social behaviour in the area. The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies through "Operation Can-Do" has highlighted the need to reduce the number of outlets and hours that alcohol can be freely purchased if it is to make any headway towards the goals that it is striving to achieve. We therefore make this representation under the following Licensing Objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance

The Victoria Park Residents' Association aims is to try to improve the quality of life for residents living in an area that has been sadly neglected for many years and the largest problem of all revolves

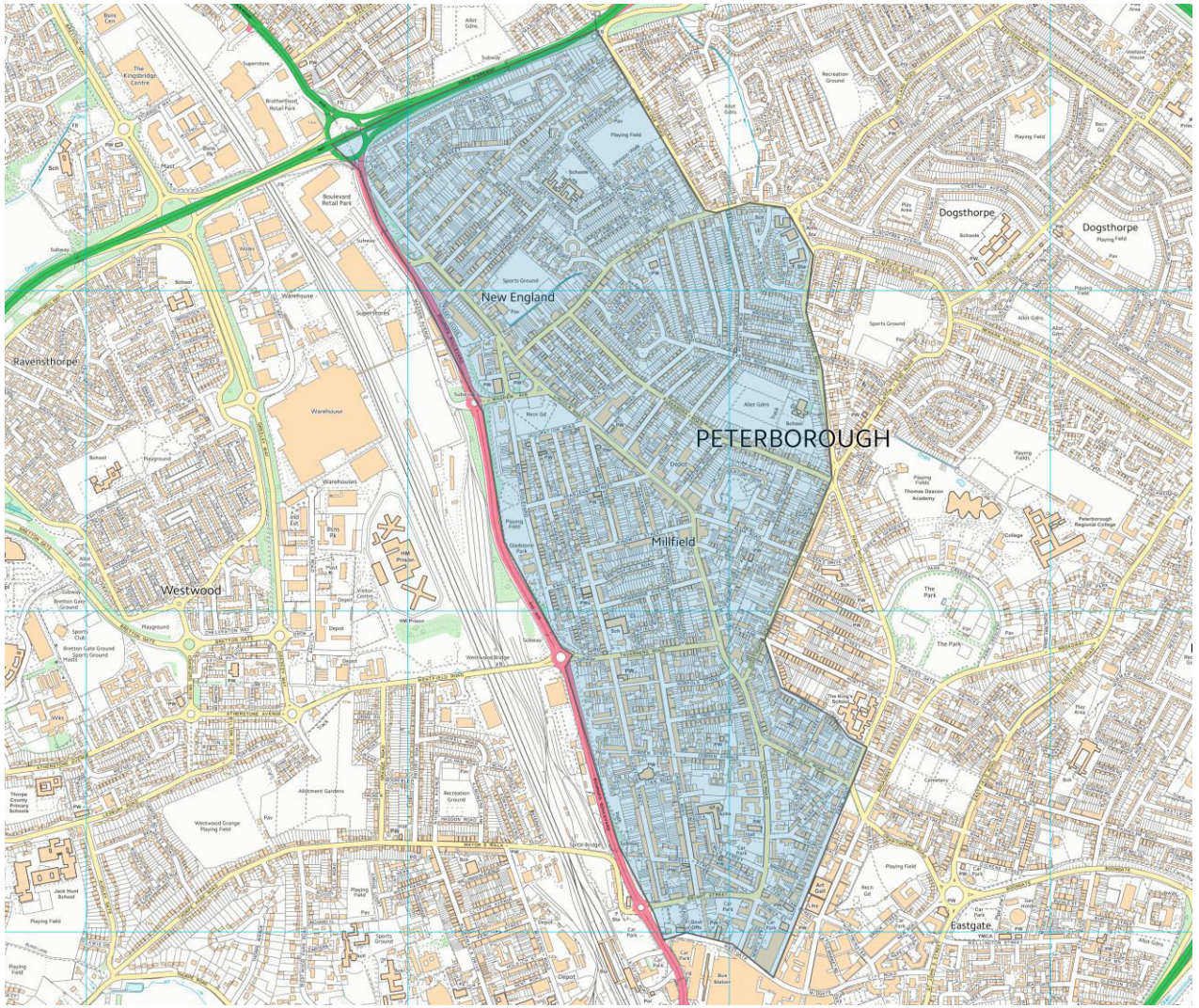
around the ease, low cost and availability at which alcohol can be purchased and subsequently abused.

We therefore respectfully request that this application be refused by the Licensing Committee for the reasons stated above.

Yours Sincerely

Barry Chrisp

Vice Chair
Victoria Park Residents' Association.



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