

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

APPLICATION OF THE PREMISES LICENCE – RYLASS LTD, 489A LINCOLN ROAD, PETERBOROUGH PE1 2PE

1 April 2015

This Decision Notice refers to the application of the premises licence Rylass Ltd, 489A Lincoln Road, Peterborough, PE1 2PE.

We have considered the representations made to us today in writing from:

- Cambridgeshire Constabulary;
- Peterborough City Council Pollution Control; and
- Brian Gascoyne, Chairman of Millfield and New England Regeneration Partnership (MANERP).

The representations in summary included:

- The application falls within the Cumulative Impact (CI) Area, an area identified within the Councils Statement of Licensing Policy as already saturated with licensed premises;
- A further off licence is likely to add to the existing crime and anti-social behaviour fuelled by alcohol in the area, which is subject to a significant concentration of licensed premises;
- Evidence exists of the negative impact on the licensing objectives caused by alcohol, and the ease and availability of low cost alcohol which is purchased and abused in this locality; and
- The application did not address the CI policy and does not demonstrate that it would not contribute towards issues already experienced.

The Sub-Committee also gave consideration to the additional conditions submitted by the Applicant, Mr Bagociunas to compliment his original application, in addition to the Pollution Control Conditions agreed.

In addition, the Applicant, also agreed to accept all of the Police conditions submitted within their representation with the addition of:

- I. Recording equipment and discs would be stored in a safe;
- II. A specific wholesale supplier, would be utilised for the purchase of alcohol stock;
- III. A limited range of alcohol would be provided;
- IV. Would not sell any beer, larger or cider above 6.5% abv;
- V. There would not be sale of refrigerated alcohol whatsoever;
- VI. That alcohol will be kept behind the service counter;
- VII. Alcohol would be covered up outside of the sale of alcohol time restrictions;
- VIII. No special offers on the sale of alcohol would be provided;
- IX. There would be no shop frontage advertisement of the sale of alcohol products; and
- X. The sale of alcohol would to be restricted to 10am to 6pm to replace the original application times of 10am to 10pm.

The Sub-Committee has also placed great emphasis to a more positive attitude to the application from both the Police and MANERP in light of the additional conditions offered by the

Applicant, with MANERP expressly withdrawing their objection and the apparent withdrawal of the Police objection.

The Sub-Committee noted and listened carefully to the representations made to the Committee and considered para 11.5, 11.6 and 11.7 of the Council's special policy with regard to Cumulative effect. The Sub-Committee agree that granting this licence subject to the specified conditions will not add to the cumulative impact on the Licensing objectives and therefore agreed to GRANT the licence for the premises, known as Ryllass Ltd, 489A Lincoln Road, Peterborough, PE1 2PE subject to the conditions at Appendix 1.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days of receiving this formal notice at:

Peterborough Court House, Bridge Street, Peterborough, PE1 1ED. Tel No. 0845 3100575.
There is a fee to pay.

Councillor Paula Thacker MBE

Sub-Committee Chairman

Cambridgeshire Police Conditions:

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.
10. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.
11. 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.
12. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.
13. 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.

14. 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.
15. No single or double vessels of Beer, Lager or Cider above 6.5% Abv (alcohol content) will be offered for sale in the premises.

Promote Public Safety

16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
17. 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.
18. No person will be allowed to enter or leave the licensed premises (as defined by the plan) 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

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

Peterborough City Council – Pollution Control Conditions:

1. Music played at the premises shall be background only - For the purposes of this condition, 'background' means music that is inconspicuous i.e. it is possible to hold a conversation at normal volume with the music playing.
2. Disposal of waste bottles into external receptacles where noise will be audible to neighbouring properties must not occur between 23:00 and 07:00 hours.
3. Arrangements must be in place to ensure that waste collection contractors do not collect refuse between 23:00 and 07:00 hours.
4. An adequate number of suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site.

The Applicant's Supplementary Conditions:

1. The premises is monitored by CCTV internally and externally. All recordings are available on request for 30 days;
2. The premises licence holder will be on duty at the premises at most times that the premises are open to the public;
3. Internal and external lighting fixed to promote the public safety objective;
4. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours;

5. All employees of the premises will receive initial and regular six monthly refresher training by the premises licence holder with regards to the conditions attached to the premises licence and the law in relation to the Licensing Act 2003. All training will be recorded and up to date training records of all training given and by/to whom, will be maintained at the premises and produced and made available for immediate inspection upon request;
6. Any incidents of crime and disorder will be recorded in an incident register which will be produced and made available for immediate inspection upon request by the Police;
7. No persons will be allowed to enter or remain on the premises if they are displaying any signs of drunkenness through speech, manner or tone, or their disposition or steadiness on their feet;
8. Any persons who appear to be under the age of 25 will be challenged to produce identification prior to being allowed to purchase alcohol. The only acceptable forms of customer identification will be a valid passport, valid photo ID driving licence or a PASS approved document; and
9. Challenge 25 is in operation and will be displayed inside the premises, at the main entrance to the premises and through any advertising, any literature, notices or websites promoting the premises.
