

LICENSING COMMITTEE

THURSDAY 3 SEPTEMBER 2015
7.00 PM

Bourges/Viersen Rooms - 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.

3. Minutes of the Meeting Held on:

3.1 **18 June 2015** **3 - 6**

3.2 **Minutes of the Sub-Committee Hearings Held Between June 2015 and July 2015** **7 - 24**

- i) 11/06/15 – Madina Kebab, 2 – 65 Gladstone Street (Review) and Nectar, 1 – 2 Central Square (New Premises)
- ii) 09/07/15 – Baltia, 148 – 150 Huntly Grove (Review)

4. Field Walk Appeal **25 - 70**

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Committee Members:

Councillors: P Thacker (Chairman), P Hiller (Vice Chairman), Coles, A Iqbal, G Nawaz, S Martin, N Shabbir, A Miners, R Herdman and Davidson

Substitutes: Councillors: G Casey, M Jamil, B Saltmarsh, F Fox and A Shaheed

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

**MINUTES OF A MEETING OF THE LICENSING COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 18 JUNE 2015**

Members Present: Councillors Hiller (Chair), Coles, Iqbal, Miners, Herdman and Forbes

Officers Present: Peter Gell, Head of Regulatory Services
Donna Hall, Public Protection Manager
Terri Martin, Regulatory Officer
Kerry Leishman, Licensing Development Officer
Colin Miles, Litigation Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Thacker, Davidson and Martin. Councillor Forbes was in attendance as a substitute.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meeting Held on:

3.1 18 December 2014

The minutes of the meeting held on 18 December 2014 were approved as a true and accurate record.

3.2 Minutes of the Sub-Committee Hearings Held Between December 2014 and May 2015

The following minutes of the Sub-Committee hearings held between December 2014 and May 2015 were approved as true and accurate records:

- i) 11/12/14 – 653 Lincoln Road (Review)
- ii) 13/01/15 – Little Europe (New Premises)
- iii) 01/04/15 – Ryllass (New Premises)
- iv) 13/04/15 – Anglia Ruskin University Higher Education Corporation (New Premises)
- v) 15/05/15 – Coop, Oundle Road (New Premises)

It was agreed that the 'Review of Statement of Principles – Gambling Act 2005' would be considered by the Committee as the first item.

4. Review of Statement of Principles – Gambling Act 2005

The Committee received a report which outlined the draft revised Statement of Principles prepared in accordance with the Gambling Act 2005, for the purposes of statutory consultation. The report further sought the Committee's approval of the draft revised Statement of Principles.

The Licensing Development Officer presented the report and made the following key points:

- There were no changes proposed that were required to be reflected in Council policy.
- The most prominent revision was that the Statement of Principles must be reviewed every three years, rather than every five years. This was introduced under the Gambling Act 2015, without discretion.

The Committee noted that the proposed consultation period would run for a considerable period and was advised that notices would be displayed in Council offices and on the Council's website.

RESOLVED that:

- i) The draft revised Statement of Principles for the purposes of consultation between 6 July and 13 September 2015 be approved; and
- ii) The Proposal for consultation of the draft revised Statement of Principles be approved, in accordance with section 349 of the Gambling Act 2005.

5. Proposed Variation of Private Hire Vehicle Licensing Requirements

The Committee received a report following a referral from the Licensing Department, which sought approval to vary the private hire vehicle requirements to for the provision of new technologies.

The Public Protection Manager presented the report and made the following key points:

- Currently the Council was not able to licence other means of vehicle which were not measured by cubic capacity engine use.
- The Council had been approached by an operator wishing to use an electric vehicle as a private hire vehicle.
- It was believed that varying the private hire vehicle licensing requirements to support such an approach would support the Council's Environment Capital aims.
- No comments had been received during the consultation period.

In response to a question from the Committee, the Public Protection Manager advised that it was not considered that the removal of the minimum 1300 cubic capacity requirement would encourage 1000 cubic capacity engine use.

RESOLVED that requirement 1(c) "The cubic capacity of the engine is no less than 1300cc, unless the vehicle in question is a diesel "Fortwo" Smart Car" be removed from the private hire vehicle requirements.

6. Three Year Taxi Private Hire Driver Licensing

The Committee received a report following a referral from the Licensing Department, which sought for the adoption of a three year Taxi and Private Hire driver licence following the implementation of the Deregulation Act 2015. The report further sought approval from the Committee on the frequency of associated driver safety checks.

The Public Protection Manager presented the report and made the following key points:

- The current Taxi and Private Hire driver licence was subject to an annual renewal. There was now no legal requirement for an annual renewal, as such a three year licence period was proposed.

- Alongside the annual licence renewals, driver safety checks were undertaken. A decision needed to be made as to whether these checks would remain annual, or also be altered to a three year cycle.
- Option one, to introduce a three year renewal process for licensed drivers and associated driver safety checks, reduced the burden on officers and licence holders. There was a risk involved that licence holders would not notify the Council of any relevant convictions.
- Option two, to introduce a three year renewal process for licensed drivers, however retain annual driver safety checks, would reduce the burden on officers to a degree and maintain safety checks.
- Current fees for annual renewal were £114. Option one would amount to approximately £245 for three years. Option two would cost approximately £285 for three years. Additional fees would be incurred in relation to the police, Driver and Vehicle Licensing Agency (DVLA) and Disclosure and Barring Service (DBS) checks.

The Committee discussed the ramifications of both proposed options. It was confirmed that the police were under an obligation to inform the Council if a private hire licence holder was convicted of an offence. In response to a questions for the Committee the Public Protection Manager clarified that if drivers signed up to DBS Update, checks would be undertaken by more regularly through the DBS, which could be used in the audit process.

The Head of Regulatory Services explained that the powers of the Licensing Authority to review and suspend licences would remain. It was further advised that a reduction in the administrative requirements on officers would free up resources to undertake more compliance and audit checks.

RESOLVED that:

- i) The new information in relation to the Deregulation Act 2015 be noted; and
- ii) A three year renewal process for licensed drivers and associated driver safety checks be adopted.

7. Review of Statement of Licensing Policy – Licensing Act 2003

The Committee received a report, which outlined the draft revised Statement of Licensing Policy prepared in accordance with the Licensing Act 2003, for the purposes of statutory consultation. The report further sought the Committee's approval of the draft revised Statement of Licensing Policy.

The Regulatory Officer presented the report and made the following key points:

- The Statement of Licensing Policy was required by statute.
- There had been a number of amendments to relevant laws following the most recent review of the document.
- The review period had been amended to a five year period.
- Two new responsible authorities had been identified in the form of the Licensing Authority and Public Health.
- Changes had been made to the Temporary Event Notice regulations. Two relevant persons had been identified; Pollution Control and the Police.
- The Council now had the power to suspend a premises licence if the annual fee was not paid.
- A personal licence was now indefinite.
- There had been a deregulation of entertainment uses.

RESOLVED that the commencement of the consultation on the Statement of Licensing Policy, from 6 July 2015 for a period of ten weeks ending 13 September 2015, be approved.

Chairman
7.05pm – 7:36pm

Meeting of the Licensing Act 2003 Sub-Committee
 held at the Town Hall, Peterborough on Thursday, 11 June 2015

RECORD OF DECISION

Appointment of Chairman	Nominations were received for Councillor Davidson as Chairman. Following nominations, Councillor Davidson was appointed as Chairman for this hearing.
1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	There were no declarations of interest.
3. Application	Review of Premises Licence – Madina Kebab House – 65 Gladstone Street, Millfield, Peterborough, PE1 2BN
3.1 Application Reference	MAU: 071291
3.2 Sub-Committee Members	Councillor Davidson (Chairman) Councillor Shabbir Councillor Coles
3.3 Officers	Darren Dolby, Regulatory Officer – Licensing Colin Miles , Lawyer – Legal Advisor to the Sub-Committee Karen S Dunleavy, Governance Officer – Clerk to the Sub-Committee
3.4 Applicant	Cambridgeshire Constabulary
3.5 Nature of Application	<p><u>Application Type</u></p> <p>Review of Premises Licence.</p> <p><u>Summary of Review Application</u></p> <p>In accordance with section 51 of the Licensing Act 2003, following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority was required to hold a hearing.</p> <p>The application to review, served by Cambridgeshire Constabulary, was received on 23 April 2015.</p> <p>A representation in support of the review and recommendations had been received from the Licensing Authority. Additional representations in support of the review had also been received from Safer Peterborough Partnership, supplementary information in the form of a witness statement from the police and Immigration Enforcement.</p> <p>Representations were received from other persons in writing in the form of two petitions, one with 17 names and one with 20 names.</p>

	<p>A summary of the issues raised within the representations included:</p> <ul style="list-style-type: none"> • Breach of Crime and disorder objective for employing illegal workers at the premises; • Section 11.27 and 11.28 of Guidance recommends revocation where the objectives are undermined through the premises being used to further crimes; • Illegal working had harmful social and economic effects in the UK, exploiting migrant workers and undercutting other businesses operating within the law; • Questioning the management’s ability to promote the licensing objectives; • Complaints from residents received alleging trading past authorised hours and unreasonable disturbance caused by the premises; • Allegations of anti-social behaviour, drug problems, litter, noise disturbance causing sleep deprivation, all associated with the premises and its patrons; and • Operating too late for a residential area.
<p>3.6 Licensing Objective(s) under which representations were made</p>	<p>1. The Prevention of Crime and Disorder</p>
<p>3.7 Parties/Representatives and witnesses present</p>	<p><u>Applicant / Responsible Authority</u></p> <p>PC Robinson, who presented the case on behalf of Cambridgeshire Constabulary.</p> <p><u>Responsible Authorities</u></p> <p>Donna Hall, who was present on behalf of the Licensing Authority.</p> <p><u>Other Persons</u></p> <p>Patrick Rush, who was present on behalf of Immigration Enforcement.</p> <p>Gulshad Khan, who was present as other persons. Gulshad Khan was also present on behalf of Butal Rafique.</p> <p><u>Licensee / Representative</u></p> <p>Mr Hussain, the Licensee was not in attendance. There was no representative in attendance on behalf of Mr Hussain.</p>
<p>3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters</p>	<p>The Sub-Committee, agreed to permit the submission of a letter and petition from the Licence Holder as supplementary information.</p>

3.9 Oral representations

The Regulatory Officer addressed the Sub-Committee and outlined the main points with regards to the application.

Applicant / Responsible Authority

PC Robinson addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee were as follows:

- There had been a breach to the licensing objectives crime and disorder for employing people that were not entitled to work in the UK;
- The police executed a warrant following the inspection by Immigration which had resulted in the arrests of four people;
- The four persons arrested had since been exported;
- A fine had been submitted to the license holder for the employment of immigrant workers;
- There were drug activities in the area, however, the activity could not be solely attributed to the Madina restaurant;
- The police had liaised with licensing in regards to reported noise disturbances; and
- Requests had been made to the premises to ensure that their CCTV was in good working order.

Responsible Authority – Licensing Authority

The Public Protection Manager addressed the Sub-Committee. The key points raised during her address, and following questions from the Sub-Committee, were as follows:

- A number of concerns in regards to the management of premises in order to uphold the licence objectives had been raised with the team; and
- A review application had been made by the police.

Other Persons – Patrick Rush, who was present on behalf of Immigration Enforcement

Patrick Rush addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee, were as follows:

- Immigration had visited the Madina Kebab house following reports of community tensions;
- Threats were made by Madina staff towards the agency officers during a first visit which led to the officers withdrawal from premises;
- At the time of the first visit there had been seven people suspected to be immigrant workers at the Madina premises;
- The seven people identified were cross referenced by use of the immigration database, which identified 4 illegal immigrants;
- A further visit to the premises was made, which was supported by the Licensing Team on 13 March 2015;
- The 13 March 2015 visit made by immigration and the Licensing Team found that there were Pakistan nationals at the Madina premises that were not entitled to work in the United Kingdom;

	<ul style="list-style-type: none"> • The owner could not provide paperwork accompanied with photographic evidence for the British national workers; and • A referral noticed with a potential fine of up to £80,000 was issued to the premises owner for non-compliance of being able to produce documentation and for the illegal migrant workers identified. <p><u>Other Persons – Gulshad Khan, Local Resident</u></p> <p>Mrs Gulshad Khan addressed the Sub-Committee. The key points raised during her address, and following questions from the Sub-Committee, were as follows:</p> <ul style="list-style-type: none"> • Mrs Gulshad Khan lived next door to the Madina takeaway and had experienced significant disturbance to the family, in that her five children were subjected to regular patterns of broken sleep as a result of the noise omitting from and around the Madina takeaway; • The disturbances had been reported to the police, which had resulted in warnings issued to the premises; • People had frequented the area from around 1 to 1:30am, which surrounded the Madina premises; • The noise disturbance experienced had also included moving furniture in the Madina kitchen and arguments between staff, which could be heard for a period of time after 10pm; • The owner Mr Hussain had been contacted by neighbouring residents on various occasions to talk through and resolve the issues being experienced, however, in response, Mr Hussain would be rude and would antagonise the neighbours further by turning up music; • Following the residents attempts to approach the Madina owner Mr Hussain in order to discuss the issues being experienced, their cars would be found damaged the following day; • Other concerns raised with the premises owner (Madina) was with regard to vehicle horns sounding directly outside Mrs Gulshad’s house; and • Residents of the area would like the premises not to operate so late. <p><u>Summing Up</u></p> <p>All parties were given the opportunity to summarise their submissions and there were no further comments made by any party.</p>
<p>3.10 Written representations and supplementary material taken into consideration</p>	<p><u>Applicant / Responsible Authority – Cambridgeshire Police</u></p> <p>Consideration was given to the application submitted by Cambridgeshire Police and attached to the Sub-Committee report.</p> <p><u>Responsible Authorities</u></p> <p>Consideration was given to the written submissions attached to the Sub-Committee report from the Licensing Authority.</p> <p><u>Other Persons</u></p> <p>Consideration was given to the written submissions attached to the Sub-Committee report from Immigration Enforcement, witness statement from</p>

	<p>Police Sergeant Pryke on behalf of Op Can Do, Mr Shariq Khan, Mrs Gulshad Khan and two petitions which contained 37 signatures.</p> <p>Licensee</p> <p>Consideration was given to the supplementary information submitted on the day of the hearing and attached at appendix 1.</p>
3.11 Facts/Issues in dispute	<p><u>Issue 1</u></p> <p>Whether the review application would further support the ‘Prevention of Crime and Disorder’ Licensing Objective.</p>
4. Decision	<p>The Sub-Committee listened to all the evidence put before it and also took into account the contents of the application and all representations and submissions made in relation to it. The Sub-Committee found as follows:-</p> <p>The Sub-Committee considered the representations made and in writing from:</p> <ul style="list-style-type: none"> • Immigration Enforcement; • Licensing Authority as a Responsible Authority; and • Other persons, especially residents who attended and spoke clearly and credibly about the problems they are experiencing. <p>Immigration Enforcement Officer Mr Patrick Rush told the Committee that on 13th March 2015 in a joint operation with the Police, he attended the premises and found that there were four illegal migrants who were working at the premises unlawfully. The licence holder was invited to attend but declined.</p> <p>A previous visit by Immigration Enforcement Officers on 17 December 2014 was abandoned due to threats of violence made by persons unknown at the premises. Before officers left the premises they were able to establish that up to seven workers were illegal migrants who were working unlawfully.</p> <p>Mr Rush informed the Committee that such workers were exploited by their employers and often were not paid the minimum wage. This allowed an unfair advantage over legitimate traders. HMRC were unable to collect revenue from such operations thus depriving the public purse of legitimate taxation. Also, there was little compliance to health and safety regulation.</p> <p>In the statement of Police Sergeant K Pryke, he stated that the premises was located in the heart of a residential area and the premises was associated with anti-social behaviour late at night. Youths tended to gather around the premises adding to noise nuisance and disturbance to residents. In his opinion, residents felt intimidated by these groups.</p> <p>The Public Protection Manager of Peterborough City Council informed the Sub-Committee that the premises often traded previously after 11pm without being licensed. There is an allegation of selling hot food at 3am. On being licensed, the premises continued to trade past its licensable hour of 1am.</p>

On 19th March 2015, the Food Safety Team attended the premises for a routine inspection. They found little evidence of food safety compliance and no documented food hygiene safety system.

Also, there had been a pattern of non-compliance with legal requirements and poor management practices.

Safer Peterborough Partnership supported the review but did not expand further.

Local residents informed the Committee that there has been a history of noise nuisance, anti-social behaviour and intimidation. Cars arrived late at night, often with loud music coming from within, groups of young men gathered around the premises making noise, and vehicles in the immediate vicinity had been damaged. Many residents were fearful when it came to complaining.

A petition was included in the review documents signed by some thirty seven residents also complaining of noise disturbance and other anti-social behaviour.

The licence holder, Mr A Hussain, did not attend the hearing but did submit a statement and a petition signed by some seventy four people in support of his business. Although the petition was presented beyond the end of the period for making representations, the Sub-Committee agreed to consider it as supporting information on behalf of the licence holder in the interests of fairness.

Mr Hussain stated in his statement that the employment of four illegal workers was an oversight and he should have been more vigilant.

He also stated that he was also a victim and has been verbally abused. He denied the allegations of the residents, he stated that he was complying, or at least attempting to, with his licence conditions and other regulations.

He made no mention of the previous visit to his premises made by immigration Enforcement Officers in December 2014.

In its deliberations, the Sub Committee gave consideration to the facts submitted, those being:

- Breach of Crime and disorder objective for employing illegal workers at the premises;
- Previous history of illegal workers at the premises;
- Section 11.27 and 11.28 of Guidance recommended revocation where the objectives were undermined through the premises being used to further crimes;
- Illegal working has harmful social and economic effects in the UK, exploiting migrant workers and undercutting other businesses operating within the law;
- Questioning the management's ability to promote the objectives;
- The complaints from residents received alleged trading past authorised hours and unreasonable disturbance caused by the premises; and

	<ul style="list-style-type: none"> Allegations of anti-social behaviour, litter, noise disturbance causing sleep deprivation, all associated with the premises and its patrons. <p>The Sub Committee considered the licence holder's supporting statement and the attached petition (Appendix 1). On balance, the Sub-Committee attached more credibility to the evidence of the Responsible Authorities and residents.</p> <p>The Sub-Committee noted that revocation was recommended by officers. The Sub-Committee attached significant weight to the representations of the Police and other Responsible Authorities, and to the residents.</p> <p>The Sub-Committee concluded that within the community this premises was problematic.</p> <p>The Sub Committee considered such steps as appropriate to promote the licensing objectives. The steps were:</p> <ul style="list-style-type: none"> to modify the conditions of the premises licence; to suspend the licence for a period not exceeding three months; or to revoke the licence. <p>The Sub-Committee's decision was to revoke the licence in its entirety for the premises, known as Madina Kebab House – 65 Gladstone Street, Millfield, Peterborough, PE1 2BN.</p> <p>The Sub-Committee did not consider that additional conditions or modification of existing conditions would resolve the issues at the premises, nor would any period of suspension. Due to the history of non-compliance and the failure to abide by statutory provisions associated with premises, the Sub-Committee did not believe that the business was being run properly or responsibly, and it had been more likely than not, based on the facts and submissions before the Sub-Committee, that the premises under the current management would continue to be problematic.</p> <p>The Sub-Committee adjourned at 11:40am for 20 minutes to allow the applicant and representatives to be present for the next hearing.</p>
5. Application	New Premises Licence – Nectar Stanground, 2 Central Square, Stanground, Peterborough, Cambridgeshire, PE2 8RH
5.1 Application Reference	071225
5.2 Sub-Committee Members	Councillor Davidson (Chairman) Councillor Coles Councillor Shabbir
5.3 Officers	Darren Dolby, Regulatory Officer – Licensing Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Karen S Dunleavy Democratic Services Officer – Clerk to the Sub-Committee
5.4 Applicant	Polish Deli Peterborough Ltd

<p>5.5 Nature of Application</p>	<p><u>Application Type</u></p> <p>Application for a new premises licence.</p> <p><u>Authorisations and Times Applied For</u></p> <ul style="list-style-type: none"> • Sale of alcohol for consumption off the premises <p>Monday to Saturday 09.00 to 22.00 Sunday 10.00 to 22.00</p> <ul style="list-style-type: none"> • Hours premises are open to the public <p>Monday to Saturday 09.00 to 22.00 Sunday 10.00 to 20.00</p> <p><u>Summary of New Premises Licence Application</u></p> <p>In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for Nectar Stanground, 2 Central Square, Stanground, Peterborough, Cambridgeshire, PE2 8RH, which had attracted representations in objection to the application, the Licensing Authority was required to hold a hearing.</p> <p>A summary of the issues raised within the representations included:</p> <ul style="list-style-type: none"> • It was felt by residents that there were already sufficient premises in the area where alcohol could be purchased; • The premises was on a school route which could lead to an increase in underage consumption of alcohol; and • The premises would be detrimental to the visual appearance of the area.
<p>5.6 Licensing Objective(s) under which representations were made</p>	<ol style="list-style-type: none"> 1. The Prevention of Crime and Disorder 2. The Protection of Children from Harm 3. The Prevention of Public Nuisance 4. The Protection of Public Safety
<p>5.7 Parties/Representatives and witnesses present</p>	<p><u>The Licensing Authority</u></p> <p>The Licensing Officer, who presented the case on behalf of the Licensing Authority.</p> <p><u>Applicant</u></p> <p>Mr Yuriy Zhuravel, the Applicant, and Mr Robin Howard, the Applicant's Representative.</p>
<p>5.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters</p>	<p>There were no pre-hearing considerations.</p>

5.9 Oral representations

The Regulatory Officer addressed the Sub-Committee and outlined the main points in regards to the application. The key points raised in his address included:

Applicant/Representative

Mr Howard, the applicant's representative, addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee were as follows:

- A plan of the building was distributed to the Sub-Committee, which demonstrated how the premises would be set out to resemble a small supermarket;
- There would be a large amount of CCTV surveillance cameras placed in strategic places throughout the premises to deter crime;
- The beer and wines would be refrigerated, with spirits located behind a counter;
- The applicant wished to include the sale of alcohol within the times stated with reduced times offered on the weekends;
- The premises would have a similar set up to the premises already in operation by the applicant on Bourges Boulevard and in Huntingdon;
- There had been no operational issues raised or reported to the authorities in respect of the Bourges Boulevard and Huntingdon premises;
- A book would be kept to record circumstances where the sale of alcohol to customers had been refused;
- The applicant was aware of the main points made within the representations against granting the licence, and noted that the information provided had not been a licensing consideration;
- It would be a rebuttable presumption that the premises would impact on the area even if a saturation policy was in place;
- Central Square was located near bus stops and schools, where a Tesco's store had also operated;
- Alcohol would not be sold to young people under the permitted age and if they persisted in their attempts, they would be refused entry to the shop;
- The shop would run short operating hours in comparison to most premises;
- The petitions signed by local residents did not align in with the four licensing objectives;
- There would be a varied amount of products in sale at the premises; however there was no intention to sell cheap alcohol;
- The premises staff would regularly inspect and clean any rubbish from around the shop;
- Only fully trained staff would be permitted to sell alcohol. Any new staff would also be trained in the sale of alcohol;
- A training record would be kept on;
- There would be no sales of promotional packs of beer and it was envisaged that the average abv would not exceed 5%.

Other Persons – Mr Colin Blackman

Mr Colin Blackman, addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee were as

	<p>follows:</p> <ul style="list-style-type: none"> • Mr Blackman had signed the petition over a month ago; • There was no objection to the premises selling a wide range of delicacies; • There was a pub located near the premises, namely, 'The Whistle', which sold alcohol all day; • There had been objection made towards another establishment selling alcohol in the area due to the fact that a Tesco's was located on the main road and a garage was located on Lawson Avenue that already sold alcohol; • Residents did not want the sale of alcohol located so near to a school; • A concern was raised that Central Avenue Stanground, may become saturated with establishments such as in the Millfield area of Peterborough, if the Sub-Committee was minded to grant the premises licence; • There had already been an issue with litter in the area; • There was a concern that people would frequent the area after 10pm as a result of the sale of alcohol; • There was a strong feeling that the premises should only be permitted to sell food; and • There were 72 petitioners against the application. <p><u>Summing Up</u></p> <p>All parties were given the opportunity to summarise their submissions and there were no further comments made by any party.</p>
<p>5.10 Written representations and supplementary material taken into consideration</p>	<p><u>Applicant</u></p> <p>Consideration was given to the application for a Premises Licence, attached to the Sub-Committee report.</p> <p><u>Responsible Authorities</u></p> <p>Consideration was given to the written submission attached to the Sub-Committee report from four Responsible Authorities.</p> <p><u>Other Persons</u></p> <p>Consideration was given to the representation made in the form of a petition from some 72 residents.</p>
<p>5.11 Facts/Issues in dispute</p>	<p><u>Issue 1</u></p> <p>Whether the premises licence application would further support the 'Protection of Children from Harm' Licensing Objective.</p>
<p>6. Decision</p>	<p>The Sub-Committee listened to all the evidence put before it and also took into account the contents of the application and all representations and submissions made in relation to it. The Sub-Committee found as follows:-</p>

The Sub-Committee considered the petition in objection to the grant of a premises licence. Residents appeared to be concerned about the number of licensed premises in the area and the risk of underage alcohol sales.

One resident attended and spoke of the risk of underage sales and that there were sufficient outlets to purchase alcohol.

The Applicant's representative informed the Committee that the premises went beyond a shop, it was a supermarket with strict controls, a "Challenge 25" policy and a very robust CCTV system. The Applicant operated another supermarket in Peterborough and there had been no complaints from the Police.

The Committee considered the representations made today against the application. A summary of the issues raised included:

- Already sufficient premises in the area where alcohol can be purchased;
- Premises was on a school route which could lead to an increase in underage consumption of alcohol; and
- Detrimental to the visual appearance of the area.

The Sub-Committee had taken account of the Government Guidance and the Council's own Licensing Policy. The Committee accepted that there was a presumption to grant unless there were sound reasons backed by evidence to rebut this presumption.

The Sub-Committee believed that the Applicant's operating schedule was sufficiently robust to meet residents' concerns.

The Applicant operated another similar premises. There were no objections from any Responsible Authorities. The Applicant intended to operate a "challenge 25" initiative.

The Sub-Committee disregarded irrelevant considerations such as "need" and "saturation" in this case.

The Sub-Committee also gave consideration to the various options in order to promote the licensing objective as follows:

- 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, where there are more than one licensable activity and as appropriate; and
- Decide to refuse to grant the licence.

The Sub-Committee therefore granted the application for the premises licence as applied for.

The Sub-Committee advised that any party in objection to the decision could appeal to the Peterborough Magistrates Court within 21 days of receiving the formal decision notice.

Chairman
Start 10:30 am–Finish 1:07pm

Meeting of the Licensing Act 2003 Sub-Committee
 held at the Town Hall, Peterborough on Thursday, 9 July 2015

RECORD OF DECISION

1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	There were no declarations of interest.
3. Application	Review of Premises Licence – Baltia Off Licence - 148/150 Huntly Grove, Peterborough, PE1 2QN
3.1 Application Reference	MAU 071435
3.2 Sub-Committee Members	Councillor Thacker MBE (Chairman) Councillor Coles Councillor Herdman
3.3 Officers	Darren Dolby , Regulatory Officer – Licensing Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Karen S Dunleavy, Democratic Services Officer – Clerk to the Sub-Committee
3.4 Applicant	Cambridgeshire Constabulary
3.5 Nature of Application	<p><u>Application Type</u></p> <p>Review of Premises License.</p> <p><u>Summary of Review Application</u></p> <p>In accordance with section 51 of the Licensing Act 2003, following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority was required to hold a hearing.</p> <p>The application to review, served by Constabulary, was received on 20 March 2015.</p> <p>A representation in support of the review and recommendations had been received from Trading Standards, as Responsible Authorities. No other representations had been received from any of the remaining Responsible Authorities.</p> <p>A summary of the issues raised within the representations included:</p> <ul style="list-style-type: none"> • Illicit tobacco and cigarettes found hidden in the premises. • The DPS had a premises licence application for another premises refused by the Licensing Act 2003 Sub Committee in September 2013. This was after a representation from Trading Standards after

	<p>seizures of illicit alcohol and cigarettes and the premises.</p> <ul style="list-style-type: none"> • Section 11.28 of Guidance (issued under section 182 of the Licensing Act 2003) recommends that revocation of the licence even in the first instance, should be seriously considered where reviews arise and the licensing authority determines, that the crime prevention objective is being undermined through the premises being used to further crimes. • Impact on Public Safety as the illicit cigarettes breach EU Standards which is an offence under UK regulations requiring traders to supply safe goods. • The distribution and sale of illicit goods is linked to serious and organised crime <p>Further representations from the Eastern Neighbourhood Delivery Team. A summary of the issues raised included:</p> <ul style="list-style-type: none"> • Breach of the Crime and disorder objective.
3.6 Licensing Objective(s) under which representations were made	1. The Prevention of Crime and Disorder
3.7 Parties/Representatives and witnesses present	<p><u>Applicant / Responsible Authority</u></p> <p>Grahame Robinson, who presented the case on behalf of Cambridgeshire Constabulary</p> <p><u>Responsible Authorities</u></p> <p>Karen Woods, who was present on behalf of Trading Standards.</p> <p><u>Licensee / Representative</u></p> <p>Ian Jones, the Licence Holder's Representative was in attendance.</p>
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	There were no pre-hearing considerations.

3.9 Oral representations

The Regulatory Officer addressed the Sub-Committee and outlined the main points with regards to the application.

Applicant / Responsible Authority– Cambridgeshire Constabulary

Grahame Robinson addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee were as follows:

- There were suspicions that the licensee had connections with Euroshop, this could not be confirmed as there was no evidence.
- Although the tobacco and molasses were a flavoured product they were still required to be duty paid, this was the reason for confiscation.
- The issue was with the counterfeit illicit items and suspicions that the Designated Premises Supervisor (DPS) was not fit and proper to sell alcohol at the premises in question.
- Depending on the outcome of the review, there would be a pending application made to transfer the license in to the sole name of the DPS with some safeguards attached to reassure the police of proper conduct.
- The police would make suitable representation against any further application made by the DPS.

Licensee

Ian Jones, addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee, were as follows:

- The items found inside the premises were for personal use not sale.
- The bottles of alcohol found in the freezer were for the use at Mr Jabar's birthday party, which was going to take place on the evening of the raid. This was evidenced with a copy of Mr Jabar's driving license.
- The DPS had no involvement in the possession of the illicit goods and felt that this was a matter of great concern as she made a living from the premises.
- The DPS was prepared to ban Mr Jabar from having access to the premises during and outside of operational hours and understood that if items were to come on to the premises without her knowledge or involvement there would be harsh consequences. She was also aware that responsible authorities would be keeping a close eye on the premises if she was allowed to retain her license.
- The quantities of illicit goods found on the property were relatively small and consistent with personal use.
- The DPS was no longer emotionally associated with Mr Jabar.
- Could the Sub-Committee consider that as there was no evidence that the DPS was not involved directly with the presence of contraband items in the premises and be invited to listen what the DPS was now prepared to action to ensure that the license did not have to be revoked, including extra conditions imposed on the license or to suspend the license for a period of time.
- The DPS would be able to take on the premises license, without any involvement of Mr Jabar and be personally responsible to ensure

	<p>there was no involvement with contraband goods in future.</p> <ul style="list-style-type: none"> • A copy of Mr Jabar’s driving license and an authority document was circulated round the Sub-Committee. • Grahame Robinson addressed the Committee and advised that the premises was located in the Can Do area. • Mr Jabar and Mr Jabari were brothers. • Mrs Siatkiene had previously applied for a premises license for the Euroshop, which was strongly objected. • There had not been any requests made by any person connected to the premises for the seized goods to be returned by HMRC. • The DPS was not responsible for the conduct of alcohol on the first occasion when the license was reviewed, as she was the owner of the premises and not the premises license holder. She was in a joint venture at the time with Mr Jabar. Now that she was no longer associated with Mr Jabar, it would be desirable for Mrs Siatkiene to take over the running of the premises and remove Mr Jabar from having any involvement with the premises, as she had a personal license. <p><u>Summing Up</u></p> <p>All parties were given the opportunity to summarise their submissions and there were no further comments made by any party.</p>
<p>3.10 Written representations and supplementary material taken into consideration</p>	<p><u>Applicant / Responsible Authority – Cambridgeshire Constabulary</u></p> <p>Consideration was given to the application submitted by Cambridgeshire Constabulary and attached to the Sub-Committee report.</p> <p><u>Responsible Authorities</u></p> <p>Consideration was given to the written submissions attached to the Sub-Committee report from Trading Standards a Responsible Authority.</p> <p><u>Other Persons</u></p> <p>Consideration was given to the written submissions attached to the Sub-Committee report from Eastern Neighbourhood Delivery Team.</p>
<p>3.11 Facts/Issues in dispute</p>	<p><u>Issue 1</u></p> <p>Whether the review application would further support the ‘Prevention of Crime and Disorder’ Licensing Objective.</p>

4. Decision

The Sub-Committee listened to all the evidence put before it and also took into account the contents of the application and all representations and submissions made in relation to it. The Sub-Committee found as follows:-

The Committee considered the representations made today in relation to the application. A summary of the issues raised included:

- Illicit tobacco and cigarettes found hidden in the premises;
- The DPS had a Premises Licence application for another premises refused by the Licensing Act 2003 Sub-Committee in September 2013. This was after a representation from Trading Standards after seizures of illicit alcohol and cigarettes on the premises;
- Section 11.28 of Guidance (issued under section 182 of the Licensing Act 2003) recommends that revocation of the licence even in the first instance, should be seriously considered where reviews arise and the licensing authority determines, that the crime prevention objective is being undermined through the premises being used to further crimes;
- Impact on Public Safety as the illicit cigarettes breach EU Standards which is an offence under UK regulations requiring traders to supply safe goods; and
- The distribution and sale of illicit goods is linked to serious and organised crime.

The Sub-Committee considered such steps as appropriate to promote the licensing objective, of the prevention of crime and disorder. The steps were:

- to modify the conditions of the Premises Licence;
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor from the licence;
- to suspend the licence for a period not exceeding three months; or
- to revoke the licence.

The Sub-Committee acknowledged that this review was for a different premises and that Mr Saade Jalal Jabar was not the Premises Licence holder or the designated premises supervisor, but the Sub Committee did believe that he was a controlling influence on the business and took into account his association with the premises.

The Sub-Committee cast doubt on the true motives behind the licence transfer in March of this year and believed that it was not for legitimate business reasons.

The Sub-Committee believed that the business was being operated by the DPS and Mr Saade Jalal Jabar without any responsibilities under the Licensing Act resting on Mr Marwan Jalal Jabari

The transfer of the licence and the lack of accountability demonstrated that these premises went against the spirit of the Licensing Act and was a manipulation designed to promote dishonesty and criminal activity.

The Government guidance stated that 11.26 *Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken*

in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

11.27 *There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. This includes: for the sale or storage of smuggled tobacco*

11.28 *It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.*

The Sub-Committee attached little credibility to the submissions made by Counsel on behalf of his client.

The Sub-Committee believed that the DPS should have acted with greater responsibility given her previous history associated with illicit goods. The Sub-Committee believed that the controlling mind behind the business was in fact Mr Saade Jalal Jabar and that Mr Marwan Jalal Jabari, brother to Mr Saade Jalal Jabar, had no control or influence whatsoever in the running of the business.

The Sub-Committee considered removing the DPS from the premises, to suspend the licence for a period not exceeding three months and to amend the conditions.

The Sub-Committee did not believe that any step other than revocation would be sufficient to promote the licensing objective of the prevention of crime and disorder.

The Sub-Committee therefore revoked the licence for the premises, known as Baltia Off Licence - 148/150 Huntly Grove, Peterborough, PE1 2QN, in its entirety.

The Sub-Committee advised that any party in objection to the decision could appeal to the Peterborough Magistrates Court within 21 days of receiving the formal decision notice.

Chairman
Start 1.30pm – Finish 3.11pm

LICENSING COMMITTEE	AGENDA ITEM No. 4
3 SEPTEMBER 2015	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor North, Cabinet Member for Communities and Environment Capital	
Contact Officer(s):	Regulatory Officer Ian Robinson Public Protection Manager Donna Hall	Tel. 453541 Tel. 453502

APPEAL AGAINST REFUSAL OF STREET TRADING CONSENT

RECOMMENDATIONS	
FROM : Licensing Department Regulatory Officer Ian Robinson	Deadline date : N/A
Members are asked to consider and determine an appeal from Ms Malayeka Sultan against the refusal of a street trading consent for 5 Field Walk, Peterborough.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Licensing Committee following a request from Ms Malayeka Sultan to appeal the Licensing Department's decision to refuse to grant street trading consent for a Fruit and Vegetable Stall at the rear of 5 Field Walk.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to enable the Committee to consider the original Licensing Department's decision in line with Ms Malayeka Sultan's appeal and decide if consent should be granted.
- 2.2 This report is for the Licensing Committee to consider under its Terms of Reference No. 4.2.1.3 and 2.4.4.3, 'Licensing Market and Street Trading'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. HISTORY

- 4.1 Field Walk backs onto the Wellington Street Car Park, where a car boot sale is held every Sunday. Reports were received by the Licensing Department concerning two residents in Field Walk offering goods for sale to the public every weekend. The residents were clearly capitalising on the nearby boot sale trade.
- 4.2 A number of complaints were subsequently received from Mr Tony D'Alessio - the Manager of the legitimate Car Boot Sale, a local resident and Parking Services concerning issues surrounding these two addresses. Parking Services have had to divert resources to the area and a number of fixed penalty tickets were issued.
- 4.3 Investigating officers identified two addresses that were involved in unlicensed street trading in Field Walk, one of which was No.5 Field Walk. Ms Sultan was selling fruit and vegetables from a stall at the rear of the location, whilst the occupant of 9 Field Walk was

selling a wide range of second hand household items, including electrical equipment. Ms Sultan is not a resident of Field Walk and was trading at the rear of a family friend's address. Both addresses were clearly trading.

- 4.4 Both unlicensed traders were advised they could not legally sell items to the public without first being in possession of the necessary legal consent and permissions.
- 4.5 Ms Sultan submitted an application to be granted a street trading consent on the 26th May 2015. Following a consultation, her application was refused by Public Protection Manager Donna Hall.
- 4.6 Following refusal of consent to trade outside 5 Field Walk, Ms Sultan submitted an appeal. Although in law there is no right of appeal following refusal, the council previously resolved to give those refused, a right of appeal through Licensing Committee.
- 4.7 Ms Sultan (the Appellant) and Mr Ahmed (9 Field Walk) have supplied a number of supporting letters, including a petition of 48 signatures (**Appendix C**). The petition requires the signatory to sign that they have not complained of any noise or parking issues pertaining to Ms Sultan trading at the location, however it is worthy of note that only six of the signatories reside in Field Walk, the bulk live nowhere near and it is believed that they would not be in a position to genuinely comment on how it affects the life of the local residents.
- 4.8 Checks also indicate that Ms Sultan has not registered as a food business with the council. Registration of premises used for food businesses (including market stalls) is required by law. See e-mail from Regulatory Officer Nichola Russell (**Appendix B**). All businesses should be registered at least 28 days before they start trading.
- 4.9 For the purposes of registration the term 'food' means any substance or product intended to be or reasonably expected to be ingested by people. If you run a food business you must inform the local authority about any premises you use for storing, selling, distributing or preparing food.
- 4.10 Checks with the council's Planning Department also indicate that no attempt has been made to seek planning permission, despite contact with Planning Enforcement. See e-mail from Planning Compliance Officer Tony Whittle (**Appendix B**).
- 4.11 Members are asked to consider and determine an appeal from Ms Sultan against the refusal of a street trading consent for Field Walk, Peterborough, taking into account the following:
 - Initial application from Mrs Malayeka Sultan re the Fruit and Veg stall at the rear of 5 Field Walk. (Includes comments from Regulatory Officer Ian Robinson and Public Protection Manager Donna Hall.) **Appendix A**.
 - Initial application from Mr Ishfaq Ahmed. **Appendix A**.
 - Representation received from Tony D'Alessio – Wellington Street Car Boot Sale Manager. **Appendix B**.
 - Notifications from Regulatory Officer Nichola Russell re failure to register as a food business and Compliance Officer Tony Whittle re failure to apply for the necessary planning permission. **Appendix B**.
 - Representations received from Darren Bell, Parking Operations Manager and Justin Beaumont, City Officer. **Appendix B**.
 - Letters of support and petition for both traders. **Appendix C**.
 - Service Request from Field Walk resident complaining re the activities at both addresses. **Appendix D**.
 - Photograph showing the trading at 5 and 9 Field Walk. **Appendix E**.
 - Letters refusing consent to trade from the Field Walk addresses. **Appendix F**.

Issues raised include:

- Illegal parking
- Noise / disturbance
- Obstruction of the highway, causing issues for other motorists and forcing members of the public to walk on the road to negotiate the obstruction caused by the two traders.
- Failure to register as a food business and therefore failing to allow the Food Safety Team to inspect food storage and handling processes to ensure public safety.
- Approval may set a precedent, allowing other local residents to trade from their home addresses, affecting the look of the area and causing similar issues elsewhere.

5. SUPPORTING INFORMATION

- 5.1 On 19 March 2001, in a review document, the Environment Committee resolved that all streets in Peterborough be designated for the purpose of street trading as consented streets.
- 5.2 The Public Protection Manager Donna Hall and the Head of Regulatory Services Peter Gell have delegated authority to designate consented streets in Peterborough in the absence of objections. This is to account for future growth in the City. In addition the named officers have delegated authority to issue, amend, revoke or refuse street trading consents, other than in the City Centre Pedestrian Area (the latter being delegated to the Head of Transport and Engineering).
- 5.3 The Local Government (Miscellaneous Provisions) Act 1982 (The Act) (Paragraph 7 (2) of schedule 4) states that the Council may grant a consent 'if they see fit'.
- 5.4 There is no statutory procedure outlining how the Authority is to notify the applicant of any objections, however, the applicant must be notified of the substance of any objections to the granting of consent, and given an opportunity to respond to those objections.
- 5.5 The Act does not give a statutory right of appeal in respect of the refusal, revocation or variation of a street trading consent, though the Committee resolved to give those whose applications for street trading consents that were refused, a right of appeal to the Licensing Committee.

6. ALTERNATIVE OPTIONS CONSIDERED

In order to trade legally, Ms Sultan can simply pay for a pitch on the legitimate car boot sale in Wellington Street, or at any other of the city's legitimate Markets or Car Boot Sales. These alternatives have been suggested to the appellant in a bid to assist.

7. IMPLICATIONS

7.1 Community Implications

Street trading significantly impacts upon Peterborough in terms of the services provided, employment opportunities, and the look and feel of the City. It also has an impact on the local environment with issues such as litter, noise, illegal parking and competition to local businesses.

It is believed that granting a street trading consent from domestic addresses would set a dangerous precedent, impacting on the quality of life of local residents. The issues already reported, surrounding the two traders in Field Walk appear to corroborate this.

Whilst we must bear the rights of the appellant in mind i.e. the peaceful enjoyment of possessions, it must also be balanced against the rights of local residents i.e. their right to peaceful enjoyment of possessions and also respect for their private and family life.

7.2 Cross-Service Implications

The illegal trading at the location has increased the drain on council resources. Parking Services have had to divert their Civil Enforcement Officers to address issues at the location. In addition, Justin Beaumont, the City Officer responsible for Markets and Planning Enforcement Officers have also had to attend the location to assess the problem.

7.3 Legal

Guidance has been sought from the Legal Section on the compilation of this report.

8. **BACKGROUND DOCUMENTS**

Parts 3 and 4 of Local Government (Miscellaneous Provisions) Act 1982

NEW STATIC PITCH ACTION SHEET FOLLOWING CONSULTATION

MAU reference number: 071614

NOTIFICATIONS				
List of Consultees	SENT	REPLY	EXPIRY	OBJECTION
Cllr Azher Iqbal	Yes	No	26/6/15	No reply
Cllr Jo Johnson	Yes	No	26/6/15	No reply
Cllr Nabil Shabbir	Yes	No	26/6/15	No Reply
Highways	Yes	Yes	26/6/15	No
For Information Only				
Parking	Yes	Yes		Yes
Planning team	No(aware)	No		
Pollution team	No	No		
Fire authority	No	No		
Police	No	No		

1) Licensing Enforcement Officer Comments:Date Received: 29th June 2015 Date Comments Made: 29th June 2015Reasons for Approval / Disapproval (please circle one)

we have received a number of complaints with regards to this application, ranging from noise, obstructing the view and presence of rubbish etc. It is not appropriate to trade from this address given there is a legitimate car boot sale opposite, that can receive trade from.

Signature: [Redacted] Date referred to Lic Manager: 29th June 2015.

2) Licensing Manager for FINAL DECISION: (Donna Hall)

Date Received: 29/6/15 Date Comments Made: 29/6/15

Reasons for FINAL Approval / Disapproval (please circle one)

Taking into account complaints received that have been investigated by a licensing officer, and concerns from parking services, I do not give approval for this pitch.

Signature: [Redacted]
29/6/15.

SR 703096

APPENDIX A
07/16/14

CLI No..... (Official use only)

**PETERBOROUGH CITY COUNCIL
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 4**

APPLICATION FOR NEW STREET TRADING CONSENT (Consultation)

Important Information

Please ensure that **ALL** sections of this form are fully completed in **BLOCK CAPITALS**, failure to do so will delay your application.

1. MAIN APPLICANT'S DETAILS

Surname: SULTAN.....(Mr/Mrs/Miss/Ms)
Forenames: MALAYEKA
Present Address: 57 LOWICK GARDENS
Post town: PETERBOROUGH Postcode: PE3 7HD
Telephone Numbers: Daytime..... Mobile No ..
Email: malayeka.sultan@gmail.com

2. EMPLOYEE / OTHER PERSONS DETAIL'S i.e. Person/s who are in your employ or standing in for you that may assist you in trading without a further consent being required (Please use a separate sheet if necessary).

Surname:.....(Mr/Mrs/Miss/Ms)
Forenames:.....
Present Address:.....
Post town:..... Postcode:.....
Telephone Numbers: Daytime:..... Mobile No: 07802693533
Email:.....

3. TRADING DETAILS

Vehicle Registration No:..... Trading Location: S FIELD WALK
Trading Name on Unit ..
Registered address where unit is to be kept if different from above S FIELD WALK
EASTGATE PETERBOROUGH

Please state registered owner of the vehicle (If same as applicant please state 'as applicant')

4. DESCRIPTION OF GOODS TO BE SOLD (Please circle relevant items)

Butcher / Bread & Cakes / Chilled Foods / Clothing / Confectionary / Fish & Chips / Flowers & Plants
Fruit & Veg / Glassware/Crystal / Hot & Cold Food / Pet Supplies / Pound Items
Textiles/Soft Furnishings

Other please state:

5. **PRIVATE LAND:** Will you be trading on private land YES/NO? (please circle). If **YES** you must include written authorisation from the land owner with your application.

6. **TRADING TIMES:** Which time band will you be trading in? (Please ✓) 06:00–23:00 23:00–06:00

7. **DAYS OF THE WEEK YOU WISH TO TRADE:** (Circle as appropriate)

Monday Tuesday Wednesday Thursday Friday Saturday Sunday All Days

12. FEES

Application fee (non refundable if unsuccessful)

£160.00

DECLARATION

I HEREBY APPLY for a street trading consent as per the above application.

I enclose the fee of £160.00

Payment may only be made at Bayard Place before 14.00pm and can be made by cash, cheque, credit card/debit card or postal order. Cheques must be made payable to Peterborough City Council.

The application must then be forwarded to Bayard Place with all documents and the receipt. This can be handed into the reception at Bayard Place.

I DECLARE THAT: I have received a copy of the Street Traders Information Pack; I have read the pack and will comply with the Street Trading Legislation.

I understand that it is an offence to make a deliberate false statement on this application form and I declare that to the best of my knowledge and belief, the answers given are true and correct.

Date 26 - May - 2015 Signature

Please print name: MALAYEKA SULTAN

IMPORTANT: Before submitting your application please ensure you have: (Please ✓ each box as appropriate).

- 1. Fully completed your application form?
- 2. Plan showing the proposed location of the unit?
- 3. Written permission from land owner where trading of private land
- 4. Included the correct fee?

If you are now satisfied that your application is complete please send to:

Licensing Team –Governance Directorate Peterborough City Council 1st Floor Bayard Place Broadway Peterborough PE1 1FD	FOR OFFICE USE ONLY: Code E0910 30230 Income: Flare Ref: Letter: Consent: File:
Any queries please telephone: 01733 747474 Fax: 01733 863877 Email: eh@licensing.gov.uk Website: www.peterborough.gov.uk	Payment checked by: Date:

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. We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information, for the same purposes, with other organisations which handle public funds. Further information relating to your rights under the Data Protection Act can be sent to you on request

Ms M. ~~Smith~~ APPENDIX A
57 Lowien Cdn
Westwood
Peterborough
PE3 7ND.

Tel: 07802693533

Planning Dept
Bayard place

Dear Sir/madam

In support of my application for approval of a Sunday car boot at 5 Field Walk East gate (Backyard) Please note that I would like to run this from the back yard of the property mention above on Sundays for 4 hrs weather permitting. I have spoken to all the neighbours who do not seem to have any problems with this, I have make rough sketches of what and where it is.

Please also note that I am aware of all the legal requirements. i.e. no traffic obstructions no noise or rubbish - - - .

My neighbours are very help full and understanding I would be grateful if you can also be the same

and please grant me the permission as ~~APPENDIX A~~ not-
full time.

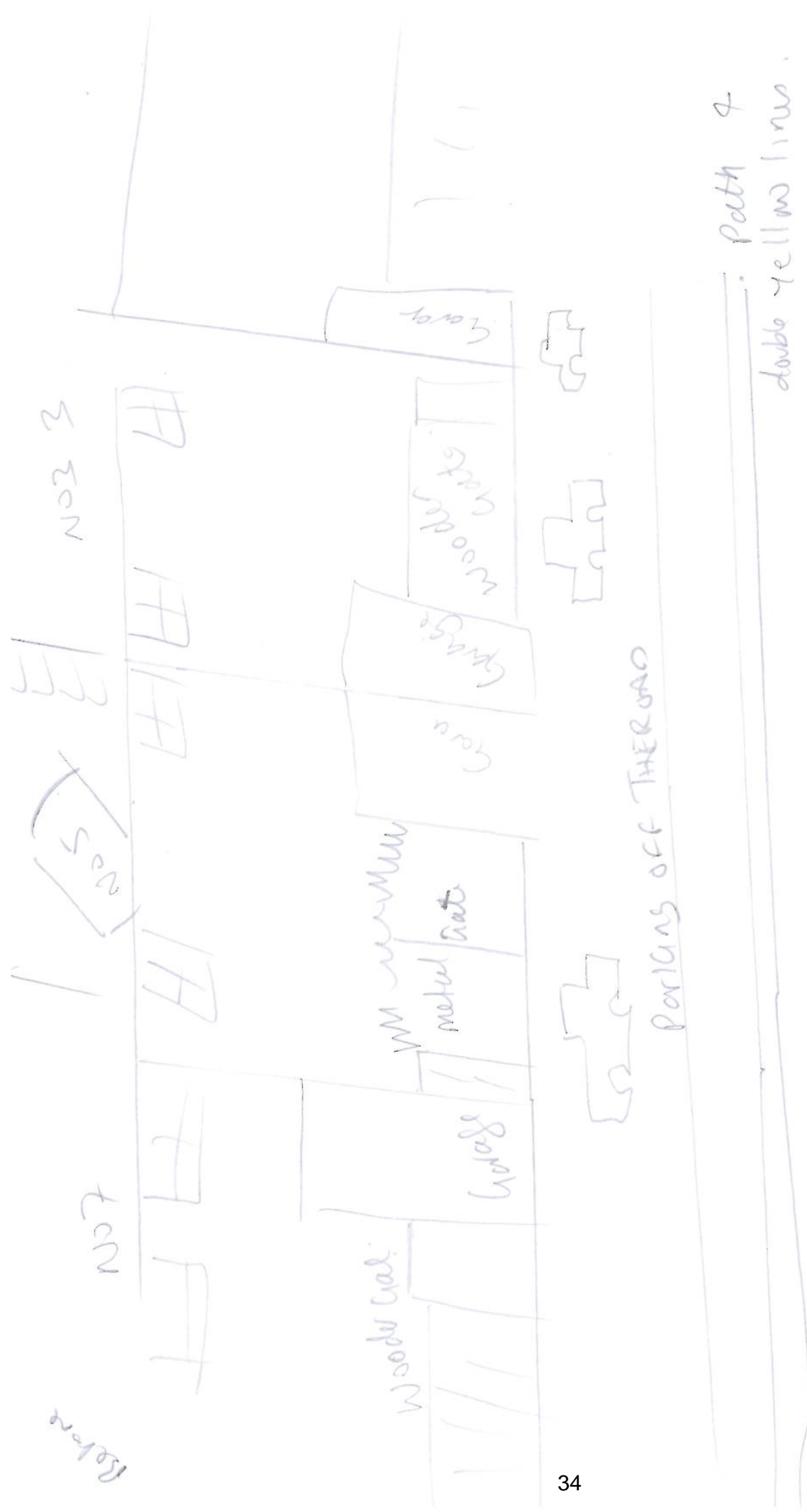
I would have sent this application earlier but
had not managed to get the funds together for the
application.

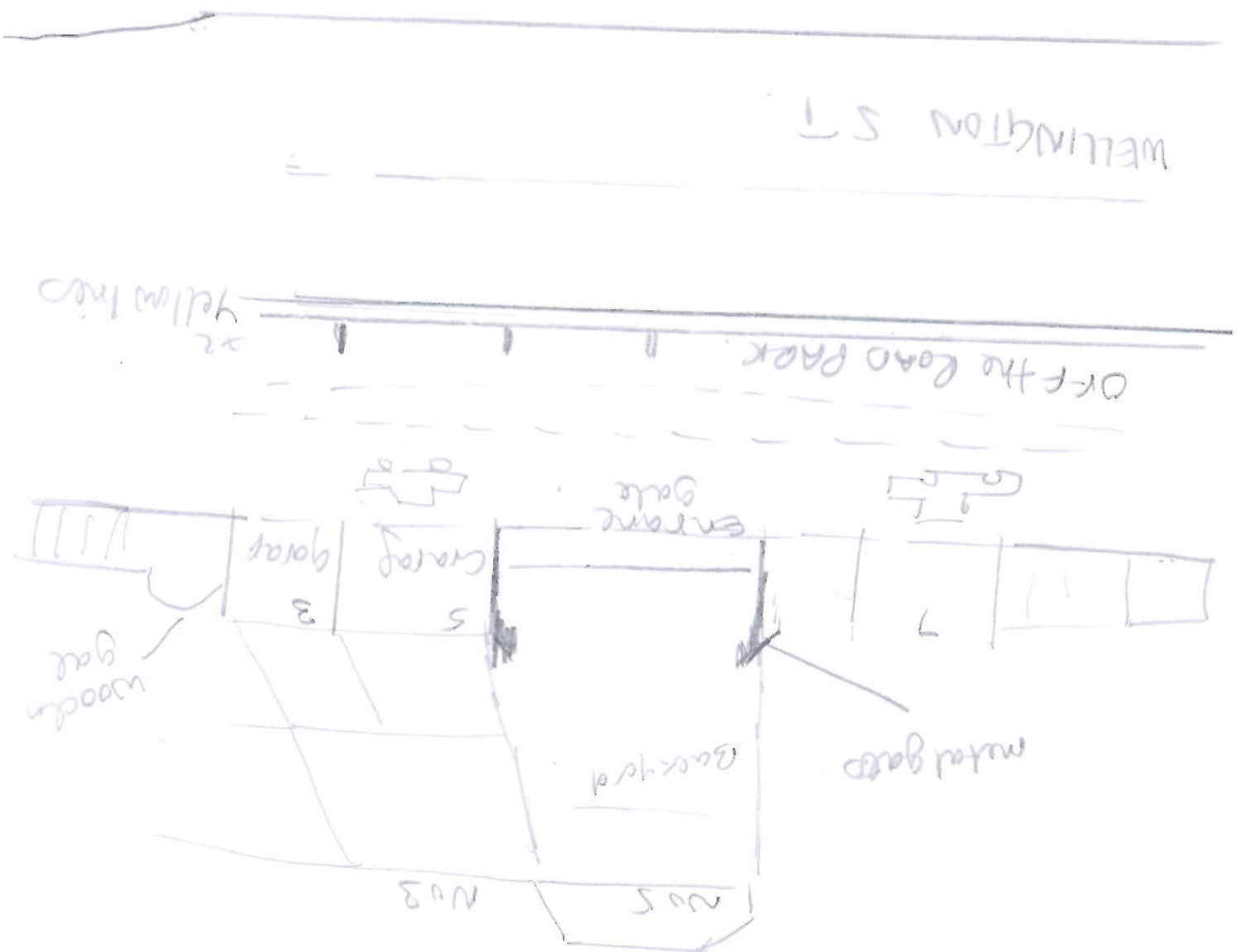
Should you require any more information please
do ask.

Thank you
yours Sincerely

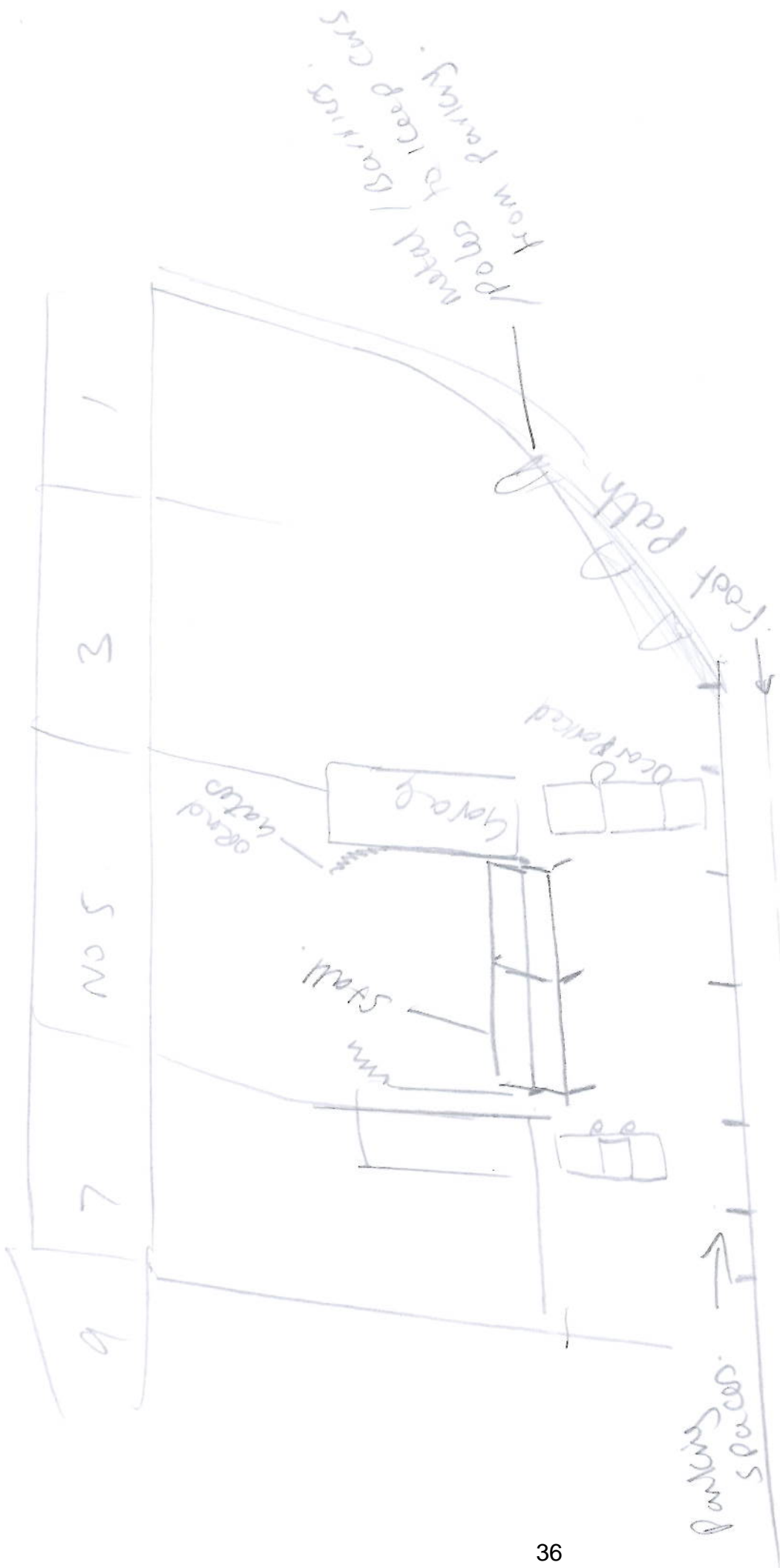
M. Sultan.

P.S please find attached a cheque of £160.00





MY FRUIT & VEG STALL



WELLINGTON ST

CLI No..... (Official use only)

**PETERBOROUGH CITY COUNCIL
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 4**

APPLICATION FOR NEW STREET TRADING CONSENT (Consultation)

Important Information

Please ensure that **ALL** sections of this form are fully completed in **BLOCK CAPITALS**, failure to do so will delay your application.

1. MAIN APPLICANT'S DETAILS

Surname: AHMED..... (Mr/Mrs/Miss/Ms)
 Forenames: ISHFAQ.....
 Present Address: 9 FIELD WALK, EASTGATE.....
 Post town: PETERBOROUGH..... Postcode: PE1 5DP.....
 Telephone Numbers: Daytime: 748701..... Mobile No 07466601173.....
 Email:.....

2. EMPLOYEE / OTHER PERSONS DETAIL'S i.e. Person/s who are in your employ or standing in for you that may assist you in trading without a further consent being required (Please use a separate sheet if necessary).

Surname:..... (Mr/Mrs/Miss/Ms)
 Forenames: AS ABOVE.....
 Present Address:.....
 Post town:..... Postcode:.....
 Telephone Numbers: Daytime:..... Mobile No:.....
 Email:.....

3. TRADING DETAILS

Vehicle Registration No: N/A..... Trading Location: GARAGE OF ABOVE RESIDENCE.....
 Trading Name on Unit.....
 Registered address where unit is to be kept if different from above N/A.....

Please state registered owner of the vehicle (If same as applicant please state 'as applicant')

4. DESCRIPTION OF GOODS TO BE SOLD (Please circle relevant items)

Butcher / Bread & Cakes / Chilled Foods / Clothing / Confectionary / Fish & Chips / Flowers & Plants
 Fruit & Veg / Glassware/Crystal / Hot & Cold Food / Pet Supplies / Pound Items
 Textiles/Soft Furnishings

Other please state: SECOND HAND VARIETY OF BRIC-A-BRAC ELECTRICAL & HOUSEHOLD ITEMS

5. **PRIVATE LAND:** Will you be trading on private land (**YES/NO?** (please circle). If **YES** you must include written authorisation from the land owner with your application.

6. **TRADING TIMES:** Which time band will you be trading in? (Please 06:00–23:00 23:00–06:00

7. **DAYS OF THE WEEK YOU WISH TO TRADE:** (Circle as appropriate)

Monday Tuesday Wednesday Thursday Friday Saturday Sunday All Days

12. FEES

Application fee (non refundable if unsuccessful) **£160.00**

DECLARATION

I HEREBY APPLY for a street trading consent as per the above application.

I enclose the fee of £ _____ *NON - AS PER PCC LETTER*

Payment may only be made at **Bayard Place before 14.00pm** and can be made by cash, cheque, credit card/debit card or postal order. Cheques must be made payable to Peterborough City Council.

The application must then be forwarded to Bayard Place with all documents and the receipt. This can be handed into the reception at Bayard Place.

I DECLARE THAT: I have received a copy of the Street Traders Information Pack; I have read the pack and will comply with the Street Trading Legislation.

I understand that it is an offence to make a deliberate false statement on this application form and I declare that to the best of my knowledge and belief, the answers given are true and correct.

Date 24-6-2015 Signature _____

Please print name: ISHFAR AHMED

IMPORTANT: Before submitting your application please ensure you have: (Please each box as appropriate).

- 1. Fully completed your application form?
- 2. Plan showing the proposed location of the unit? *N/A*
- 3. Written permission from land owner where trading of private land *- N/A*
- 4. Included the correct fee? *- N/A*

If you are now satisfied that your application is complete please send to:

Licensing Team –Governance Directorate Peterborough City Council 1st Floor Bayard Place Broadway Peterborough PE1 1FD	FOR OFFICE USE ONLY: Code E0910 30230 Income: Flare Ref: Letter: Consent: File:
Any queries please telephone: 01733 747474 Fax: 01733 863877 Email: eh@licensing.gov.uk Website: www.peterborough.gov.uk	Payment checked by: Date:

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. We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information, for the same purposes, with other organisations which handle public funds. Further information relating to your rights under the Data Protection Act can be sent to you on request

Robinson Ian

Subject: FW: Illegal Traders

From: Bell Darren
Sent: 22 June 2015 11:15
To: Beaumont Justin; Robinson Ian
Cc: Gillings Adam; Clarke Natasha
Subject: RE: Illegal Traders

Morning,

I had two officers patrolling this vicinity on Sunday and they reported many vehicles stopping to look at these garages, they of course moved the vehicles on from the yellow lines and issued when required. A total of 5 penalties were issued to vehicles the officers believed were in connection with these garages.

Regards,

Darren Bell
Parking Operations Manager
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HJ

Tel: 01733 452375
E-mail: darren.bell@peterborough.gov.uk

Robinson Ian

Subject: FW: Field Walk

From: Bell Darren
Sent: 13 July 2015 09:25
To: Robinson Ian
Subject: RE: Field Walk

Morning Ian,

The traders were not spotted yesterday by the patrolling officers.

The problems they will cause from our point of view is Parking. The traders will be very close to the road and vehicles have been previously spotted parking next to these areas on the double yellow lines, any more than one vehicle stopped and the remaining vehicles then obstruct Wellington Street.

Regards,

Darren Bell
Parking Operations Manager
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HJ

Tel: 01733 452375
E-mail: darren.bell@peterborough.gov.uk

From: Bell Darren
Sent: 10 July 2015 14:51
To: Robinson Ian; Beaumont Justin
Subject: RE: Field Walk

Ian,

I have tasked an officer with taking some pictures this Sunday of the parking issues these traders are causing.

Regards,

Darren

Robinson Ian

From: Beaumont Justin
Sent: 21 June 2015 13:31
To: Robinson Ian
Cc: Gillings Adam; Clarke Natasha; Bell Darren
Subject: Illegal Traders
Attachments: photo.jpg; photo.jpg; photo.jpg

Ian

I visited Wellington Car boot sales yesterday 1210 to have a look for myself at what is going on as a consequence of Mr Dalessio complaining of illegal traders.

He was indeed right and I have taken some pictures. Not the best but it gives you the idea. Number 5 field walk has a fully fledged fruit and veg shop. 5 Asian male serving along with a middle aged peroxide blonde eastern European lady.

Next door garage has a fully fledged electrical equipment shop. I went into the garage and it is packed with electrical equipment of all sorts. Most but not all looked 2nd hand

There was also a good deal of traffic congestion being caused by these traders with people leaving their vehs on double yellows

Justin Beaumont
City Centre Officer
City Operations
Peterborough City Council
Town Hall, Bridge Street
Peterborough
PE1 1HQ

Email: Justin.Beaumont@peterborough.gov.uk
Telephone: (01733) 452217
Mobile number: 07950 854208

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

Please consider the environment before printing this email

Robinson Ian

From: Tony D'Alessio <tonydalessio@sky.com>
Sent: 14 July 2015 16:30
To: Robinson Ian
Cc: Beaumont Justin
Subject: illegal trading from garages in Field Walk Peterborough

Hi Ian,

I can confirm of my concern of illegal trading from Field Walk garages, that front on to Wellington Street.

My main concern is that during these illegal selling activities, there are motorists that are stopping off and parking in Wellington Street which in itself has double yellow lines, there has been an increase in this happening week on week.

These areas of illegal selling are not cordoned off in any way so there is a "health and safety" issue, obviously the pavement outside these garages also get obstructed by potential buyers and motorists.

Peterborough City Council has a potential huge problem if people are allowed to sell from outside these garages, for every time I at the Car Boot Sale have a stall enquiry which I have to reject the answer is always "I'll sell from outside my friends garage".

I also have to shortly apply for "continuation of use" for my car boot sales, I have had to put a lot of money and time to resolve the initial parking problems and the initial residents complaints and I am concerned that if any illegal trading is carried out from these garages this could happen again and "planning" could refuse my application.

It is of my opinion that if P.C.C. gives any applicant permission to sell from these garages it would then set a precedence and it would'nt be long before ALL GARAGES would become "RETAIL SHOPS".

Regards.
Tony



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Robinson Ian

From: Whittle Tony
Sent: 29 July 2015 17:05
To: Robinson Ian
Subject: RE: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Hi Ian,

To date we have not received a planning application for either property.

I will need to send out a reminder as this is standard protocol however I don't expect them to apply.

If we have not received anything after another two weeks we will need to consider instigating formal enforcement proceedings if the use is continuing.

Regards

Tony.

From: Robinson Ian
Sent: 29 July 2015 16:07
To: Whittle Tony
Subject: FW: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Hi Tony, can you advise if there are any updates. I need to progress this for a Licensing Committee Appeal Hearing.

Kind regards, Ian

Ian Robinson

Regulatory Officer - Licensing

Governance Directorate
Peterborough City Council
Town Hall,
Bridge Street,
Peterborough,
PE1 1QT

(01733) 453541

From: Robinson Ian
Sent: 28 July 2015 15:08
To: Barnes Nigel; Whittle Tony
Subject: FW: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Hi, any update re Field Walk?

Kind regards, Ian

Ian Robinson

Regulatory Officer - Licensing

Governance Directorate

Peterborough City Council
 Town Hall,
 Bridge Street,
 Peterborough,
 PE1 1QT

(01733) 453541

From: Barnes Nigel
Sent: 13 July 2015 10:40
To: Robinson Ian
Cc: Jeffs Shirley; Whittle Tony
Subject: RE: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Ian
 I did a site visit to 5 and 9 Field Walk Eastgate on 28.06.2015.

The land at the rear of 5 Field Walk was being used to trade as a veg market stall (the car boot sale was taking place on the car park opposite) A tarpaulin sheet was draped over the open gate and there were 3 trestle table on the car parking space. 2 photos taken The owner arrived and stated they had applied for planning permission but no record found.
 On 29.6.15 I sent a letter to owner further to my meeting on site; no planning application found please end use or apply by 27.7.15
 Tony Whittle, the case officer will check on 28.7.15 to see if an application has been submitted and if not we will need another Sunday site visit.

The land at the rear of 9 Field Walk was NOT being used as a trade stall, but the occupier admitted he has only stopped because licencing stopped him. He will apply for planning permission.
 On 29.6.15 I sent a letter to owner stop or apply by 27.7.15
 Tony Whittle, the case officer will check on 28.7.15 to see if an application has been submitted and if not we will need another Sunday site visit.

If you have any further queries please contact Tony.

Kind Regards

Nigel Barnes
 Team Leader
 Planning Compliance
Planning Services
Town Hall
Bridge Street
Peterborough
PE1 1HF
Nigel.Barnes@Peterborough.gov.uk

Tel 01733 453507
 Fax 01733 453505
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From: Jeffs Shirley
Sent: 10 July 2015 15:44
To: Barnes Nigel
Cc: Robinson Ian
Subject: FW: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Hi Nigel

Can you please update Ian on these cases.

Many thanks Shirley

From: Robinson Ian
Sent: 10 July 2015 14:37
To: Jeffs Shirley
Subject: RE: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Hi Shirley, have your officers progressed this one?

We refused consent to both addresses and one has subsequently appealed our decision. I now have to prepare a report for committee and a view from Planning would be appreciated.

Kind regards, Ian

Ian Robinson

Regulatory Officer - Licensing

Governance Directorate
Peterborough City Council
1st Floor Bayard Place
Broadway
Peterborough
PE1 1FD

(01733) 453541

From: Jeffs Shirley
Sent: 23 June 2015 15:58
To: Robinson Ian
Subject: 5 and 9 Field Walk Eastgate 15/00270/ENFCOU and 15/00271/ENFCOU

Good afternoon Ian

Please find attached acknowledgement letters for the above two enforcement cases.

Kind regards

Shirley Jeffs
Technical Adviser
Planning and Building Control
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HF

01733 453436

Robinson Ian

From: Russell Nichola
Sent: 29 July 2015 15:09
To: Robinson Ian
Subject: Mobile Food Trader

Dear Ian

Following our conversation, I can confirm that Ms Malayeka Sultan at 57 Lowick Gardens is not registered as a food business with Peterborough City Council.

Registration of premises used for food businesses (including **market stalls, delivery vehicles**, and other moveable structures) is required by law. The frequency of the visits will depend on the degree of risk involved.

For the purposes of registration the term '**food**' means any substance or product intended to be or reasonably expected to be ingested by people. This includes alcoholic drinks, chewing gum and any substance including water.

A '**food business**' means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of production, processing and distribution of food.

If you run a food business you must tell (or arrange for someone else to tell) the local authority about any premises you use for storing, selling, distributing or preparing food. Food premises includes restaurants, hotels, cafes, pubs, shops, supermarkets, staff canteens, kitchens in offices, warehouses, guest houses, delivery vehicles, buffet cars on trains, market and other stalls, hot dog and ice cream vans, etc.

If you have any further enquiries, then please do not hesitate to contact me on the details below.

Many thanks

Nichola Russell
Regulatory Officer

Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1FA

Tel: 01733 453553
Fax: 01733 863811
nichola.russell@peterborough.gov.uk

57 Lowick Gardens
Peterborough
PE3 7HD

Licensing
Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough PE1 1FD

6th July 2015

Dear Sir/ Madam

Appeal_Street Trading Consent

This is an appeal against the decision dated 29th June 2015 to refuse consent for street trading at the rear of 5 Field Walk, Peterborough PE1 5DP.

It is disputed that there have been sufficient and/or any noise complaints from householders in the near vicinity of the said premises, in support of which I seek to rely on the attached statement of support which has been signed by local residents.

It is further disputed that there have been sufficient and/or any parking issues in support of which I again seek to rely on the attached statement. Furthermore, there is a designated car park adjacent to the proposed site for which the consent was being sought and which has ample car parking space so I fail to understand how there could be any parking issues by the grant of this consent.

As for the obstruction to the highway. I understand this to relate to the parking issues which I deny but which the council claims may arise which in any event will stand and fall with the parking issue which itself has not been sufficiently established. Further and in the alternative, the intended trade will operate from the rear of the said property and away/off the highway.

In the second part of the second paragraph it is claimed by the council that **(emphasis added)** *'...consent to trade in this location may lead to disruption for local residents and continued, or an increase in road safety issues.'*

This would in the first instance appear to be sheer speculation. Furthermore I fail to understand the basis of this claim made by the council when the local residents are very supportive of my intended business. I have attached letters from the local residents who have invited and encouraged me to trade in the area. The letters are self explanatory and should alleviate this ill founded assumption made by the council. Furthermore, the business is intended to operate off the road and as mentioned in the initial application it is from the rear of a house so will not cause any disruption at all to the residents and/or any continued or increase in road safety issues.

The Licensing Department of Peterborough City Council have failed to substantiate any of the reasons it has given for refusing to grant me consent for street trading.

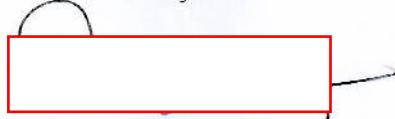
It is questionable how the Licensing Department has arrived at the decision dated 29th June 2015 in light of the evidence submitted herewith. If, as claimed any information has been received by the Licensing Department it is unclear what verifications the said department has undertaken to establish the proximity of the alleged informants to the area in question i.e. 5 Field Walk. It ought to be necessary for the Licensing Department to scrutinise any information it claims to have received as otherwise someone in Australia can allege that there is noise pollution in Field Walk and, as in the present circumstances, override the wishes of the local residents.

I have pursued all appropriate avenues to seek permission to trade and have also provided evidence to support my claim and rebut the unsubstantiated claims made by the Licensing Department of Peterborough City Council.

I feel it is grossly unfair to deny me consent for trading as I am a single mother simply trying to earn a respectable living, not wishing to rely on public funds. I requested permission to trade in the area on Wellington Street allotted to a car boot sale but was told by the responsible person, 'Tony' that there was already a business selling fruit and vegetable in the car boot and therefore I was not given permission. It was for this reason that I started to trade, within my legal rights, at 5 Field Walk but unfortunately as a result and despite me having made an application for the requisite consent at the Licensing Department, I was harassed and insulted by local wardens against whom I have lodged a complaint and awaiting a response (copy of complaint attached). I fail to understand how and why an already established business with retail outlets in Peterborough is given permission to trade at the car boot whereas someone like myself is not granted that permission. Surely this cannot be the essence or spirit of the car boot sale.

For the aforementioned reasons I request that my appeal be allowed and that I be granted the appropriate consent.

Yours faithfully

A red rectangular box redacting the signature, with a small arrow pointing to the right from the bottom right corner.

Malayeka Sultan

Encs.

1 Field Walk
Peterborough
PE1 5DP

6 July 2015

To whom it may concern

Re: Sunday Fruit Stall @ rear of 5 Field Walk PE1 5DP

I write to inform you that I have no dispute with Ms M Sultan over her holding her stall at the above address on a Sunday morning.

In my experience it has not caused any problems either from parking or undue disturbance and provides exceptional quality goods at very affordable prices which is most welcome in the present economic climate.

If we have any parking disputes it is with visitors to the Car Boot on the car park opposite where some car owners totally ignore the 'No Parking' sign on my garage. This is possible because the Car Boot operators only 'cone off' the houses in Pipe Lane when it should be made clear that no parking is allowed anywhere on Wellington Street whilst the Car Boot is in progress.

Yours faithfully


Barry Hensby

8 June 2015

Mr. I. Robinson- Regulatory Officer
Licensing
Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough.
PE1 1FD

Dear Mr. Robinson

Re: Trading - Garage Sale

With reference to your letter dated 29 June 2015 refusing permission for me to use my garage to sell bric-a-brac on Sundays. As advised in the letter I would like to appeal against your decisions on following grounds:


1. I strongly dispute the noise complaint as I only trade on Sundays whilst the Car- Boot sale is going on in the Wellington street car park, which is during the day, 10:00 to 14:00.
2. There are no car-parking issues as no one can park or is allowed to park, outside my garage, people who come to my garage are those who go the Car-boot-sale and park their vehicles there, so it does not obstruction of the highway.
3. I have spoken to my neighbours and they have assured me that they do not have any objection to my trading and I have enclosed letters from them stating their "no objections".
4. I support myself and my wife through this trading and as a part-time escort with a taxi company. I do not claim any benefits. This additional income stops me from becoming a Burdon on the local authority and the tax payer.
5. I am 58 years old and suffer from poor health, and this is the only type of work I can manage, otherwise I would have taken a stall on car boot sale. I am not able to carry heavy loads.

I would like to reiterate that I only open my garage during the hours when Sunday Car-Boot Sale is going on so as not to cause any problems either to the road users or my neighbours.

In view of above facts I would urge you to reconsider your original decision and kindly grant me the license to continue trading.

Thank you

Yours faithfully



Ishfaq Ahmed

John
13 Field Walk
Eastgate
Peterborough
Cambridgeshire
PE1 5DP

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Dear Sir/Madam

I am writing to confirm that I have no issues with Mr Ishfaq Ahmed, who lives at 9 Field Walk, to put on car boot sale at Sunday.

A red rectangular box, likely a placeholder for a signature or stamp.

Yours Faithfully

KAROC

11 Field Walk
Eastgate
Peterborough
Cambridgeshire
PE1 5DP

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Dear Sir/Madam

I am writing to confirm that I have no issues with Mr Ishfaq Ahmed, who lives at 9 Field Walk, to put on car boot sale at Sunday.

BARAWIECYI

Yours Faithfully

A rectangular box with a red border, used to redact the signature of the sender.

ZSOULINI AHMED

7 Field Walk
Eastgate
Peterborough
Cambridgeshire
PE1 5DP

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Dear Sir/Madam

I am writing to confirm that I have no issues with Mr Ishfaq Ahmed, who lives at 9 Field Walk, to put on car boot sale at Sunday.

Yours Faithfully



06.07.2015

Ali

5 Field Walk
Eastgate
Peterborough
Cambridgeshire
PE1 5DP

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Dear Sir/Madam

I am writing to confirm that I have no issues with Mr Ishfaq Ahmed, who lives at 9 Field Walk, to put on car boot sale at Sunday.

Yours Faithfully

A red rectangular box used to redact the signature of the sender.

SS

3 Field Walk
Eastgate
Peterborough
Cambridgeshire
PE1 5DP

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Dear Sir/Madam

I am writing to confirm that I have no issues with Mr Ishfaq Ahmed, who lives at 9 Field Walk, to put on car boot sale at Sunday.

Yours Faithfully



BARRY HINCHBY



1 Field Walk
Eastgate
Peterborough
Cambridgeshire
PE1 5DP

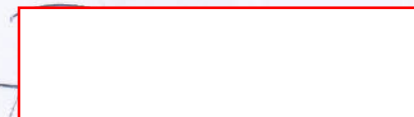
Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Dear Sir/Madam

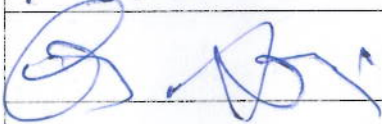
I am writing to confirm that I have no issues with Mr Ishfaq Ahmed, who lives at 9 Field Walk, to put on car boot sale at Sunday.

Yours Faithfully



CONSENT FOR STREET TRADING

We have not complained of any noise or parking issues resultant from Ms Malayeka Sultan trading at the rear of 5 Field Walk, Peterborough PE1 5DP on Sunday mornings. We support Ms Sultan's application for consent to trade at 5 Field Walk, Peterborough PE1 5DP.

NAME	ADDRESS	SIGNATURE
ZULFIQAR Ali	58 Bradwell Road PE3 9PZ	
M. Zaman.	274 CLADSTONE STREET	
Sudheer Safer	92 Saint Paul Road	
Juli Breckenby	15 Park Lane	
SHAFQAT HUSAIN	93 PARK LANE	
AKBAR	30 ROWLAND	
MUZZAFAR	397 Gladstone St	
	246 Gladstone St	
N. E. JANI	5 Pasture Drive	
A. AJANI	121 Brookbury	
S. Valami	5 Pasture Drive	
Parveen Akhtar	262 Gladstone	
ZAHID HUSSAIN	228 CLADSTONE ST	
Afrakles Ali	235 Gladstone St	
NASAR Ali	233 Gladstone Street	
Shoukat Ali	531 Gladstone St	

CONSENT FOR STREET TRADING

We have not complained of any noise or parking issues resultant from Ms Malayeka Sultan trading at the rear of 5 Field Walk, Peterborough PE1 5DP on Sunday mornings. We support Ms Sultan's application for consent to trade at 5 Field Walk, Peterborough PE1 5DP.

NAME	ADDRESS	SIGNATURE
BARKEY HENSON	15 Field Walk by	
Christine Robson	15 Field Walk	
MARC Cliffe	29. Pipe Lane	
Sean McCauley	" "	
John Cliffe	" "	
Kevin Page	" "	
Christine Cliffe	" "	
RHADAM HUSSAIN	17 KESTIVEN WALK	
M'Zuber	24 Pipe Lane	
MRS RIWASOI	27 PIPE LANE	
Amran Ajum	17 Pipe Lane	
JASON WARD	29 PIPE LANE	
P Johnson	2 WENE ST	
C. BRUNES	26 Field Walk	
SHABINAKHAR	3 Field Walk	
	3 Field Walk.	

CONSENT FOR STREET TRADING

64

We have not complained of any noise or parking issues resultant from Ms Malayeka Sultan trading at the rear of 5 Field Walk, Peterborough PE1 5DP on Sunday mornings. We support Ms Sultan's application for consent to trade at 5 Field Walk, Peterborough PE1 5DP.

NAME	ADDRESS	SIGNATURE
USME USSAME	227 Gladstone RD PE1 2RX	
DAVID SMITH	30 Eldern pe2 Sng	
M. Dafe	26 Eldern pe2 Sng	
P. de	102 Clay Burn RD	
P Bedford	102 Clay Burn RD	
S. HARVEY	1 CUNDE RD	
J JOHNSON	1 CUNDE RD	
Kay Afina	14 Eldern, outon pe2 Sng Malawi	
Sibongile Ndeh	14 Eldern PE 2 SNG	
Kate Winsoty	39 Towler PE1 2TX	
JAMES Godwill	39 TOWLER PE1 2TX	
Mrs Talhat	28 Springfield Rd	
Arshad Raja	Gladstone St	
GOSHA	112 STAR ROAD	
M. SERINI	4 STAR ROAD	
TARIQ	13 FIELD WALK	

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SRU V8.2.x.1

REPORT PREPARED ON 29/ 7/15 AT 11:46

NAME AND ADDRESS DETAILS

ACTION DETAILS

ACTION TYPE: L01 - Licensing
SOURCE DATABASE: REQUESTS
Record number 703096
UNIT: LIC - Licensing
INVESTIGATING OFFICER: 239 - Ian Robinson

ACTION EVENT DETAILS

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
1		Trader selling fruit & veg outside 5 Wellington street on 17.05.15 - see text		20/05/2015	227	M 071614

20/ 5/2015 9:50 227 [REDACTED] called regarding a trader who pitched up outside 5 Wellington St on Sunday 17 May to sell fruit & veg. There is a Sunday market in the car park which is only a couple of minutes walk away from where he was selling. [REDACTED] will call back if he can obtain any further details on the trader or to advise us if he comes back again next sunday.

23/06/15 IR:

There are a number of incidents surrounding this address and another a couple of doors away.

It appears they have set themselves up as street traders, working from the addressess on the same day as the Wellington Street Car Boot Sale. This complaint relates to a a Mrs Malayeka Sultan who resides at 57 Lowick Gardens, who appears to be trading at 5 Field Walk. However there appears to be another trader selling electrical goods from the pavement and garage a few doors away.

The trading has been confirmed by Tony Dalessio (Wellington Street Boot Sale organiser), Justin Beaumont and Darren Bell (Both PCC managers).

Justin Beaumont (see attached e-mails) has visited the location and provided photos showing the trading.

Darren Bell (see attached e-mails) has detailed his CEOs to attend the location and confirm pitches are obstructing the highway and the customers parking is also causing an issue. His team have issued a

ITEM	EVENT	DESCRIPTION	SCH. DATE	ACT. DATE	OFF	ACTIVITY
		number penalty tickets in conjunction with the problem.				
		I have also e-mailed Nigel Barnes in Planning to notify him of the issue and he has confirmed that he will also be investigating.				
		Malayeka Sultan has submitted paperwork to obtain a street trading consent, however the number of issues surrounding the trading would indicate that this is not prudent.				
		The consultation process is currently in hand and she is awaiting a decision.				
		I will attend the location today and ascertain if anyone is present in both addresses and speak to them.				
2		Donna - to be allocated	20/05/2015	20/05/2015	203	
3		Ian - I'll allocate this to you although I don;t think we need to do anything unless caller comes back to us.	21/05/2015	23/06/2015	239	
4	J28	Referred to Officer x 2 poss complaint for same thing on same SR 3/ 6/2015 11:55 PD1 [REDACTED] called in to speak to someone . Please ring [REDACTED]	03/06/2015	23/06/2015	239	
5		Vehicle reg KJ56 UEL Van trading again on 14.06.15.				
6		Call recieved from [REDACTED] [REDACTED] unsure if same caller as above tele no [REDACTED] on sunday fruit and veg seller at 5 Wellington Street garages large stall blocks path. Also has several workers for the stall and they arrive early to set up 6-7 am shouting and waking his children up	17/06/2015	17/06/2015	237	
7	L94	Email Sent (Licensing)		22/06/2015	239	
8	L94	Email Sent (Licensing)	22/06/2015	22/06/2015	239	
9	L94	Email Sent (Licensing)	22/06/2015	22/06/2015	239	
10	L94	Email Sent (Licensing)		22/06/2015	239	
11	L94	Email Sent (Licensing)		22/06/2015	239	
12		Site Visit From IR 23/06/15:	23/06/2015	23/06/2015	239	

Visted 5 and 9 Field Walk this afternoon.

No 5 is occupied by Mrs Zareeda Bi, she is a friend of Malayeka Sultan of 57 Lowick Gardens (the Fruit and Veg trader)and has given permission for her to trade from the rear of the premises. I spoke to Mrs Bi's daughter, as she was not present at the time of visit. She

<u>ITEM</u>	<u>EVENT</u>	<u>DESCRIPTION</u>	<u>SCH. DATE</u>	<u>ACT. DATE</u>	<u>OFF</u>	<u>ACTIVITY</u>
		states "no neighbours have had any issues and Mrs Sultan cleans up any mess." The consultation with regards to No 5 ends on Friday.				
		No 9 is occupied by Ishfaq Ahmed 01/01/57, he had some difficulty understanding, which we overcome via a friend "Shabeer" on the phone. Mr Ahmed was advised that he cannot trade from the premises without the necessary consents and has been supplied with the relevant paperwork and a letter advising him that trading without consent may lead to prosecution. His daughter's first language is English and she will assist him.				
13	L93	Email Received (Licensing)	30/06/2015	30/06/2015	239	
14	L83	Letter Sent (enf) (& lit.) DW096841282GB - shown delivered		30/06/2015	239	
15	L83	Letter Sent (enf) (& lit.) DW096841265GB - shown delivered		30/06/2015	239	
16	L83	Letter Sent (enf) (& lit.) DW09684127 - shown delivered		30/06/2015	239	

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APPENDIX E - PHOTOGRAPHS





Telephone: 01733 453541
Facsimile: 01733 453404
E-Mail: ian.robinson@peterborough.gov.uk
Please ask for: Mr Ian Robinson
Our Ref:
Your Ref:

Ms Malayeka Sultan
57 Lowick Gardens
Peterborough
PE3 7HD

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Telephone 01733 747474
Minicom 01733 452421

29th June 2015

Street Trading Consent – Field Walk

With reference to the street trading consent to sell fruit and vegetables from the rear of 5 Field Walk, I am writing to inform you that we will not be granting a consent.

The reason for not granting a consent is due to information being received concerning noise complaints, increased parking issues and obstruction of the highway. It is therefore felt by this Authority that by granting a consent to trade in this location may lead to disruption for local residents and continued, or an increase in road safety issues.

You do have the right to appeal the Licensing Authority's decision. If you do wish to appeal this must be done within 21 days of the date of this letter by submitting a written submission to the Licensing Committee via the Licensing Team at the address above. Your submission, which can be in the form of a letter, should contain the reasons why you feel the Licensing Authority's decision not to grant a consent is wrong.

I must remind you that as a street trading consent has not been granted, you cannot trade at the location from this point. If you do continue to trade at the location, then a decision will be taken with a view to prosecution.

If I can be of any further assistance in this matter please do not hesitate to contact me.

Yours sincerely

Ian Robinson
Regulatory Officer

Telephone: 01733 453541
Facsimile: 01733 453404
E-Mail: ian.robinson@peterborough.gov.uk
Please ask for: Mr Ian Robinson
Our Ref:
Your Ref:

Mr Ishfaq Ahmed
 9 Field Walk
 Peterborough
 PE1 5DP

Licensing

Governance Directorate
 1st Floor, Bayard Place
 Broadway
 Peterborough
 PE1 1FD

Telephone 01733 747474
 Minicom 01733 452421

29th June 2015

Street Trading Consent – Field Walk

With reference to the street trading consent to sell items from the rear of your premises in 9 Field Walk, I am writing to inform you that we will not be granting a consent.

The reason for not granting a consent is due to information being received concerning noise complaints, increased parking issues and obstruction of the highway. It is therefore felt by this Authority that by granting a consent to trade in this location may lead to disruption for local residents and continued, or an increase in road safety issues.

You do have the right to appeal the Licensing Authority's decision. If you do wish to appeal this must be done within 21 days of the date of this letter by submitting a written submission to the Licensing Committee via the Licensing Team at the address above. Your submission, which can be in the form of a letter, should contain the reasons why you feel the Licensing Authority's decision not to grant a consent is wrong.

I must remind you that as a street trading consent has not been granted, you cannot trade at the location from this point. If you do continue to trade at the location, then a decision will be taken with a view to prosecution.

If I can be of any further assistance in this matter please do not hesitate to contact me.

Yours sincerely

Ian Robinson
 Regulatory Officer

Telephone: 01733 453541
Facsimile: 01733 453404
E-Mail: ian.robinson@peterborough.gov.uk
Please ask for: Mr Ian Robinson
Our Ref:
Your Ref:

Mrs Zareeda Bi
5 Field Walk
Peterborough
PE1 5DP

Licensing

Governance Directorate
1st Floor, Bayard Place
Broadway
Peterborough
PE1 1FD

Telephone 01733 747474
Minicom 01733 452421

29th June 2015

Street Trading Consent – Field Walk

With reference to the street trading consent to sell items from the rear of your premises in 5 Field Walk, I am writing to inform you that we will not be granting a consent.

The reason for not granting a consent is due to information being received concerning noise complaints, increased parking issues and obstruction of the highway. It is therefore felt by this Authority that by granting a consent to trade in this location may lead to disruption for local residents and continued, or an increase in road safety issues.

I must remind you that as a street trading consent has not been granted, Ms Sultan cannot trade at the location from this point. If she continues to trade at the location, then a decision will be taken with a view to prosecution.

Yours sincerely

Ian Robinson
Regulatory Officer

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