

LICENSING COMMITTEE

**WEDNESDAY 18 NOVEMBER 2020
6.00 PM**

[Peterborough City Council's Youtube Page](#)

AGENDA

Page No

- 1. Apologies for Absence**
- 2. Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification " that has been disclosed to the Solicitor to the Council. Members must also declare if they are subject to their party group whip in relation to any items under consideration.

- 3. Minutes of the Meeting Held on 13 February 2019** **3 - 6**
- 4. Statement of Licensing Policy and Cumulative Impact** **7 - 190**



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Karen Dunleavy on 01733 452233 as soon as possible.

"Did you know? All Peterborough City Council's meeting agendas are available online or via the [modern.gov](#) app. Help us achieve our environmental protection aspirations and view this agenda online instead of printing it."

Emergency Evacuation Procedure – Outside Normal Office Hours

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

Recording of Council Meetings

Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. Audio-recordings of meetings may be published on the Council's website. A protocol on this facility is available at:

<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Karen S Dunleavy in the City Council's Democratic Services team on Peterborough 01733 452233 or by email at democraticservices@peterborough.gov.uk

Committee Members:

Councillors: A Iqbal (Chair), Ayres (Vice Chairman), Allen, Coles, P Hiller, Joseph, Hussain, Ellis, Wiggin, Hogg and J R Fox

Substitutes: Councillors: Dowson, R Brown and Bond

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

**MINUTES OF THE LICENSING COMMITTEE MEETING
HELD AT 7.00PM, ON
13 FEBRUARY 2020
ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: Ayers (Chair), Councillors Allen, Hiller, Fox, Farooq, Wiggin, Holdich O.B.E, Hussain, Ellis and Hog.

Officers Present: Peter Gell, Head of Regulatory Services
Terri Martin, Regulatory Officer
Kerry Leishman, Licensing & Business Manager
Colin Miles, Litigation Lawyer
Karen S Dunleavy, Democratic Services Officer

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Iqbal and Coles, Councillors Holdich and Farooq were in attendance as substitution.

Apologies were also received from Councillor Joseph.

7. DECLARATIONS OF INTEREST

No declarations of interest were received.

8. MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 1 OCTOBER 2019

The minutes of the Licensing Committee meeting held on were agreed as a true and accurate record.

It was agreed that agenda item 5 Licensing Committee Meeting Start Time 2020 - 2021 would be discussed next.

9. LICENSING COMMITTEE MEETING START TIME 2020 - 2021

Members received a report in relation to the start times for the Licensing Committee for the municipal year 2020 – 2021.

The Democratic Services Officer introduced the report and requested that Members consider and agree the start time of Licensing Committee meetings for the municipal year 2020 – 2021.

- Some Members felt that the start time of 7:00pm was later than it needed to be. In addition, it was felt that Full Council meetings had already implemented a start time 6:00pm and this had not caused any issues for Members.
- Some Members felt that a start time of 7pm allowed members to go home to take a break period after work commitments or avoid congestion with traffic and for that reason 6:00pm would not be a suitable time for the Licensing Committee meetings. However, most members felt that they were happy to go with the majority.

RESOLVED:

The Licensing Committee considered the report. A motion was proposed and seconded to a start time of 6:00pm for Licensing Committee meetings for the Municipal Year 2020-2021. The Committee **RESOLVED** (5 in favour, 4 against and 1 abstention) to the start time of 6.00pm for 2020 - 2021.

REASONS FOR THE DECISION

The recommendation allows the Licensing Committee to debate the start time of the meeting and make recommendations following debate.

10. LICENSING SERVICES ANNUAL UPDATE AND VARIATION TO TAXI POLICY

The Committee received a report which requested Members to consider and agree the Annual Licensing Services update.

The Licensing & Business Manager and Regulatory Officer introduced the item and requested members to note the annual report and agree the recommendation to modify the Taxi Hire and Private Hire Licensing Policy.

The Licensing & Business Manager and Regulatory Officer responded to comments and questions raised by Members. The responses included:

- Members were advised that the company used for the marshalling service was commissioned through a contract operated by the prevention and Enforcement Team. In addition, the marshal role was to identify rogue traders or plying for hire and make sure that customers of the night-time economy accessed a safe mode of transport.
- There were two marshals employed for the pay day weekends, which increased to four over the festive period and could be identified by their high visibility jackets. The marshals also had access to the City's Closed-Circuit Television system (CCTV).
- Members were advised that the recent recruitment of the enforcement officer vacant position had been unsuccessful; however, a third phase of recruitment was being undertaken and the team were hopeful that this round would be successful following the interview process.
- Members commented as to whether two marshals were enough to cover all hot spot areas within the City? The Regulatory Officer advised that the marshal scheme concentrated on certain areas within the trial period, which had identified certain areas within the City where attention was required during closing times. In addition, the team worked closely with the Police to ensure the service continued to operate effectively.

- Members were informed that the marshal service was introduced to the City to challenge taxi companies and this would be applied by requesting to see a copy of the driver's bookings and accessing their PDA units.
- The marshals would also approach and identify drivers that operated outside of the City's licensing rules.
- Members commented that the Authority ought to be exploring ways in which to reduce engine idling. The Regulatory Officer advised that the Licensing Team were in constant contact with landowners to combat the idling issues. The Authority were unable to enforce any action to reduce these issues, however, the team shared intelligence and allegations of idling with the Police.
- Members were informed that the team intended to present a report to the Committee about widening the scope of licensing requirements for the types of Hackney Carriages in order to meet ultra-low emission standards to meet the Authority's own Climate Impact Change objectives for 2030. Discussions were underway with the Authority's Group Manager for Transport and the Environment, and a report would be presented to Committee in due course. The process would also involve a public consultation period.
- Members commented that there should be more action the Authority could implement to force landowners to take responsibility for the way vehicles operated on their land in terms of engine idling. The Regulatory Officer advised that she would liaise with the relevant Council departments and the Police to explore whether there were plans in place to tackle the issues raised.
- Members were advised that it was illegal for drivers to idle their engines unnecessarily and of the legalities around not turning off a car engine when asked to do so, this however would be a constant challenge to resolve.
- Members were advised that the Marshals were Security Industry Authority (SIA) licensed.
- The Regulatory Officer informed Members that it was uncertain as to whether vehicle stop start technology could be retrospectively fitted, however, discussions would be held in respect of the type of vehicles to license in order to meet the Authority's 2030 Climate Change objective going forward. In addition, the team was exploring the cost of vehicles in terms of reasonable affordability for the taxi and private hire companies.
- The 80 percent suspension notices for non-payment of licence fees, which had been issued was a very small percentage in terms of the number of premises that were registered.
- Members commented that the street trading consents seemed high. The Licensing and Business Manager advised that these were quarterly consents.
- Members commented that it seemed perfect sense to take the swivel seat out requirement out of the Taxi and Private Hire Licensing Policy.
- Members commented that the Taxi and Private Hire Licensing Policy recommendation had also been endorsed by the disability forum.
- Members we advised that a consultation was conducted with the Hackney Carriage companies and the outcome showed that the converted pivot seats were not used by passengers.
- The Licensing and Business Manager advised that there would be no requirement to remove previously installed swivel seats and it was felt that that there would be no concerns in the future, as the seats were not currently in use.

- Members commented that there may be certain medical conditions that require a passenger to sit at a higher level, which would be achievable from the front seats currently fitted with a swivel seat.
- Members were advised that there had been no structural concerns raised directly from the Hackney Carriage operators in relation to the swivel seat.

RESOLVED:

The Committee **RESOLVED** (Unanimously) to:

1. Note the contents of the annual report; and
2. Approve an amendment to the Taxi and Private Hire Licensing Policy.

REASON FOR THE DECISION:

The recommendation addressed the safety risks associated with the retrofitting of the occasional swivel seat.

Chairman
7.00 – 7:40pm
13 February 2020

LICENSING COMMITTEE	AGENDA ITEM No. 4
18 NOVEMBER 2020	PUBLIC REPORT <u>This report contains an exempt Appendix, not for publication, by virtue of Paragraph 1 and 2 of Schedule 12A of Part 1 of the Local Government Act 1972.</u>

Report of:	Peter Gell – Assistant Director Regulatory Services	
Cabinet Member(s) responsible:	Councillor Walsh, Cabinet member for Communities	
Contact Officer(s):	Terri Martin – Strategic Regulatory Officer – Licensing Gareth Brighton – Licensing and Business Manager Kerry Leishman – Head of Operations Environmental Health and Licensing	Tel. 453561 Tel. 864103 Tel. 453502

LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY AND CUMULATIVE IMPACT – REVIEW, CONSULTATION AND RESPONSES

RECOMMENDATIONS	
FROM: Kerry Leishman – Head of Operations Environmental Health and Licensing	Deadline date: 09 December 2020
<p>The Licensing Committee is recommended to:</p> <ol style="list-style-type: none"> 1. Modify the current Cumulative Impact Policy (CIP) so that it is only applicable to applications (new and variation) which request ‘Off Sales’ of alcohol as part of the authorised activities, and revise and republish the Cumulative Impact Assessment (CIA) in line with this decision. 2. To recommend the adoption of the final Statement of Licensing Policy (Appendix X) to Full Council on 9 December 2020 	

1. ORIGIN OF REPORT

1.1 This report is as a result of the consultation carried out between 19 August 2020 to 14 October 2020, on the council’s Statement of Licensing Policy, (including the Cumulative Impact Policy (CIP)) and consideration of responses received.

2. PURPOSE AND REASON FOR REPORT

2.1 To consider and note the contents of the report including due consideration of the responses and evidence received following the public consultation.

- 2.2 This report is for the Licensing Committee to consider under its Terms of Reference No. 2.5.2.7, whereby the licensing committee recommend its decision to full council for formal adoption under its Terms of Reference 1.1.4(e).

3 REASONS FOR EXEMPTION

There is an appendix attached to the report, which Members of the Committee will have access to and is NOT FOR PUBLICATION in accordance with paragraph 1 and 2 of Schedule 12A of Part 1 of the Local Government Act 1972 in that it contains information relating to an individual and information which is likely to reveal the identity of an individual. The public interest test has been applied to the information contained within the exempt appendix and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it.

4. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	N/A
Date for Full Council meeting	09 December 2020	Date for submission to Government Dept. <i>(Please specify which Government Dept.)</i>	N/A

5. BACKGROUND AND KEY ISSUES

- 5.1 Under Section 5 of the Licensing Act 2003 (The Act), it is a requirement for each council to produce, adopt and publish a statement of licensing policy. The policy will govern the way decisions are made by the council and how it will administer its duties under the Act. Without a policy the council may be subject to Judicial Review for failing in its responsibilities to carry out a statutory duty.
- 5.2 The Act requires that the Policy is kept under continual review to incorporate, where necessary, any changes to legislation and or guidance as appropriate. In addition to this, the Act specifies that the policy must be reviewed every five years, and cumulative impact policies and assessments, every three years.
- 5.3 The current Statement of Licensing Policy expires on 07 January 2021 and the cumulative impact policy and assessment was last reviewed and published in 2018.
- 5.4 **General Background – number of licenses**

Overall Licensed Premises information 2015, 2018 and 2020 (approximate):

Licensed premises type	Number in 2015	Number in 2018	Number in 2020
Alcohol Consumption on	97	83	86
Alcohol Consumption off	183	195	196
Alcohol Consumption on and off	199	194	186
No alcohol sold	136	99	50
Total	615	571	518

Licensed premises within the cumulative impact defined boundary (approximate):

Licensed premises type	Number in 2015	Number in 2018	Number in 2020
Alcohol Consumption on	12	14	18
Alcohol Consumption off	29	35	30
Alcohol Consumption on and off	16	24	19
No alcohol sold	16	27	18
Total	73	100	85

5.5 Summary of relevant applications in the cumulative impact defined boundary between 1 August 2018, (when the policy was last reviewed) to 26 October 2020.

- Noir Bar at 24b Lincoln Road applied for a new premises 'On' licence on 10/9/18, the police mediated with the applicant and appropriate conditions were agreed. As there were no other objections, the licence was granted in October 2018.
- Ponto De Amigos at 40 Russel Street applied for a new premises 'On' licence on 29/8/18, representations were received and the application was refused by the licensing sub-committee at a hearing on 22/11/18.
- International shop at 32 Dogsthorpe Road applied for a new premises 'Off' licence on 17/9/18, representations were received and the application was determined by the Licensing sub-committee at a hearing on 2/11/18. The application was granted with restrictions and the addition of extra conditions.
- Europoli supermarket at 282 Lincoln Road applied for a new premises 'Off' licence on 27/11/18, representations were received and the application was determined by the Licensing sub-committee at a hearing on 19/1/19. The application was granted with restrictions and the addition of extra conditions.
- Little Europe at 2 St Martins Street applied for a new premises 'Off' licence on 7/2/19, representations were received and the application was refused by the licensing sub-committee at a hearing on 4/4/19.
- Shepherds Inn at 10a Park Road applied for a new premises 'On' licence on 14/2/19, as no representations were received, the licence was granted on 18/3/19. (Prior licence lapsed)
- Eastern Delight at 35 Lincoln Road applied for a new premises licence for Late Night Refreshment on 8/5/19, as no representations were received, the licence was granted. (prior licence lapsed)
- Tavan Restaurant at 77 Lincoln road, applied for a new premises 'On and Off' licence on 13/9/19, as no representations were received, the licence was granted. (prior licence lapsed)
- Post Office Sports and Social Club at Bourges Boulevard, applied for a new premises 'On' licence (propriety Club) on 9/12/19, as no representations were received, the licence was granted. (prior CPC surrendered)
- A Tasca at 311-313 Lincoln Road, applied for a new premises 'On and Off' licence on 17/12/19, this application was rejected for failing to comply with the advertising requirements
- A Tasca at 311-313 Lincoln Road, applied for a new premises 'On' licence on 22/1/20, as no representations were received, the licence was granted.
- Arka at 11 Searjeant Street, applied for a new premises 'On' licence on 24/9/20, the application was rejected for failing to comply with the advertising requirements.
- Creations at 2 Burghley Road, applied for a new premises 'On' licence on 21/10/20, the application is subject to consultation until 18/11/20.

6. CONSULTATION

6.1 The Statement of Licensing Policy was reviewed and updated with legislative amendments, (red text indicating changes) and a consultation was carried out between 19 August 2020 to 14 October 2020, with those identified under Section 5(3) of the Act. Those being:

- The chief officer of the police for the area
- The fire and rescue authority for the area
- The Director of Public Health
- Representatives of holders of premises licenses
- Representatives of holders of club premises certificates
- Representatives of holders of personal licences
- Representatives of businesses and residents

6.2 For information purposes, a list of consultees is attached at **Appendix A**.
For information purposes, the consultation document showing marked up changes in red text, is attached at **Appendix B**.

6.3 The consultation document was also made available on the council's website, notices were displayed at main council buildings and it was advertised in the local newspaper on 27 August 2020. The Public Notice is attached at **Appendix C**.

7. CONSULTATION RESPONSES

7.1 A total of 36 responses including a petition containing nearly 170 signatures were received in relation to the consultation, with most of the responses relating to the Operation Can-Do (Op-Can-Do) cumulative impact policy.

7.2 Four responses were from Responsible Authorities (RA's), nine (including the petition) were from other bodies or persons representing other bodies, and 23 were from individual 'other persons', e.g. residents.

7.3 The responses have been grouped below with pertinent information summarised. All relevant responses in full, are available on the relevant Appendix. It must be noted that some responses contain matters which relate to Gambling which has its own policy (Statement of Licensing Principles). Problems specific to gambling matters, cannot be considered in the determination of the Licensing Act policy. A response table providing officer comment is attached at **Appendix D**.

7.4 Responsible Authorities response summary:

Cambridgeshire Constabulary are in support of the revised Statement of Licensing Policy and continuance of the cumulative impact policy in the Op-Can-Do area. They have also provided an analytical data report, to support the position. The police response and data report are attached at **Appendix E**.

A response from the Safeguarding Children Partnership was received advising they were not the recognised body for such purposes. It has been agreed that the Director of Childrens Services is now the Responsible Authority to advise on matters relating to the protection of children from harm, and the policy has been undated accordingly. Email chain confirming this change is attached at **Appendix F**.

Peterborough City Council Planning Services response to the consultation, provides members of the Licensing Committee with an information update of recent changes to planning permission legislation, which particularly affects licensed premises. The planning services information response is attached at **Appendix G**.

The Director of Public Health responded to the consultation, supporting the continuance of the cumulative impact policy for the Op-Can-Do area. Stating that, it remains an area of deprivation and high alcohol outlet density which is negatively impacting on the objectives and the health and wellbeing of residents. The response is attached at **Appendix H**.

7.5 Responses from bodies or individuals representing bodies / individuals:

Peterborough City Council PES (Prevention and Enforcement Services) response contains statistics on the crime and incident data for the CI area. They support the continuance of the cumulative impact policy and advise that the PSPO (Public Spaces Protection Order) for Millfield, New England, Eastfield and Embankment, expired in August 2020, but is proposed for re-implementation by the end of this year. The response is attached at **Appendix I**.

Broadway Residents Association endorse the Statement of Licensing Policy, but report the problems alcohol abuse has on residents, occurs in areas other than Op-Can-Do. Street drinking and other anti-social behaviour occurs in Broadway, Stanley Recreation Ground etc. Proposes some minor amendments to the policy, and urges the renewal of the Millfield, New England, Eastfield and Embankment PSPO which covers Op-Can-Do and Broadway. The response is attached at **Appendix J**.

Paul Bristow MP for Peterborough is pleased that the cumulative impact policy was adopted in 2013 and supports its continuance. Is concerned that there is a perception that breaches of licensing conditions are not being enforced, residents need to be confident that when issues are reported, they are followed up. The response is attached at **Appendix K**.

The Vice chair of Community First raises concerns and details the problems and associated ASB the number of 'Off' licensed premises in the Op-Can-Do area is causing. The response is attached at **Appendix L**.

MANERP (Millfield And New England Regeneration Partnership) and Community First, who represent residents and businesses in the Op-Can-Do area, support the renewal of the cumulative impact policy for the Op-Can-Do area. They detail how residents and businesses are still being negatively affected by the large concentration of 'Off' licensed premises. The response is attached at **Appendix M**.

Cllr Ansar Ali submitted two responses, one endorsing the comments made by MANERP and Community First and the other supporting and containing a petition containing nearly 170 signatures, which residents had presented to him. Cllr Ali is fully supportive in the residents objections to the increasing number of licensed premises in the Millfield area, and hopes the views of residents and businesses will be heard and acted upon. Both responses are attached at **Appendix N**.

The petition mentioned above has a preface page which states that the petition expresses the dismay at the state of the area due to excessive licensing of 'Off' licenses and Gambling halls. It states that excessive licensing has caused a breach of the objectives and swathes of the community are being destroyed. It states that the cumulative impact policy and other initiatives have not worked. Each petition page has a heading which gives notice to the council to stop the issuance of new licenses and strongly objecting to the licensing policy. The Petition in full is available for members of the Licensing Committee to view but is exempt from publication as detailed in paragraph 2.3 above. The full preface page is attached at **Appendix O**.

The Portman Group welcomed the reference and commendation of the Portman Group Code of Practice in paragraph 14.12 of the draft policy. It suggests the addition of extra wording to clarify the aim of the Code of practice and its operation. The full response is attached at **Appendix P**.

7.6 Responses from 'Other Persons' e.g. residents

Two responses from residents have serious concerns regarding the effectiveness of the policy. They say that over the last decade the area has been neglected and allowed to rot through lack of investment and failing policies. That crime is on the up and this is linked to the concentration of licensed premises. They go on to describe the effects this has on residents and community green spaces. That the area needs better enforcement, not an extended failing policy, but a fresh approach. The full response is attached at **Appendix Q**.

One resident is dismayed at the state of the area and the rampant alcoholism that has emerged. That the numerous 'Off' licences contribute to street drinking, littering, fighting etc. If nothing is done very soon, the area is on the verge of a dangerous crescendo. The full response is attached at **Appendix R**.

One response from a local business operator states that in the last decade the area has changed with 'Off' licenses and mini-marts being the issue, it has a distasteful appeal, with so many licensed premises, you are not more than 200 yards away from the next venue. The area needs a mix of businesses, but is just takeaways and mini-marts and littering of alcohol related containers. He explains the impact the associated problems have on his business. That there is an unspoken ghetto effect and knows he paints a nasty distasteful picture of Millfield, but when councillors and council employees have all gone home, it's what residents and businesses see and are left with. The full response is attached at **Appendix S**.

Four responses simply state 'I am against the extension of the licensing policies in the Op-Can-Do area.' These responses are attached at **Appendix T**.

Another three similar responses totally object for the alcohol licence policies to be extended in the area. That there are too many alcohol premises which is not good for the area, and don't need anymore. One states that they are scared to go to certain places on Lincoln Road and is sure many others feel the same. The number of licenses should be reduced. These responses are attached at **Appendix U**.

One boxing club owner states they try hard to get kids off the streets and into the gym, but it's getting harder, too many influences from drinking and gambling outlets, having an adverse effect on local quality of life. This response is attached at **Appendix V**.

A further eleven individual responses provide further details of the problems experienced by residents in the Millfield area. Residents state that the availability of alcohol from so many 'Off' licensed premises is detrimental to the area and negatively impacts on their everyday life. Some residents state that they are scared to go to certain places, including green spaces, due to the ASB caused by drunk people drinking in the street. That drunks use residents property as a public toilet and alcohol related debris is everywhere. They clearly indicate that they object to the granting of further licenses in the area.

Some suggest enforcement to stop underage sale of alcohol, serving to people who are intoxicated, littering, as a few things that should be better handled. Enforce punishments against licence holders that breach, to make it a safer place for residents.

The eleven responses in full are attached at **Appendix W**.

7.7 **Officer comment.**

Some of the responses stray into areas which are not relevant to the determination of the Licensing Act 2003 Statement of Licensing Policy and cumulative impact policy, as they are Gambling related matters. The Gambling Act 2005 has its own Statement of Licensing Principles policy which is due for revision and consultation in 2021.

- 7.7(a) It is clear from the consultation responses and evidence provided, that the concentration of licensed premises in the cumulative impact area continues to have a negative effect on businesses and residents in the area. It is also clear, from some responses, that there is a perception that the cumulative impact policy provides a wider scope of abilities.
- 7.7(b) For clarification, the cumulative impact policy and assessment allow for greater scrutiny of new and variation applications within the CI boundary, by requiring the applicant to demonstrate that they will not add to the issues identified in the published Cumulative Impact Assessment, but provides no other 'powers'. It does however, provide a formal basis for those who wish to object to a relevant application within the boundary.
- 7.7(c) The policy cannot be an absolute refusal of all relevant applications received for premises licences within the boundary, each application must be determined on its own merits

Paragraph 14.28 of Section 182 Guidance states:

'While the evidence underpinning the publication of the CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the 2003 Act. Each decision in an area subject to a CIA therefore still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licenses or applications to vary existing licenses, where the authority considers this to be appropriate in the light of the individual circumstances of the case.'

- 7.7(d) Some responses also state that there is no 'need' for another licensed premises. Unfortunately, 'need' cannot be taken into consideration, this is for market forces to determine. Paragraph 14.19 of Section 182 Guidance states:

‘There can be confusion about the difference between the ‘need’ for premises and the ‘cumulative impact’ of premises on the licensing objectives, for example, on crime and disorder. ‘Need’ concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.’

- 7.7(e) It is Officers recommendation that the current CIP and CIA are modified, so that it is only applicable to licence applications, (new and full variation) for premises licences and Club Premises Certificates (CPC) which request ‘Off’ sales of alcohol, whether or not the application also requests ‘On’ sales of alcohol. The draft policy has been modified to reflect this recommendation, and paragraphs 5.7 and 12.10 have been added to the policy. The reason for this recommendation is detailed in Section 8 below.
- 7.7(f) It is also Officers recommendation that when the CIA has been modified in line with the above, and updated to reflect the current issues and evidence, it is signed off by the Chair of the Licensing Committee and re-published.
- 7.7(g) The revised draft policy showing proposed legislative updates made prior to the consultation in red text and changes made post consultation following responses received, including the recommended modification to the CIP, in blue text. The final draft policy for consideration by the licensing committee is attached at **Appendix X**.
- 7.7(h) Members are reminded that the disqualifying criteria for temporary automatic authorisation of ‘Off’ sales under the Business and Planning Act 2020, relate to:
- Refusal to grant a premises licence with off sales permission
 - Refusal to vary a premises licence to include off sales
 - The premises licence was varied or modified to exclude off sales.
- Within the last three years.
Please see Annex A of the draft policy for further information.

8. REASON FOR THE RECOMMENDATION

- 8.1 When reviewing the CIP, the licensing authority must ensure that it remains relevant to the current problems described geographically and evidentially robustly supported. The evidence obtained in the review and consultation process, indicates that the current problems identified in the boundary are still relevant, but not to all types of applications.
- 8.2 There is no doubt that there are compelling reasons to retain the CIP, the concentration of licensed premises within the current defined boundary, continue to negatively impact on the objectives, the residents and businesses within the boundary. But when assessing the types of activities which are seen to most contribute to the problems experienced and reported, it is those selling alcohol for consumption ‘Off’ the premises that are highlighted.
- 8.3 The data provided by the police (Appendix E) shows that alcohol related crimes within the boundary are on the increase, (160 (8%) in 2017–2018 and 263 (13.7%) in 2019-2020, despite an overall drop in crime.
The data also shows that the crimes and incidents are not occurring at the actual location of the licensed premises. This indicates that the problems are not associated with ‘On’ licensed premises. The report states:
... ‘Alcohol is driving crimes in the Op-Can-Do area, especially within homes, but it is not clear if this is due to local licensed premises (though it would stand to reason that if alcohol is readily available near home, residents are likely to go to local off licenses and bars to get it).’
- 8.4 The response from the Director of Public Health (Appendix H) refers to the considerable body of research examining the relationship between alcohol outlet density (AOD), alcohol related harms and social disorder in areas of deprivation. Op-Can-Do is one of the most deprived areas of Peterborough, with a higher rate of alcohol related hospital admissions in central ward.

- 8.5 The information provided by PES (Appendix I) details the alcohol related incidents reported to the police between May 19 to May 20. Most of the incidents relate to anti-social behaviour of people in the street, either drinking, being rowdy, aggressive, etc.
'That the frequency of cleansing is significantly higher in the CI area, partly due to the amount of alcohol related litter, which also poses a safety risk and degrades the area.'
- 8.6 Most of the responses to the consultation support the intention of the CI and also list a multitude of 'street' related problems, such as street drinking, anti-social behaviour, street toileting, street alcohol related litter as many of the problems experienced. With the proliferation of 'Off' sales premises considered as the 'attractive' cause, for people to gather on the street then behave in an anti-social manner.
- 8.7 Based on the overall evidence, the CIP and CIA should be modified to reflect the current problems identified. Therefore, it should be modified and only be applicable to new and variation applications requesting 'Off' sales of alcohol.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 Retain the existing policy – not relevant to the current problems identified
- 9.2 Alternative modification e.g., boundary - the Op-Can-Do defined boundary is still relevant
- 9.3 Resolve that the CIP and CIA no longer apply and remove any reference from the policy - this option is not supported by evidence obtained during the consultation process

10. IMPLICATIONS

Financial Implications

- 10.1 None foreseen.
- 10.2 In 2018 Peterborough City Council Community Capacity Manager and programme lead for the Can-Do regeneration programme (Cate Harding) confirmed that £7.5m of capital investment for the area had been secured. A statement regarding this secured funding is attached at **Appendix Y**.

Legal Implications

- 10.3 Legal services will be required to provide legal representation in the event of any appeals to the Magistrates Court against decisions of the council, prosecutions being instigated or enforcement action being undertaken by the authority.

Equalities Implications

- 10.4 None foreseen

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 11.1 Licensing Act 2003
Revised Guidance issued under Section 182 – April 2018
LGA Best Practice for the review of Licensing Policy Statements Oct 2012

12. APPENDICES

- 12.1 Appendix A – List of consultees
Appendix B – Full consultation document
Appendix C – ET Public Notice
Appendix D - Response table including officer comment

Appendix E – Cambridgeshire Constabulary response
Appendix F - Response from Safeguarding Children
Appendix G – Response from Planning Services
Appendix H – Response from Public Health
Appendix I – Response from PES (Peterborough Enforcement Services)
Appendix J - Response from Broadway Residents Association
Appendix K –Response from Paul Bristow MP for Peterborough
Appendix L – Response from Vice Chair of Community First
Appendix M – Response from MANERP Millfield And New England Regeneration Partnership
Appendix N - Two responses from Cllr Ali
Appendix O - Petition preface page (the petition containing nearly 170 signatures is exempt from publication, see paragraph 2.3)
Appendix P - Response from Portman Group
Appendix Q – Similar responses from two residents
Appendix R – Response from one resident
Appendix S – Response from local business operator
Appendix T – Four responses from local residents
Appendix U - Three responses from local residents
Appendix V - Response from boxing gym operator
Appendix W - Eleven responses from local residents
Appendix X – Revised draft policy for consideration of the Licensing Committee
Appendix Y – Statement regarding £7.5m secured funding

This page is intentionally left blank

List of persons/bodies consulted

All responsible Authorities
Ward and Parish Councillors
Police and Crime Commissioner
Community Associations
Residents Associations
Portman Group
Institute of Licensing
Both local MP's
ACRE (Action with communities in Rural England)
Association of Licensed Multiple Retailers
British Beer and Pub Association
Drink Aware
Aspire
Peterborough Prevention & Enforcement Services
Peterborough Chamber of Commerce

This page is intentionally left blank

Telephone: 01733 747474
Fax: 01733 863811
E-Mail: lpc@peterborough.gov.uk
Please ask for: Terri Martin
Our Ref: Consultation - Licensing Policy
Your Ref:



Licensing
 Peterborough City Council
 Sand Martin House
 Bittern Way
 Fletton Quays
 Peterborough
 PE2 8TY

To All Interested Parties

Telephone 01733 747474
 Minicom 01733 452421

19 August 2020

Dear Interested Parties

The Licensing Act 2003 has been in effect since November 2005, it regulates persons and premises that provide licensable activities, which are; the sale or supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment.

The council has a duty under the Act to carry out its licensing functions by promoting the four licensing objectives, each of which is of equal importance. The four objectives are:

- the Prevention of Crime and Disorder
- Public Safety
- the Prevention of Public Nuisance
- the Protection of Children from Harm.

The Act requires the council to have a Statement of Licensing Policy, this policy sets out how the council will administer its licensing functions under the Act. The policy must be kept under review and remains in existence for up to five years. A Cumulative Impact Policy for the 'Op-Can-Do' area of Peterborough was adopted in April 2013, and must be reviewed every 3 years. It was retained in 2015 following review and consultation. In 2018, following a further review and consultation, the licensing authority retained the policy and published a CIA statement to that effect.

Both the overarching policy and the Cumulative Impact Policy and Assessment are now subject to full review and consultation. The consultation is taking place **between 19 August to 14 October 2020**, and welcome any comments that you may have, regarding the overall policy including the Cumulative Impact Policy and Assessment.

As part of the consultation process, we are writing to those likely to be affected by the policy and recognise that in some areas it may be difficult to identify the correct persons or bodies to consult. With this in mind, it would be appreciated if you could pass this letter to the most appropriate person or body to respond, if necessary.

A draft of the reviewed policy, indicating the proposed amendments in accordance with Government guidance is available for viewing on our website at www.peterborough.gov.uk Alternatively to request a copy please telephone 01733 747474 and ask for licensing.

If you wish to comment on the proposed Statement of Licensing Policy and or the Cumulative Impact Policy and Assessment, please do so in writing to the address above, or by email to: lpc@peterborough.gov.uk by 14 October 2020, all comments received will be considered prior to adoption of the final policy.

Although we are not able to give an individual response to each comment received, we will be publishing the final policy on our website in December this year for implementation in January 2021.

Yours faithfully

Terri Martin
Strategic Regulatory Officer – Licensing

PETERBOROUGH CITY COUNCIL

LICENSING ACT 2003

STATEMENT

OF

LICENSING POLICY

**Subject to 8 week consultation starting 19 August 2020
to 14 October 2020**

CONTENTS

PAGE NO

	Definitions	3-4
	The City Of Peterborough And District	5
1.	Introduction	6
2.	Disclaimer	6
3.	Licensable Activities	6
4.	Objectives	6-7
5.	Consultation	7
6.	Fundamental Principles	7-8
7.	Immigration Act 2016	8
8.	Other Legislation	8-9
9.	Other Regulatory Systems and Policies	9-10
10.	Temporary Event Notices	10-11
11.	Duplication	11
12.	Cumulative Impact	11-15
13.	Licensing Hours / Zoning	16
14.	Children and Licensed Premises	16-18
15.	Licence Conditions	18-19
16.	Enforcement	19
17.	Reviews	19-20
18.	Delegations / Decision Making / Administration	20-21
19.	Appeals	21-22
20.	Effective Date and Review	22
22.	Table of Delegations	23
22.	Contact Details	24-25

DEFINITIONS

Note: In this Policy, the following definitions are included to provide an explanation of certain terms included in the Act and therefore in the Policy. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

'the Act' means the Licensing Act 2003 (c.17)

'Licensable Activities' means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

'The Guidance' means the guidance issued by the Secretary of State for the Department of Culture, Media and Sport under s.182 of the Act.

'Licensed Premises' includes club premises and events unless the context otherwise requires.

'Designated Premises Supervisor (DPS)' means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

'Regulated Entertainment' is defined as;

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- Boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Entertainment of a similar description to that falling within the performance of live music; the playing of recorded music and the performance of dance.

In some circumstances, the provision of regulated entertainment is not licensable, for further information please go to www.gov.uk (and search for entertainment licensing)

'Late Night Refreshment' means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

'Operating Schedule' means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

‘Other Persons’ means

Persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

‘Responsible Authority’ means any of the following: -

- The Chief Officer of Police
- The Fire Authority
- The enforcing authority for Health and Safety at Work
- The local planning authority
- The local weights and measures authority (Trading Standards)
- The Council responsible for minimising or preventing the risk of pollution of the environment or of harm to human health
- The body representing matters relating to the protection of children from harm
- In relation to a vessel, a navigation authority, the Environment Agency, or the British Waterways Board
- The relevant Licensing Authority
- The Director of Public Health
- **Home Office (Immigration Enforcement)**

‘Relevant Representations’ are representations which can be either in support of an application or against the application, (also called an objection) and must be:

- About the effect of the Premise Licence on the promotion of the licensing objectives;
- Are made by a responsible authority or any other person, have not been withdrawn and, in the case of representations made by other persons, they are not in the Council’s opinion frivolous or vexatious.
- Must relate directly to an application and received during the consultation period. Representations received outside the consultation period cannot be considered.
- An objection must relate to the licensable activities requested, **and must detail** how **you individuals, businesses, communities** and the objectives are likely to be adversely impacted by the activity, which the conditions proposed in the operating schedule of the application do not address or do not address sufficiently.

‘Temporary Event Notice (TEN)’ means a Permitted Temporary Activity involving one or more Licensable Activities subject to various conditions and limitations (see section 10). For further information, please go to www.gov.uk (and search for alcohol licensing)

Standard TEN: Must be received no later than 10 working days prior to the event. **(Not counting day of receipt of the application and day of the event).**

Late TEN: Must be received between 5 and 9 working days prior to the event. **(Not counting day of receipt of the application and day of the event).**

THE CITY OF PETERBOROUGH AND DISTRICT

Peterborough is a modern and progressive City with a strong historical character that makes it a stimulating environment in which to live, work and visit.

In the 2011 Census, Peterborough had a population of approximately 183,000, with an approximate population of **203,600 in 2018**. ~~188,400 in 2013~~. **Compared to neighbouring districts and for the East of England and England as a whole, ONS estimates show that Peterborough has seen the strongest growth in population between 2011 and 2018, of 9.0%¹**. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately **6,201,210** ~~350,000~~ people in **2018** in both the East of England and East Midlands' region.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today, Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the East of England. It is only 45 minutes from central London and within striking distance of the regions other great cities being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

An essential contribution to the continued development of the City of Peterborough are the differing types of premises and events licensed under the Licensing Act 2003. There are ~~over~~ **nearly** 600 licensed premises offering a wide range of leisure activities, such as live music, theatres, sports venues, cinema and a vast range of restaurants offering diverse menus to suit any palate.

The embankment along with the county showground provide facilities for several open-air larger type festivals and concerts. Visitors can enjoy a vast range of outdoor leisure activities and picturesque countryside – including 2,000 acres of riverside parkland. There are two theatres offering drama, ballet and concerts – the Key Theatre and the Cresset Theatre. For sports fans, Peterborough has ~~four~~ sports stadia, e.g. football, speedway, ice hockey ~~and greyhound~~.

Peterborough continues to invest in regeneration, infrastructure and accessibility, with projects within the city centre and the outskirts. This creates a vibrant mix of activities and premises catering for a multi-cultural city, offering a wide range of facilities to residents and visitors.

Peterborough is an intelligence led authority, the Safer Peterborough Partnership is an integrated multi-agency initiative working in partnership with the police and others to tackle many issues, e.g. crime, anti-social behaviour and alcohol related issues. This approach highlighted the 'Op Can Do' area as an area which had reached saturation and a Cumulative Impact Policy was introduced and took effect in April 2013.

¹Cambridgeshire County Council Business Intelligence Research Team's 2018 - based population and dwelling stock forecasts.

1. INTRODUCTION

- 1.1 This Statement of Licensing Policy has been produced in accordance with s.5 of the Licensing Act 2003 (the Act) which requires the Council to review and where appropriate renew its contents on a five yearly basis (subject to changes in legislation or otherwise prescribed by the Secretary of State).
- 1.2 In reviewing the Statement of Licensing Policy the Council has considered the Guidance issued under s.182 of the Act.
- 1.3 This policy provides information and guidance to licence applicants, licence holders, objectors and Other Persons on the general approach to be taken by the Council in respect of its obligations under the Act.
- 1.4 This policy is made available in key Council offices and via the Council's website: www.peterborough.gov.uk under business.
- 1.5 The contents within the policy have been amended in line with Local Government Association (LGA)' Best Practice Framework for the Review of Licensing Policy Statements.

2. DISCLAIMER

- 2.1 The content of the Council's Statement of Licensing Policy is aimed only to provide guidance and should not be interpreted as legal advice. It is strongly recommended that persons obtain their own legal advice if they are not sure of the requirements of the Act and/or the Guidance and Regulations issued in accordance with it.

3. LICENSABLE ACTIVITIES

- 3.1 This policy relates to all those activities identified as falling within the provisions of the Act, provided to the public, to registered club members or with a view to profit as defined within the Act.
- 3.2 The Licensing Act 2003 regulates the following activities:
 - Retail sale of alcohol
 - Supply of alcohol by or on behalf of a club, or to the order of, a member of the club
 - The provision of regulated entertainment
 - The provision of late night refreshment

4. OBJECTIVES

- 4.1 The Council has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are:-
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.2 Each objective has equal importance.
- 4.3 The Council will also in carrying out its duties have regard to the Guidance, this policy and any responses to consultation regarding this policy.
- 4.4 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. The Council will therefore continue to work in partnership with its neighbouring authorities, responsible authorities such as the Police, Fire Service, Health Service etc. local

businesses, licensed trade, residents and others, towards the promotion and delivery of the objectives.

- 4.5 The Council will expect individual applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. This must be particularly addressed for applications within the Cumulative Impact area.
- 4.6 It is recommended and encouraged that all applicants for authorisations enter into informal discussions prior to the submission of an application in order to avoid potential problems and unnecessary hearings and appeals.
- 4.7 The Licensing Authority and the Responsible Authorities of the Council will offer as much advice and guidance to applicants as resources permit. If additional assistance is required the Licensing Authority provides a paid for licensing pre-application advice service for all applicants. Full details are available on the Council's website.

5. CONSULTATION

- 5.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing functions and the promotion of the licensing objectives. The Council will continue to consult with these parties upon receipt of applications where relevant, and for the further continuation and development of the Licensing Policy.
- 5.2 In reviewing this Policy, the Council will consulted over an 8 week period from 19 August 2020 to 14 October 2020 ~~06 July 2015 – 13 September 2015~~ with the following:
- (a) Chief Officer of Police for the area;
 - (b) Fire Authority for the area
 - (ba) Director of Public Health
 - (c) Persons/bodies representative of local holders of premises licenses;
 - (d) Persons/bodies representative of local holders of club premises certificates;
 - (e) Persons/bodies representative of local holders of personal licenses
 - (f) Persons/bodies representative of businesses and residents in its area;

(And other bodies and groups that the Licensing Authority consider appropriate)

- 5.3 All responses to the consultation were will be given due consideration when determining the final policy.
- 5.4 A review of the policy was carried out by way of consultation with those listed in 5.2 to include a special policy. The consultation took place between 21/1/13 – 04/03/13.
- 5.5 The special policy was adopted by full council at a meeting held on 17 April 2013 and retained in 2015 following review and consultation.
- 5.6 In 2018 a further review and consultation was carried out. The responses and evidence were evaluated and the licensing authority remained of the opinion, that the number of licensed premises in the Can-Do area, is such, that it is likely, that it would be inconsistent with the authority's duty to promote the licensing objectives, to grant any further licences in respect of any premises in the CIP area, and published a CIA statement to that effect. Please see section 12.

6. FUNDAMENTAL PRINCIPLES

- 6.1 Licensing is about regulating the carrying on of licensable activities by the appropriate control of licensed premises, qualifying clubs, and temporary events together with the people who manage such premises or hold Personal Licences within the terms of the Act.

- 6.2 In circumstances where conditions are required to be attached to the various authorisations, the focus will be on matters which are within the control of the individual licensee and others in possession of relevant authorisations (please see section 15 for more information on licence conditions).
- 6.3 In setting conditions the Council will primarily focus on the direct impact of the activities taking place at, or resulting from the licensed premises on those living, working or engaged in normal activity in the vicinity of the licensed premises.
- 6.4 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. However:
- (a) licensing law is a key aspect of such control and therefore will always form part of an all round approach to the management of the entertainment evening and night-time economy within Peterborough; and
 - (b) licensees and Certificate Holders should take all reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example, on the pavement, in a beer garden, or with the smoking ban in force, in a smoking shelter, where and to the extent that these matters are within their control.
- 6.5 Nothing in this policy prevents each licence application being considered on its own merits nor will it override the right of any individual to apply under the terms of the Licensing Act 2003 for a variety of permissions.
- 6.6 This policy does not seek to override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 6.7 If no relevant representations are received from responsible authorities or any other persons, applications must be granted as applied for. The only conditions which will be applied are those proposed within the operating schedule and any applicable mandatory condition(s).

7. IMMIGRATION ACT 2016

- 7.1 Since April 2017 all applicants applying for a personal licence or premises licence will be required to demonstrate that they have the right to work in the UK. The list of documents which an applicant may provide to demonstrate their entitlement to work in the UK is published on gov.uk, at Annex A of Section 182 guidance and on relevant application forms.
- 7.2 Where an applicant's immigration permission to live and work in the UK is time-limited, or is curtailed or revoked by the Home Office, the licence will lapse and become invalid when the immigration permission expires.
- 7.3 A person is disqualified from applying for a personal licence or premises licence by reason of their immigration status if:
- The person requires leave to enter or remain in the UK and has not been granted it or
 - The person's leave to enter or remain in the UK is invalid, ceases to have effect (whether by reason of curtailment, revocation, cancellation, passage of time, or otherwise), or
 - Is subject to a condition preventing the person from doing work of that kind.

8. OTHER LEGISLATION

- 8.1 Crime and Disorder Act 1998: Under this Act local authorities must have regard to the likely effect of the exercise of their functions, and do all they can to prevent crime and disorder in their area.

- 8.2 The Council will have particular regard to the likely impact of licensing on related crime and disorder in the district, particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, renewals and variations of conditions. Any conditions attached to premises licences and club premises certificates will, so far as possible, consider and reflect the local crime prevention strategies.
- 8.3 The Council recognises that the Equality Act 2010 places a legal obligation on public authorities and has due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity.
- 8.4 The Licensing Authority also recognises its responsibilities under the Data Protection Act 2018, and the General Data Protection Regulation (GDPR) when it comes to handling and storing personal data, and has created a data retention and sharing policy which is available via the Council's website
- 8.5 Due to the national emergency, Central Government introduced legislation which affects licensed premises for a limited duration. As these changes are temporary and time limited in nature, they have been summarised in Annex A.

9. OTHER REGULATORY SYSTEMS / POLICIES

- 9.1 By consultation and liaison, the Council will secure the proper integration of this licensing policy with local crime prevention, community safety, environment, planning, tourism, health and wellbeing, race equality schemes and cultural strategies and any other relevant policy, in addition to plans introduced for the management of the City and the night-time economy. Many of these strategies are not directly related to the promotion of the four licensing objectives, but, indirectly impact upon them.
- 9.2 **Sexual Entertainment Venues (SEV):** On 02 December 2010 The Council adopted the amendment to the Local Government (Miscellaneous Provisions) Act 1982 (LG(MP)A 1982) with an effective commencement date of 08 February 2011. The effect of this means that premises which provide sexual entertainment on a regular basis (more than 11 occasions per year) will be required to obtain a SEV licence under LG(MP)A 1982. If the premises also require the sale and supply of alcohol, licences under both Acts will be required.
- 9.3 **Planning, building control and the licensing regimes:** Will be separate to avoid duplication and inefficiency. Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Where a terminal hour has been set as a condition of planning permission for the use of premises for commercial purposes that are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.
- 9.4 **Cultural Strategies:** The Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays, for the wider cultural benefit of the communities.
- 9.5 **Public Spaces:** The Council wishes to promote a broad range of entertainment within its area including live music, dancing and theatre. To promote this policy the Council may, where appropriate, seek to obtain premises licences for Council owned public spaces within the community such as market squares, village greens, etc.
- 9.6 **Travelling Circuses:** Where types of entertainment are present in a performance by a travelling circus they will not be licensable provided that certain qualifying conditions are met. Guidance has listed these qualifying conditions as follows:

- The entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- The entertainment takes place between 08.00 and 23.00 on the same day
- The entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- The travelling circus has not been located on the same site for more than 28 consecutive days.

It should be noted that the circuses with performing animals will not be permitted, and therefore not licensed, on Council owned land.

10. TEMPORARY EVENT NOTICES

- 10.1 A temporary events notice (TEN) is required for the sale of alcohol by retail, provision of regulated entertainment and/or the provision of late night refreshment, which is to take place at premises, which are currently unlicensed for the activities involved. Applicants are reminded that a limit of fewer than 500 persons at any one time applies to a temporary event and failure to comply with this limit may lead to the event closure or even prosecution. It is strongly recommended, therefore, that a means of recording the number of persons entering and leaving the premises is put into operation. There is nothing to stop a TEN being given for a premises where a premises licence is already in force although does not cover the type of event proposed.
- 10.2 If there are over 500 persons attending the event then this will fall outside the provisions of a temporary event notice and a premises licence will be required.
- 10.3 Applicants are reminded that an authorisation made under a TEN does not remove their obligations under any other legislation including that of statutory nuisance. Where necessary, permissions should be sought from the appropriate body. The Council strongly recommends that applicants familiarise themselves with these responsibilities which amongst others may include:-
- Planning permission
 - Health and Safety
 - Noise Pollution
 - Erection of temporary structures
 - Road closures
 - Use of pyrotechnics
 - Anti-social behaviour
- 10.4 As well as the limit on the number of persons permitted under a TEN the following conditions and limitations apply:-
- Duration – they are limited to events lasting for up to 168 hours (7 days);
 - Use of the same premises – the same premises cannot be used on more than **15** occasions in a calendar year, ~~(this will increase to 15 with effect from 1 January 2016)~~ but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used;
 - The total number of notices (this includes late and standard TENs) given by an individual within a calendar year (1 January to 31 December) – a Personal Licence Holder is limited to 50 notices in one year and ~~another~~ **those who do not hold a personal licence, to 5 notices per year** ~~person to 5 notices~~
 - The number of late TEN's is limited to 10 in a calendar year for a personal licence holder and two **for those who do not hold a personal licence.** ~~for other people.~~ If these limits are exceeded in a calendar year, the application will be returned as void and the event will not be authorised.
 - There must be a minimum period of 24 hours between events authorised under separate TEN's at the same premises by the same premises user or associate.

- Relevant persons - Police and Environmental Health have the opportunity to consider whether they should object, modify or attach conditions to a TEN based on any of the licensing objectives
- 10.5 When calculating the number of working days for submission of TENs, the day the notice is received and the first day of the event are excluded from the calculation. If a TEN application requests for an event to start before midnight and end after midnight this will count as two days towards the 21 day limitation.
- 10.6 **Standard and Late Temporary Event Notices:** There are two types of TEN, a standard TEN and a late TEN. These are subject to different processes. A standard TEN is given no later than ten working days before the event to which it relates, and a late TEN is given not before nine and not later than five working days before the event.
- 10.7 **Standard Temporary Event Notices:** Whilst a minimum of 10 working days' notice must be given to the Council and relevant persons for applications, it should be noted that this gives very little time for the Council to process the application and for the relevant persons to respond. Applicants are therefore encouraged to provide a minimum of 28 days' notice of a licensable event.
- 10.8 Where a TEN is held on premises where a premises licence or club premises certificate is in place, and the relevant persons believe that allowing the premises to be used in accordance with the TEN would undermine the licensing objectives they can object and/or modify and/or request conditions from the premises licence or club premises certificate to be applied to the TEN.
- 10.9 Where an objection to a TEN is received from relevant persons and not withdrawn, the licensing authority must hold a hearing to consider the objection, unless all parties agree that this is unnecessary.
- 10.10 **Late Temporary Event Notices:** are intended to assist premises users who are required for reasons outside their control to provide licensable activities at premises in shorter time scales. However, there is a risk that the event may receive an objection from relevant persons, where this occurs the notice will not be valid and the event will not go ahead, as there is no scope for a hearing or the application of any existing conditions.

11. DUPLICATION

- 11.1 So far as is possible, this policy is not intended to duplicate existing legislation and other regulatory regimes that already place obligations on the self-employed, employers and operators of venues both in respect of employers and of the general public when on the premises in question. Therefore, conditions and control measures which would be a duplication of existing legislative requirements, cannot be imposed in the context of licensing law as they are already provided for in other legislation.

12. CUMULATIVE IMPACT

- 12.1 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can consider within its licensing policy statement. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises, e.g. a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.
- 12.2 The licensing authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.
- 12.3 The Licensing Authority has adopted (following a meeting of the full council on 17 April 2013) a special policy relating to cumulative impact in respect to all licensed premises for the Op

Can Do area. The first special policy took effect on 18 April 2013 and was subsequently reviewed and published on 07 January 2016.

- 12.4 A CIP (**Cumulative Impact Policy**) creates a rebuttable presumption that applications within the Op Can Do area for new premises or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 12.5 Cumulative Impact was only ever described in Section 182 Guidance, however, with effect from 06 April 2018 cumulative impact is now incorporated within Section 5A of the Licensing Act 2003, following commencement of Section 141 of the Policing and Crime Act 2017 which amended the Licensing Act 2003. This puts Cumulative Impact Assessments (**CIA**) on a statutory footing and requires authorities to set out the evidence as to why the authority is of the opinion that a CIP is required for those types of premises and that defined area **in a CIA published statement**.
- 12.6 Section 5A of the Act requires CIA's to be reviewed and re-evaluated every three years in order to establish if the CIA is still relevant to current problems in the defined area.
- 12.7 A consultation took place between the dates of 06 August 2018 – 23 September 2018, with the statutory consultees as set out in 5(3) of the Act. Evidence produced during the consultation was reviewed and considered by the Licensing Act 2003 Committee at a meeting on 18 October 2018.
- 12.8 The Licensing Committee at the aforementioned meeting resolved to recommend that Full Council approve the retention of the current Cumulative Impact Policy and Assessment for the Op Can Do area.
- 12.9 In making its determination the Authority considered **paragraphs 14.29 and 14.30** of the Guidance (April 2018) and gave particular weight to evidence from local councillors, evidence obtained through local consultation and complaints recorded by the local authority, which may include complaints raised by local residents and residents' associations.
- 12.10 Applicants will need to address the CIA in their operating schedules in order to rebut such a presumption.
- 12.11 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the licensing authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to information, which had been before the licensing authority when it developed its statement of licensing policy.
- 12.12 This licensing authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and applications for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.
- 12.13 The absence of a special policy however, does not prevent any responsible authority or other persons making representations on a new application for the grant of a licence on the

grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

12.14 Once away from licensed premises, a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing these problems. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:

- Planning controls
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority **including best practise schemes such as Best Bar None, Pubwatch or BIDs**
- **Community Protection Notices**
- The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
- Powers of local authorities to designate parts of the local authority area as Public Spaces Protection Orders. Confiscation of alcohol from adults and children in designated areas.
- Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale).
- Powers to close down instantly premises or temporary events to prevent a nuisance or disorder from continuing, recurring or occurring.
- The power for responsible authorities and other persons to seek a review of a premises licence or club premises certificate.
- **Raising a contribution to policing the late night economy through the Late Night Levy.**
- **Early Morning Alcohol Restriction Orders**

12.15 The above may be supplemented by other local initiatives that seek to address these problems, for example through Safer Peterborough Partnership, in line with the strategic objectives for crime and disorder reduction in the city.

12.16 Information regarding Public Spaces Protection Orders (PSPO) can be found on the link below
<https://www.peterborough.gov.uk/residents/saferpeterborough/public-spaces-protection-order>

Map Showing Current CI Policy Area in Green

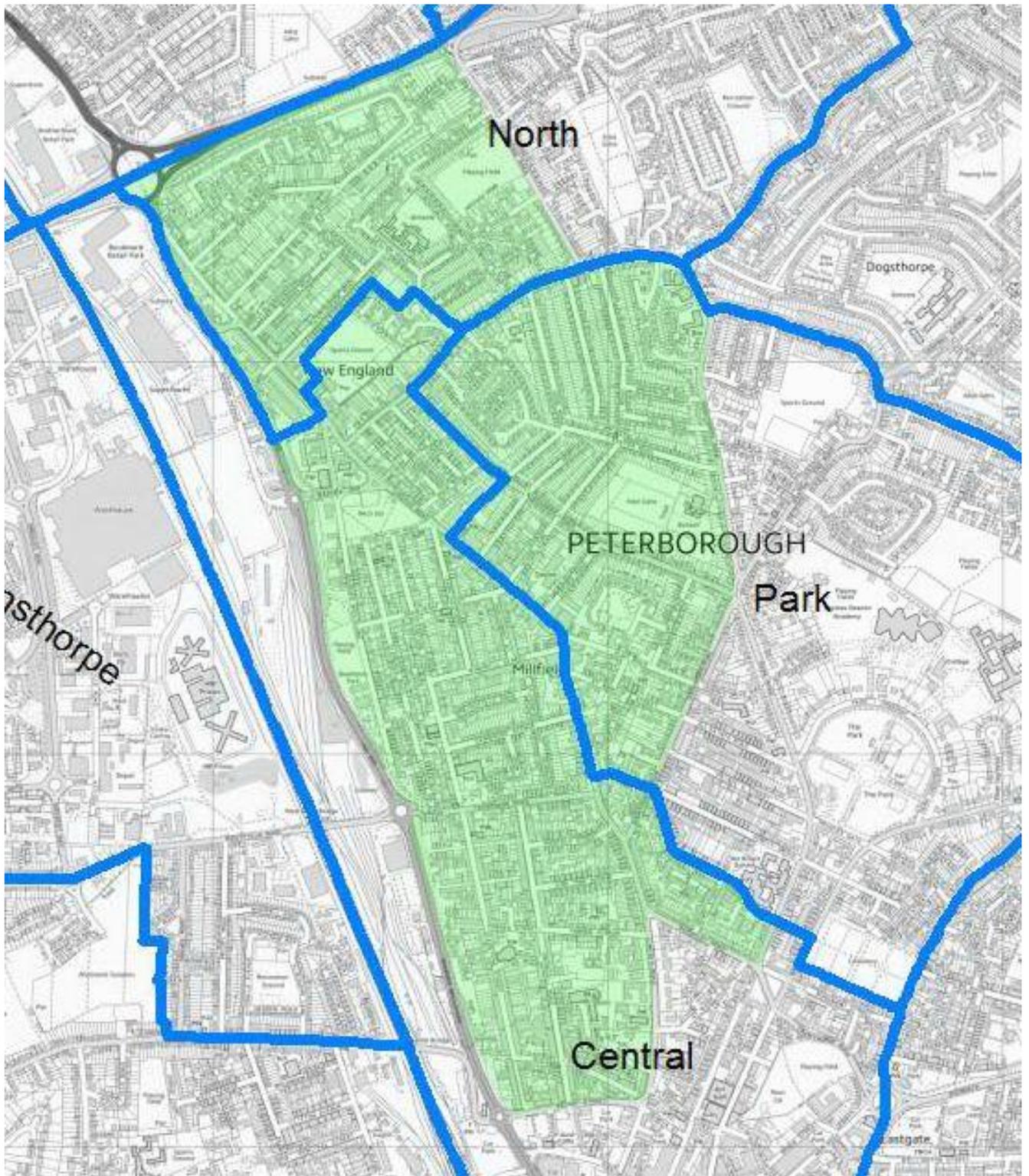


Table of Street Names Within the Current CI Area

Streets in the Op Can Do area		
Alexandra Road	Keats Way	1-359 Dogsthorpe Road
Allen Road	Keeton Road	40 - 50 Bright Street
Alma Road	Kipling Court	Beckets Close
Bamber Street	Lammas Road	Berry Court
Beech Avenue	Lawn Avenue	Boswell Close
Belham Road	Lime Tree Avenue	Burghley Mansions
Bourges Boulevard	Lincoln Road	Burns Close
Brassey Close	Link Road	Burrows Court
Brownlow Road	Lister Road	Carl Hall Court
Burghley Road	Lynton Road	Caroline Court
Burmer Road	Maskew Avenue	Cecil Pacey Court
Cambridge Avenue	Norfolk Street	Century Square
Cecil Road	North Street	Claridge Court
Chantry Close	Northfield Road	Coleridge Place
Chaucer Road	Norton Road	Connaught Mews
Church Walk	Nursery Close	Cromwell Court
Clare Road	Occupation Road	Dogsthorpe Grove
Clarence Road	Park Road	Dyson Close
Cobden Avenue	Parliament Street	Gillwell Mews
Cobden Street	Peveril Road	Gray Court
Cowper Road	Pope Way	Hamilton Court
Craig Street	Portland Avenue	Ingleborough
Cromwell Road	Russell Street	Johnson Walk
Crown Street	Scotney Street	Kimbolton Court
Dryden Road	Searjeant Street	Lincoln Gate
Eaglesthorpe	Shakespeare Avenue	Loire Court
English Street	Sheridan Road	Manor House Street
Exeter Road	Silverwood Road	Old Court Mews
Fitzwilliam Street	Springfield Road	Oxford Road
Foxdale	St James' Avenue	Parkodi Court
Fulbridge Road	St Mark's Street	Popley Court
Geneva Street	St Martins Street	'Raedwald Court
Gilpin Street	St Paul's Road	Rock Road
Gladstone Street	Stone Lane	Rosehall Court
Granville Street	Summerfield Road	Russell Mews
Green Lane	Taverners Road	Salaam Court
Hankey Street	Tennyson Road	Shelley Close
Harris Street	Thistle Moor Road	St Marks Apartments
Henry Court	Towler Street	St Marks Court
Henry Street	Vere Road	St Martins Mews
Herrick Close	Victoria street	The New Haven
Highbury Street	Warbon Avenue	Tom Lock Court
Windmill Street	Waterloo Road	up to 135 Park Road
Bamber Court	Wilberforce Road	Victoria Place
Walpole Court	York Road	

13. LICENSING HOURS / ZONING

- 13.1 EMRO's: Early Morning Restriction Orders, are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 13.2 LNL: Late Night Levy, is a levy imposed on businesses which sell alcohol between midnight and 6am or part thereof. Funds raised by this levy are applied to the costs of policing crime and disorder connected to those sales of alcohol.
- 13.3 The Council notes guidance on the late night levy and EMRO's and has considered the options of adopting the provisions, but has no intention at this time of implementing either provision. The Council reserves the right to review this decision in the future.
- 13.4 The Council has not adopted fixed trading hours as a matter of policy. It recognises that flexible licensing hours with regard to the sale of alcohol is important to ensure that the concentrations of customers leaving premises simultaneously are avoided.
- 13.5 The Council recognises that providing consumers with greater choice and flexibility is important to a thriving evening and night-time economy however, this will be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 13.6 There is no general presumption in favour of lengthening licensing hours and accordingly the Council may when issuing new licenses or following reviews of existing licenses reject a proposal or grant it with appropriate conditions and/or different hours from those requested.
- 13.7 Shops, stores and supermarkets will normally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons based on the four licensing objectives for restricting those hours. For example, a limitation on licensing hours may be appropriate following Police representations in the case of premises known to be a focus of disorder and disturbance because youths gather there.

14. CHILDREN AND LICENSED PREMISES

- 14.1 There are a great variety of premises for which licences may be sought, including theatres, cinemas, restaurants, cafes, fast food outlets, community halls and schools where children may frequent. No statement of policy can properly anticipate every issue of concern that could arise in respect of children in relation to individual premises, and therefore the individual merits of each application will be considered in each case.
- 14.2 It is however an offence under the 2003 Act to:
- permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
 - to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.
- 14.3 Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. This does not mean that children should automatically be admitted to, or excluded from, such premises.

- 14.4 Conditions restricting the admission of children to any premises will not generally be attached to licences or certificates (except those identified in 14.10). Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club, subject to compliance with the Act
- 14.5 Where it is deemed appropriate to attach conditions to the licence in relation to access by children, this will be for the prevention of physical, moral or psychological harm to them.
- 14.6 Venue operators seeking premises licences and club premises certificates will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events. It may also be that their own risk assessments have determined that the presence of children is undesirable or inappropriate.
- 14.7 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedules, having regard to their particular type of premises and/or activities:-
- Effective and responsible management of the premises
 - Provision of a sufficient number of people employed or engaged to secure the protection of children, including child performers, from harm
 - Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
 - Limitations on the hours when children may be present in all or parts of the premises
 - Limitations or exclusions by age when certain activities are taking place
 - Imposition of requirements for children to be accompanied by an adult
 - Acceptance of accredited 'proof of age' cards and/or 'new type' driving licences with photographs.
- 14.8 Where no relevant representations are made to the Council, any proposed conditions in the operating schedule will be attached as conditions to the licence or certificate, subject to section 15 below, and will be enforceable.
- 14.9 Following receipt of any relevant representations, the Council will consider and determine each application, on its merits, as to whether to limit access by children or exclude them altogether from licensed premises by attaching any relevant conditions.
- 14.10 The conditions limiting and restricting access by children may include a combination of the following: -
- Limitations on the hours when children may be present in all or parts of the premises
 - Requirements for children to be accompanied by adults
 - Full exclusion of those people under 18 from the premises when any licensable activities are taking place
 - Limitations on the parts of premises to which children might be given access
 - Limitations or exclusions by age when certain specified activities are taking place e.g.
 - Where entertainment or services of an adult or sexual nature for example, lap-, table- or pole dancing, topless bar staff or striptease are commonly provided
 - Where there is a strong element of gambling on the premises (but not where there is a small number of cash prize gaming machines);
 - With a known association to drug activities – taking or dealing;
 - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
 - Where the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

- 14.11 The Council recognises The **Cambridgeshire and Peterborough Safeguarding Children Partnership Board (CPSCPB)** as the competent body to advise on these matters.
- 14.12 **The Portman Group:** The Council commends the Portman Group Code of Practice on the naming, packaging and promotion of alcoholic drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.
- 14.13 **Proof of Age Schemes:** The Council commends proof of age cards accredited under the Proof of Age Standards Scheme (PASS).
- 14.14 **Children and Cinemas:** In the case of premises which are used for film exhibitions, **mandatory** conditions will be imposed restricting access only to those who meet the required age limit, in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself. **Since the above mandatory condition applies to 'any film', it is therefore applicable to the exhibition of adverts.**

15. LICENCE CONDITIONS

- 15.1 There are three different types of condition that may be attached to a licence or certificate:
Proposed - those conditions offered within the operating schedule of the application:
Imposed - attached by licensing authority following a hearing
Mandatory - imposed by the Act and can be amended by the Secretary of State.
All conditions should be clear, enforceable, evidenced, proportional, relevant, and capable of being understood.
- 15.2 One of the key concepts of the Act is that any conditions (other than the statutory mandatory conditions and those proposed within the application) attached to licences or certificates can only be imposed to licenses at a hearing following relevant representations. Conditions will be tailored to the individual style and characteristics of the premises and events concerned.
- 15.3 The Council will only attach conditions to premise licenses and club certificates where they are appropriate for the promotion of one or more of the four licensing objectives.
- 15.4 Conditions that are appropriate for the promotion of the licensing objectives should emerge initially through the operating schedule and risk assessment carried out by a prospective licensee or certificate holder at the time of application, particularly for applications within the cumulative impact area. **The licensing Authority may not replicate the exact wording from an applicant's operating schedule. A condition will be interpreted and may be re-worded, in accordance with the applicant's intention.**
- 15.5 The Council will not impose any conditions unless they are proposed or its discretion has been engaged following relevant representations having been received and upheld. In these circumstances, it may then only impose conditions as are appropriate to promote the licensing objectives arising out of the consideration of representations.
- 15.6 The Council will take into account:
- The character of the surrounding area;
 - The nature and character of the proposed operation;
 - The impact that the activity will have on those living, working or engaged in normal activities in the area concerned.
- 15.7 Conditions will generally be considered inappropriate if they are already adequately covered by other legislation.
- 15.8 The pool of conditions cover, among other things, issues surrounding:

- Crime and disorder, incorporating local crime prevention strategies, e.g. CCTV at certain premises;
- Public safety (including fire safety and means of escape);
- Theatres and cinemas (promotion of public safety);
- Anti-social behaviour (inc: public nuisance, provision of clearance of litter outside premises, fly posting);
- Protection of children from harm;

Further information can be found via the Council's website www.peterborough.gov.uk under 'business'

~~14.9 Any conditions not listed in the pool may be specifically tailored by this Council and attached as conditions where appropriate.~~

15.9 In determining what conditions should be attached to licences and certificates, to appropriately promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

16. ENFORCEMENT

16.1 The Council will establish arrangements with the responsible authorities on enforcement issues in addition to carrying out their own regular inspections. These protocols will provide for the targeting of agreed problem and high-risk premises, **with a 'light touch' to low risk, well managed premises.**

16.2 Operators are reminded of their obligations to provide appropriate training for staff to ensure the promotion of the licensing objectives, compliance with the Act and conditions of operation.

16.3 All decisions and enforcement action taken by the Council will have regard to the relevant provisions of the Act, national guidance, e.g. BRDO (Better Regulation Delivery Office) Regulators' Code and the enforcement policy of the Council. To this end, the key principles of consistency, targeting, transparency and proportionality will be maintained.

16.4 Responsible authorities may carry out their own enforcement activities such as test purchasing, on and off sales, underage and proxy sales. Any national guidance will be observed when these activities are conducted.

16.5 Premises licences and club premises certificates are subject to an annual fee. The Council must suspend these authorisations for the non-payment of the annual fee. Where disputes or administrative errors arise, there is a grace period of 21 days to resolve (from the due date of the invoice). If the dispute or error is not resolved, a notice of suspension will be given to the premises providing the date (minimum of two working days) when the suspension notice takes effect.

16.6 Where an authorisation is suspended, any licensable activities taking place would be unauthorised and subject to further enforcement. Responsible authorities will be notified of suspension notices issued.

16.7 With effect from April 2017 (following changes made by the Policing and Crime Act 2017), the Licensing Authority may revoke or suspend (for a maximum period of 6 months) a personal licence where the licence holder is convicted of a relevant or foreign offence and or required to pay an immigration penalty.

17. REVIEWS

17.1 The licensing authority works in partnership with the responsible authorities to promote the licensing objectives and will aim to give licensees early warning of any concerns identified at a premises.

- 17.2 Reviews of premise licences represent a key protection for the community where matters arise at the premise in connection with any of the four licensing objectives.
- 17.3 There are certain circumstances (as detailed within guidance), when the crime prevention objective is being undermined, it is expected that revocation of the licence, even in the first instance will be seriously considered.
- 17.4 At any stage following the grant of a Premises Licence a responsible authority or any other person may request a review. Evidence would be required based on one or more of the licensing objectives.
- 17.5 If relevant representations are made about a current licence, the Council will hold a hearing to consider them, unless the Council, the applicant and those making representations agree that the hearing is not necessary.
- 17.6 Additionally a review of the licence will normally follow any action by the Police or Local Authority to close down the premises on grounds of disorder or public nuisance.
- 17.7 No more than one review will normally be permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances or where it arises following a Closure Notice or Order.
- 17.8 Where entertainment is deregulated, between 08.00 and 23.00 and it is having a negative impact on the licensing objectives, a premises licence or club premises certificate can be reviewed to bring the entertainment back under the scope of the authorisation and appropriate conditions can be applied **and enforced**.
- 17.9 A summary review (or expedited) is appropriate for premises experiencing serious crime or disorder. It is a fast track licence review where the Council can attach interim conditions (where appropriate) to a premises licence where the responsible authority consider that the premises concerned is associated with serious crime or disorder or both. The Council can take the following interim steps:
- Modification of the conditions of the premises licence
 - The exclusion of the sale of alcohol (or other licensable activities) from the scope of the licence
 - Removal of the DPS
 - Suspension of the licence
- 17.10 The decision takes effect immediately or as soon as the Council directs. The Council will have regard to the Guidance when processing summary reviews.
- 17.11 Licensing officers may not initiate their own review of premises licences.

18. DELEGATION / DECISION MAKING / ADMINISTRATION

- 18.1 When determining applications the Council will have regard to the Guidance and this policy. Therefore, determination of applications made under the Act will be made by either the Licensing Committee, by a Sub-Committee of the Licensing Committee, or by one or more authorised officers acting in accordance with the Council's Scheme of Delegation. (See table of delegations on page 23)
- 18.2 A decision made by an officer under the Council's Scheme of Delegation, will be considered a decision made by the Council.
- 18.3 The Council will consider relevant representations made both in support of or opposition to any application.

- 18.4 Where a relevant representation is made then the authorised officer will liaise with the applicant and relevant parties to try and reach an agreement between them and the Council, as to the need for final determination by the Licensing Committee or Sub-Committee.
- 18.5 Where relevant representations are raised which cannot be resolved by mediation, matters will be referred to either of the aforementioned committees for determination.
- 18.6 The licensing authority is also a responsible authority and will make representations and review licenses where it considers appropriate. This does not negate the requirement for other responsible authorities or other persons from acting in their own capacity.
- 18.7 Where the licensing authority utilises the responsible authority provision, there is separation of responsibilities to ensure procedural fairness and eliminate any conflicts of interest. The officer acting as the responsible authority will be a different officer to that who is acting in its capacity as the licensing authority.
- 18.8 In cases where only positive relevant representations are received and upon agreement of the Applicant, the Licensing Authority and the other persons making those representations, it will not be necessary to hold a hearing to determine the application.
- 18.9 Each application will be determined on its individual merits taking into consideration the four licensing objectives.
- 18.10 Where it is determined that it is appropriate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned, on members of the public living, working or engaged in normal activity in the area concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.
- 18.11 If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Council's consideration will balance those representations against the wider benefits of the community. Furthermore, the Council acknowledges the advice received from the DCMS that the views of local minorities should not be allowed to predominate over the general interests of the community.
- 18.12 It may be appropriate for the Sub-Committee in some circumstances to conduct a site visit. In such circumstances, Members will observe the Members' Licensing Code of Good Practice and Procedure for Licensing Sub-Committee Site Visits.
- 18.13 All parties will receive a fair hearing.
- 18.14 The Council will ensure that Members and Officers having responsibility under the Act will receive appropriate training to administer and enforce the Act.
- 18.15 Upon request, the Licence Committee will receive regular reports on decisions made by officers to ensure that an overall picture of the state of licences in the area is maintained.
- 18.16 The Council will give comprehensive reasons for its decisions and such reasons shall also address the extent to which the decision has been made with regard to this Policy and Guidance.

19. APPEALS

- 19.1 **Magistrates' Court Appeals:** Other than in the case of personal licences, all appeals in connection with various decisions made by the Council will be determined by the Magistrates' Court in the area which the premises concerned are situated.
- 19.2 In the case of personal licences, the appeal must be made to the Magistrates' Court in the area in which the Council (or any part of it) which made the decision is situated.

- 19.3 Beginning with the day the appellant was notified by the Council of the decision to be appealed against; the appellant has a period of 21 days to commence his appeal by the issue of a complaint and notice of appeal to the Magistrates' Court. A fee is payable to the Court and the 21 day period is strict and cannot be extended.
- 19.4 The Council will always be a Respondent to the appeal, but in cases where a favourable decision has been made for an applicant licence holder, club or premises user against the representations of a responsible authority or an interested party or the objections of the chief officer of Police, the holder of the premises or personal licence or club premises certificate or the person who gave an interim authority notice or the premises user will also be a respondent to the appeal and the person who made the relevant representation or the chief officer of Police will be the appellants.
- 19.5 On determining an appeal, the court may:
- Dismiss the appeal;
 - Substitute for the decision appealed against any other decision which could have been made by the Council; or
 - Remit the case back to the Council to dispose of it in accordance with the direction of the court.
- 19.6 The court may make such order as to costs as it sees fit.
- 19.7 The court, on hearing any appeal, may therefore review the merits of the decision on the facts and consider points of law or address both.
- 19.8 In hearing an appeal against any decision made by the Council, the Magistrates' Court will have regard to this licensing policy statement and the Guidance.
- 19.9 The Court can depart from both if it is justified to do so, depending on the individual circumstances.
- 19.10 This Council, therefore, when determining applications will give comprehensive reasons for its decisions.
- 19.11 Any decision made by the Magistrates' Court will be implemented by the Council immediately.

20. EFFECTIVE DATE AND REVIEW

- 20.1 This policy statement will take effect on 7 January 2021⁴⁶
- 20.2 This policy statement will be kept under review, consulted on, and will remain in existence for a period of up to five years. It is subject to review and further consultation before 7 January 2026⁴⁴ (subject to changes in legislation prescribed by the Secretary of State).

21. Table: Recommended Delegations of Functions

Matter to be dealt with	Sub Committee	Officers
Application for Personal Licence	If a Police objection	If no objection made
Application for Personal Licence with unspent convictions	All cases	
Decision to revoke or suspend a personal licence where the licence holder is convicted of a relevant or foreign offence and or required to pay an immigration penalty.	All cases	
Application for Premises Licence/Club Premises Certificate	If a relevant representation made	If no relevant representation made
Application for Provisional Statement	If a relevant representation made	If no relevant representation made
Application to vary Premises Licence/Club Premises Certificate	If a relevant representation made	If no relevant representation made
Application to vary designated Premises Supervisor	If a Police objection	All other cases
Request to be removed as designated Premises Supervisor		All cases
Application for transfer of Premises Licence	If a Police objection	All other cases
Applications for interim authorities	If a Police objection	All other cases
Application to review Premises Licence/club Premises Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc		All cases
Decision to object when Local Authority is a Consultee and not the relevant Authority considering the application	All cases	
Determination of an objection by relevant persons to a Temporary Event Notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a Police objection	All other cases
Decision whether to consult other responsible authorities on minor variation applications and determination of application		All cases

22. CONTACT DETAILS

THE LICENSING AUTHORITY:

The Licensing Team
Peterborough City Council
~~Sand Martin House~~ Town Hall
~~Bittern Way~~ Bridge Street
~~Fletton Quays~~
Peterborough
PE2 8TY 11FA
T: 01733 747474
E: eh.licensing@peterborough.gov.uk

www.peterborough.gov.uk
(under the Business section)

THE RESPONSIBLE AUTHORITIES:

Cambridgeshire Constabulary

Licensing Department
Cambs Constabulary North Division
~~Thorpe Wood~~ 4th Floor Bayard Place
~~Broadway~~
Peterborough
PE3 6SD 11HZ
T: 01733 424438 / 424449

Cambridgeshire Fire and Rescue:

Cambs Fire & Rescue Service
Peterborough District
Dogsthorpe Fire Station
Dogsthorpe Road
Peterborough
PE1 3RE
T: 01733 353206

~~Safeguarding Children Board~~ The Cambridgeshire and Peterborough Safeguarding Children Partnership Board (CPSCP)

Child Protection and Review Manager
Peterborough City Council
Children's Services – Social Care
~~Sand Martin House~~ 2nd Floor, Bayard Place
~~Bittern Way~~ Broadway
~~Fletton Quays~~
Peterborough
PE2 8TY 11FB
T: 01733 863744
E: safeguardingboards@cambridgeshire.gov.uk

Environmental Health - Pollution

Pollution Control Team
Peterborough City Council
~~Sand Martin House~~ Town Hall
~~Bittern Way~~ Bridge Street
~~Fletton Quays~~
Peterborough
PE2 8TY 11FA
T: 01733 747474
E: pollution.control@peterborough.gcsz.gov.uk

Health and Safety:

e.g. Public houses, nightclubs,
shops, restaurants, takeaways,
Community centres managed by
a committee

Health & Safety Team
Peterborough City Council
~~Sand Martin House~~ Town Hall
~~Bittern Way~~ Bridge Street
~~Fletton Quays~~
Peterborough
PE2 8TY 11FA
T: 01733 747474
E: healthandsaftey@peterborough.gov.uk

Premises **managed** by Peterborough City Council e.g. schools, leisure centres

Health and Safety Executive
14 Cardiff Road
Luton
LU1 1PP
T: 01582 444200

Planning

Planning Services
Peterborough City Council
Sand Martin House ~~Town Hall~~
Bittern Way ~~Bridge Street~~
Fletton Quays
Peterborough
PE2 8TY 4-1HF
T: 01733 453410
E: planningcontrol@peterborough.gov.uk

Trading Standards

Trading Standards Department
Peterborough City Council
Sand Martin House ~~Town Hall~~
Bittern Way ~~Bridge Street~~
Fletton Quays
Peterborough
PE2 8TY 4-1HF
T: 01733 747474
T: 03454 040506 for consumer advice
E: trading.standards@peterborough.gov.uk

Public Health

Director of Public Health
Peterborough City Council
2nd Floor Town Hall
Peterborough
PE1 1HQ
T: 01733 747474
E: publichealth@peterborough.gov.uk

Home Office

Home Office (Immigration Enforcement)
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY
E: alcohol@homeoffice.gsi.gov.uk

For vessels carrying more than 12 passengers the certifying authority will be: -

Maritime & Coastguard Agency
Surveyor In Charge
Harwich Marine Office
East Terrace
Walton-on-Naze
Essex
CO14 8PY
T: 01255 682107

For Vessels carrying 12 or less passengers the certifying authority will be: -

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR

T: 01733 464277

Further information can be found on the following links:

Peterborough City Council website; www.peterborough.gov.uk/business

Home Office website: www.gov.uk/government/organisations/home-office

Guidance issued under section 182 of the Act:

www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

The Licensing Act 2003: www.legislation.gov.uk/ukpga/2003/17/contents

Information Commissioners Office: ico.org.uk

Draft for consultation

Supplementary information to Peterborough City Council Licensing Act 2003 Statement of Licensing Policy 2021 - Paragraph 8.5 – Temporary Legislation

Coronavirus legislation.

The Coronavirus legislation, regulations and guidance, are constantly evolving and being adapted as circumstances change, although the legislation is expected to be limited in duration. At the time of writing, none of the legislative changes would permanently amend the Licensing Act 2003, therefore have not been written in to the overarching 5 year policy. A brief summary pertaining to licensed premises is provided below.

On 23 March 2020, the Government told people to stay at home and introduced emergency legislation to close certain businesses, this included types of licensed premises. On the 4 July 2020 the regulations changed, which allowed certain types licensed premises to reopen, provided certain measures were put in place and requirements met. Some types of licensed premises were required to remain closed.

On 18 July 2020, legislation to grant local authorities new powers to respond to a serious and imminent threat to public health and to prevent COVID-19 (“coronavirus”) transmission in a local authority’s area where this is necessary and proportionate to manage spread of the coronavirus in the local authority’s area took effect. These regulations have procedural requirements and include powers for local authorities to:

- restrict access to, or close, individual premises
- prohibit certain events (or types of event) from taking place
- restrict access to, or close, public outdoor places (or types of outdoor public places)

In certain circumstances, local authorities have powers to require and enforce the closure of licensed premises.

Business and Planning Act 2020.

Summary – Temporary Amendments to the Licensing Act 2003

To promote economic recovery and growth in certain sections of the hospitality industry, Central Government Introduced the Business and Planning Act 2020. The 2020 Act, which received Royal Assent on 26 July 2020, amends the Licensing Act 2003, by inserting sections 172F to 172L.

The effect of which gives temporary (until 31 September 2021, unless extended by the Secretary of State) authorisation to premises which have a premises licence under the 2003 Act to have ‘off sales’ provision, where a current premises licence only authorises on sales, and suspend certain conditions attached to existing premises licences which authorise on and off sales, with a ‘cut off’ time of 11pm. Premises utilising these provisions are required to display a notice to that effect.

It contains provision for redress to Responsible Authorities, (not members of the public) via an expedited review process, very similar to the current expedited review process under s53A to 53D of the 2003 Act. It does not apply to CPC’s (Club Premises Certificate).

Current premises licence authorising ‘on sales’ only

Where a premises licence is in effect and it authorises ‘on sales’, it is considered varied for the relevant period to include ‘off sales’, subject to the condition that every off-sale must be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises. Except where premises are considered disqualified from this process.

Disqualifying criteria

Premises licences which have in the last three (3) years, been subject to any of the below, are considered disqualified from the new provision:

- Been refused to grant a premises licence with off sales permission
- Been refused to vary a premises licence to include off sales
- The premises licence was varied or modified to exclude off sales

Current premises licence authorising 'on and off sales'

Where a premises licence is in effect and it authorises 'on and off sales', it is considered varied, in so far as, any conditions currently attached which restrict off sales in the following way, are considered suspended for the relevant period

- Any condition which restricts the hours during which off sales can be made which are different to those permitted for on sales.
- Any condition which requires the 'off sale' to be in a sealed container
- Any condition which restricts 'sale for delivery' of alcohol off sales, where 'on sales' are permitted
"sale for delivery" - in relation to a premises licence means an off sale for delivery by or on behalf of the holder of the licence to a building which is used for residential or work purposes (or both)

Redress - Summary off sales expedited review

A Responsible Authority (RA) (including Public Health) may apply under section 172G, for an 'expedited off sales review' of a premises licence which has been varied/modified by the Act, under any of the licensing objectives, where it can be evidenced that the 'off sales' activity is having a negative impact on the licensing objectives.

Interim steps

Where an expedited off sales review application is received, within 48 hours, the licensing authority must determine if any permitted interim steps need to be applied, pending determination of the review application by licensing sub-committee within 28 days.

Where the review is in relation to a premises licence which had 'on sales' only, the interim steps and final determination, the committee must consider are:

- Modify the conditions of the licence, in so far as it relates to 'off sales'
- Exclude 'off sales' (authorised by this Act) from the scope of the licence
- Suspend 'off sales' (for a maximum of 3 months on final determination of review application)

Where the review is in relation to a premises licence which had 'on and off sales', but conditions have been suspended, the interim steps and final determination, the committee must consider are:

- Alteration or omission of the 'suspended' conditions
- Addition of one or more new conditions, which must not affect any conditions of the licence which existed immediately before the Bill took effect.

Hearing against interim steps

If the premises licence holder makes a representation against the interim steps and does not withdraw it, the licensing authority must within 48 hours hold a hearing to consider those representations, and give advance notice of the hearing to the premises licence holder and the RA which served the application.

At the hearing the licensing authority must consider whether the interim steps are appropriate for the promotion of the licensing objectives and determine whether to withdraw or modify the steps, having regard to representations made by the licence holder and the RA. The licence holder can only make further representation against the interim steps if there has been a material change in circumstances since the hearing.

Representation period: for representations from the applicant, RA's and other persons, begins on the first working day after the publication of the notice and ends on the ninth subsequent working day. Representations received outside this period are not considered valid.

Determination hearing

The licensing authority must hold a hearing to determine the expedited off sales review application within 28 days of receipt of the application. Must review the interim steps applied, consider all relevant representations. (Including representations from 'other persons')

The licensing authority can only take the same options (as above) for interim steps, as appropriate for the promotion of the objectives. They may consider the final determination to have effect only for a specified period not exceeding 3 months.

The licensing authority must notify the licence holder, the applicant (RA), the chief officer of police, and any other person who made relevant representations of its determination, providing reasons.

The final determination decision does not have effect until the appeal period has expired, or if the decision is appealed against, the time until the appeal is disposed of. However, the interim steps apply during this period and expire when the decision takes effect.

Appeal process

The Committee's interim steps decision and final determination of the application, can be appealed, within 28 days, by the holder of the licence, the RA which served the review application or any other person who made relevant representations in relation to the application.

Where the appeal is against the interim steps, the Magistrates court must hear it within 28 days

Business and Planning Act 2020

Summary - Pavement Licences – issued and administered by City Centre Services

Again to promote economic recovery and growth, the 2020 Act introduced a 'fast track' ability for premises to apply to use prescribed parts of the highway, as external areas for tables and chairs etc. The new provisions are time limited (until 30 September 2021, unless extended by the Secretary of State) and do not repeal any existing legislative provisions which are currently available.

The new provisions are based on the current system under Part 7A of the Highways Act 1980, but is limited to certain premises for certain purposes. It reduces the consultation period to 7 days, with determination within 14 days (or tacitly granted as applied for), and removes the requirement for planning permission for change of use.

To an extent, these changes run alongside (but do not rely upon) the changes to the Licensing Act 2003 as detailed above.

Cumulative Impact Assessment Statement for the New England and Millfield area of Peterborough

This document is produced in accordance with Section 5A of the Licensing Act 2003

Background

Peterborough City Council adopted a cumulative impact policy in the area of Millfield New England, locally known as Can-Do, on 17/4/13 which was applicable to all types of licensed premises within the defined boundary. The decision was based on the number of licensed premises in the boundary area had reached or was about to reach saturation. The cumulative impact of the saturation of licensed premises was having a negative impact on the four licensing objectives.

The policy was reviewed and subject to consultation in 2015, where it was determined to retain the cumulative impact policy for the defined boundary of Can-Do, as the saturation of licensed premises continued to have a negative impact on the four objectives and residents in the locality.

Current

A further review and consultation was carried out between 6 August 2018 to 23 September 2018 which invited comments and responses on the future of the policy.

The Licensing Committee convened on the 18 October 2018 and considered all responses and evidence made available (orally and in writing) and determined to retain the cumulative impact policy as the licensing authority considers that the number of premises licenses and/or club premises certificates in the defined boundary is such that it is likely that granting further licenses would be inconsistent with the authority's duty to promote the licensing objectives.

Further details including responses and minutes of the meeting can be found on the following link <https://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=142&MId=4159&Ver=4>

Evidence

Licensed premises in the defined Can-Do cumulative impact boundary

At the time of the review and determination by the licensing authority, there were approximately 100 licensed premises within the defined boundary. Of these 100 there were approximately:

- 14 premises licensed for consumption of alcohol on the premises
- 35 premises licensed for off sales of alcohol
- 24 premises licensed for on and off sales of alcohol
- 27 premises licensed with no alcohol provision

Numbers of licensed premises at the start of consultation 19 August 2020

There are approximately 85 licensed premises within the defined boundary. Of these 85, approximately:

- 18 premises licensed for the consumption of alcohol on the premises
- 30 premises licensed for off sales of alcohol
- 19 premises licensed for on and off sales of alcohol
- 18 premises licensed with no alcohol provision

The licensing authority considers that the defined area remains saturated with licensed premises which, cumulatively is having a negative impact on the licensing objectives and residents.

Public health

In making it's determination the licensing authority considered the public health evidence, which shows that Peterborough has statistically significantly higher rates of:

- Hospital admissions for alcohol-related conditions in under 40s (all persons and males only)

- Hospital admissions as a result of intentional self-poisoning by and exposure to alcohol conditions (all persons, males only and females only)
- Hospital admissions for alcohol-related cardiovascular disease conditions (all persons, males only and females only)
- Alcohol related road traffic accidents
- The volume of pure alcohol sold through the off trade is statistically significantly higher in Peterborough than in England. In Peterborough, the crude rate of such sales is 7.2 litres per adult, compared to the national average of 5.5 litres.

Peterborough is the only area within the East of England region to have a statistically significantly high directly age-standardised rate of hospital admission episodes for alcohol-related conditions in under 40s for all persons and males.

A considerable body of research examines the relationship between alcohol outlet density and alcohol – related harms. This shows that areas with more deprivation tend to have greater alcohol outlet density, which means that regulating the local availability of alcohol has the potential to reduce health inequalities, which supports the use of the cumulative impact policy in the Can-Do area, which has high levels of deprivation.

The socio-economic issues including relatively high rates of relative deprivation in the defined boundary remain a concern. Alcohol is known to be a cause of over 200 health conditions and has a number of social negative impacts, including loss of earnings or unemployment, family or relationship problems and problems with the law. Many of these harms affect both the drinker and those around them, including families, friends and strangers.

NICE guidelines recommend that a cumulative impact policy should be used where an area is saturated with licensed premises and the evidence suggests that additional premises may affect the licensing objectives.

Current issues in the defined Can-Do cumulative impact area

The ‘Can-Do’ programme was launched in September 2011, it was a ten year vision jointly led by Peterborough City Council and Cambridgeshire Constabulary, to tackle the many challenges faced in the area and bring about transformational change to improve the quality of life, outlook and aspirations of local people. The programme took a holistic view of the identified issues, and provided a framework to ensure all resources and services available were co-ordinated and effectively delivered appropriately, to meet the needs of the community.

The defined Can-Do boundary includes Gladstone, Millfield and New England communities. These three adjacent neighbourhoods span the Central, North and Park wards of Peterborough. The population has increased significantly and is typically the focal point for many new arrival residents and economic migrants. The area has a disproportionate level of social challenges, is residentially overcrowded has poor housing stock and high levels of HMOs, with a community that is becoming increasingly fragmented with inherent tensions.

Lincoln Road is the main traffic route and is continually choked with traffic. The saturation of licensed premises in this area has contributed to issues of anti-social behaviour directly affecting the health and wellbeing of residents, leaving them feeling unsafe. The area has the highest density in terms of number of premises selling alcohol in proximity to residential dwellings in Peterborough.

Outreach projects have engaged with the general public including people drinking on the streets of the area and have identified key learning points, such as:

- Drinking in public places is a social norm for many young Eastern Europeans
- Mistrust of statutory services among some recent arrivals

Community groups have been established and are working together on the challenges to bring about positive change to the area for those who reside and work there. Public feedback and information from

community groups indicate that alcohol related problems and alcohol related anti-social behaviour is vastly under-reported. This can be attributed to lack of English language skills and a mistrust of authority.

Ward Councillors and community groups representing businesses and residents in the area, indicate that the density of outlets selling alcohol in the Can-Do area contributes significantly to volatility and anti-social behaviour and negatively impacts on all four licensing objectives. Residents state that they fear to go out late at night. The presence of drunk individuals whose behaviour is aggressive and unpredictable can be intimidating for residents.

Issues of alcohol related litter, anti-social behaviour such as toileting in resident's gardens, noise disturbance such as rowdy behaviour, shouting and fighting are regularly witnessed and reported to ward councillors and community groups. It also negatively impacts on the use of public areas, children's play areas and green spaces such as Victoria Gardens. Such issues can seriously affect children's general wellbeing, sleep and sense of security.

Local residents expect ward councillors, the licensing authority and the council as a whole to take action, and be seen to take action to improve the lives and wellbeing of all those living and working in this area.

Other measures in place.

The Can-Do area has been prone to suffer from the effects of alcohol related anti-social behaviour for many years. A Designated Public Places Order (DPPO) was initially implemented in 2007 and was extended in 2011. This was replaced with a Public Spaces Protection Order (PSPO) in June 2017.

The frequency of cleansing for streets and open spaces in the Can-Do area is significantly higher in comparison to other areas of the city. This is partly attributable to the amount of alcohol related litter (bottles, cans) which pose a safety risk and degrade the area.

Partnership working involving the Licensing Authority, Cambridgeshire Constabulary, Trading Standards, UKBA and HMRC and other responsible authorities, continues with a view to improving the standards and compliance with general law in the Can-Do area. Enforcement action has been taken against individual premises which have failed to operate in accordance with legislation and conditions of their licences. This work continues.

In conclusion.

The cumulative impact policy allows greater scrutiny of applications, this has resulted in more considered applications with appropriate conditions being served on the authority. Where applications have been made which have demonstrated that the grant of the application will not further negatively impact on the objectives, the licence has been granted.

The licensing authority and the council need to restore and nurture the community's confidence and trust as the area does continue to present a number of complex, multi-layered challenges. The saturation of licensed premises remains one of those challenges. The imminent introduction of the Peterborough Integration Strategy, of which the Can-Do programme is integral, that the Peterborough Together Partnership is developing will bring many new opportunities to achieve this and has secured £7.5m of capital investment for the area.

Signed by
Chair of the Licensing Committee

Date.....

Classified

PUBLIC NOTICES

PUBLIC NOTICES

Public & Legal Advertising August Bank Holiday Deadlines Thursday 27th August at 5pm for papers published

Monday 31st August to Thursday 3rd September
Whilst every effort will be made to meet your needs, deadlines may be revised. For confirmation of publication day please ask when booking.
We will be closed on Monday 31st August
For details call 0207 023 7931
or email publicnotices@jpimedia.co.uk
Dates and times were correct at time of publication, but could be subject to change.

Goods Vehicle Operator's Licence
Miroslaw Ciborowski trading as MCM Trans Ltd of 28 Sprigs Road, Peterborough, PE7 8FT is applying to change an existing licence as follows: To keep an extra 0 goods vehicles and 0 trailers at the operating centre at 97 King's Dyke, Whitesley, PE7 2PA. To add an operating centre to keep 3 goods vehicles and 3 trailers at New Barn Farm, Kings Delph Drive, Farcel, Peterborough, PE7 3DQ. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner, Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

Goods Vehicle Operator's Licence
SDB CARAVANS LTD of Unit 3, Clubway, Hampton, Peterborough PE7 8JA is applying for a licence to use Unit 3, Clubway, Hampton, Peterborough PE7 8JA as an operating centre for 4 goods vehicles and 2 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

Goods Vehicle Operators Licence
Marchetts PB Limited of Marchetts Garage, Ness Road, Burwell, Cambridgeshire CB25 0AA is applying for a licence to use: Marchetts Garage (currently Mokus Commercial), Fengate, Peterborough, Cambridgeshire PE1 5XG as an operating centre for 2 goods vehicles and 2 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

CECIL JAMES FREDERICK JARVIS Deceased
Pursuant to the Trustee Act 1925 anyone having a claim against or an interest in the Estate of the deceased, late of 98 Broadway, Yaxley, Peterborough PE7 3JD, who died on 21/12/2019, must send written particulars to the address below by 28/10/2020, after which date the Estate will be distributed having regard only to claims and interests notified.
Hunt & Coombs LLP, Solicitors
35 Thorpe Road, Peterborough PE3 6AQ.
Ref: NEW/JAR78-8

PETERBOROUGH CITY COUNCIL
NOTICE OF REVIEW AND CONSULTATION OF PETERBOROUGH CITY COUNCIL'S LICENSING ACT 2003 STATEMENT OF LICENSING POLICY AND CUMULATIVE IMPACT POLICY AND ASSESSMENT
NOTICE is hereby given that Peterborough City Council, in accordance with the Licensing Act 2003 and the Home Office amended guidance issued under section 182 of the Licensing Act 2003, is currently reviewing its Statement of Licensing Policy, including the Cumulative Impact Policy and Assessment.
We are undertaking an 8 week public consultation on the above between 19 August and 14 October 2020. We welcome any comments that you may have. A copy of the draft policy and GA can be viewed and downloaded on the council website www.peterborough.gov.uk.
Any person wishing to comment on the review of the Policy or Cumulative Impact Policy and Assessment, may do so by writing to: Peterborough City Council, Licensing Team, Consultation Office, Sand Martin House, Bitem Way, Fletton Quays, Peterborough, PE2 8TY or email to lp@peterborough.gov.uk. Responses must be received by Wednesday 14 October 2020.

Public & Legal Notice COVID-19 UPDATE FROM JPIMEDIA:

If you require a Public & Legal notice, our team is still on hand to assist you with this. Our business hours and deadlines will remain the same. For any enquiries in the first place please email publicnotices@jpimedia.co.uk with your requirements.

- ◆ Including your full name,
- ◆ Full business address including post code,
- ◆ A contact telephone number
- ◆ Full wording for the notice you require
- ◆ Newspaper title and date required.

For further advice please call the team on
0207 023 7931
jpimedia

Goods Vehicle Operator's Licence
Opals Utilities Ltd of 1 Morley Way, Peterborough, PE2 7BW is applying for a licence to use 1 Morley Way, Peterborough, PE2 7BW as an operating centre for 2 goods vehicles and 0 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A guide to making representations is available from the Traffic Commissioner's Office.

GOODS VEHICLE OPERATORS LICENCE
Andrews Building Supplies Ltd trading as Andrews Building Supplies of Fengate, Peterborough PE1 5SW is applying to change an existing licence as follows: To keep an extra 5 goods vehicles and 0 trailers at the operating centre at Fengate, Peterborough PE1 5SW. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

94% OF PEOPLE PREFER TO BUY FROM LOCAL BUSINESSES.



Don't miss out, you can advertise in your local newspaper and website at a cost effective rate.

Call your friendly Classified team today to hear about our multimedia advertising solutions.
Tel: 0207 084 5206

Public & Legal Notice

Call your friendly Classified team today to hear about our multimedia advertising solutions.
Tel: 0207 084 5206

HOLIDAYS

HOLIDAY HOMES FOR SALE



CHEAP STATIC CARAVAN FOR SALE
with decking by the sea
£10,995
Contact Luke on 07492646161 for more information

WANTED

CARAVAN / MOTOR HOME

CONTACT FREE
COLLECTION AVAILABLE
any make or model and age or condition, even damp or damaged, private buyer please contact James on
07392 180 003

Travel insurance

with more packed in!

SAVE 15%*
Quote: 15UP

Call us **FREE 7 days a week**
0800 033 4161
avantti.co.uk

avantti
Travel Insurance

*Discount applies to base premium only.

The UK's Best

Travel Insurance!

15% off
Travel Insurance
Quote: P15

Call **FREE 7 days a week**
0800 033 4896
staysure.co.uk

Staysure

†Discount applies to the base premium only.

NEED to PROMOTE your business?

Local news delivers for you!

Find your local customer by advertising with your local newspaper.

We carry multimedia solutions to suit any business any size.

Tel: 0207 084 5206

This page is intentionally left blank

Summary of Responses to the Consultation on the Statement of Licensing Policy

A total of 35 responses plus a petition containing nearly 170 signatures.

Summary of consultation response	Officer comment
<p>Cambridgeshire Constabulary (RA) See Appendix E for full response</p> <p>In support of the Statement of Licensing Policy and continuance of the CI policy.</p> <p>Specific focus on the Op-Can-Do area, providing an analytical report relating to incidents and crimes within the CI boundary. Police data for the CI area shows that alcohol related incidents declined from October 2017 to September 2020, but alcohol related crimes rose by 51% in the same period. (Data possibly subject to the 'COVID effect')</p>	<p>The data and the choropleth mapping shows that the activities of the concentration of licensed premises is continuing to impact negatively on the objectives and residents within the boundary.</p>
<p>Recognised body to advise on protecting children from harm (RA) See Appendix F for full response</p> <p>Change of recognised body to The Director of Childrens Services</p>	<p>Paragraph 14.11 updated and section 22, contact details updated accordingly</p>
<p>Planning services (RA) See Appendix G for full response</p> <p>Information for licensing committee on recent changes to planning legislation which affects licensed premises.</p>	<p>Information only for members, no change to the proposed policy.</p>
<p>Director of Public Health (RA) See Appendix H for full response</p> <p>Supports the continuance of the cumulative impact policy for the Op-Can-Do area. It remains an area of deprivation and high alcohol outlet density which is negatively impacting on the objectives and the health and wellbeing of residents</p>	
<p>PES Peterborough Enforcement Services See Appendix I for full response</p> <p>Contains statistics on the crime and incident data for the CI area. They support the continuance of the cumulative impact policy and advise that the PSPO which expired in August 2020 should be reinstated by the end of 2020. Between August 2017 to December 2019 there were 2,344 FPN's issued for breaches to the prior PSPO for the area.</p>	<p>Data provided supports the continuance of the CI.</p> <p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB.</p>
<p>Broadway Residents Association See Appendix J for full response</p>	

<p>Endorses policy, describes the problems alcohol abuse has on areas other than Can-Do, such as Broadway and Stanley Recreation Ground.</p> <p>That there are 3 theatres in Peterborough</p> <p>Suggests Eastfield Road has multiple alcohol outlets causing ASB</p> <p>Suggests detailing in paragraph 8.5 that the national emergency is COVID 19</p> <p>Concerned that the PSPO covering Op-Can-Do, the Embankment and Broadway expired and urges its renewal</p> <p>Queries if the Public Health figures quoted in the CIA relate to higher than the national mean.</p>	<p>Thank you, omission rectified and page 5 updated</p> <p>'COVID 19' added to paragraph 8.5 for clarity</p> <p>PES have stated that the PSPO should be re-instated by the end of 2020.</p> <p>Correct, the figures were a comparison with the national average</p>
<p>Paul Bristow MP for Peterborough See Appendix K for full response</p> <p>Is supportive of the adoption of the CI in 2013 and it's continuance.</p> <p>Is concerned that there is a perception that breaches of licensing conditions are not being enforced, residents need to be confident that when issues are reported, they are followed up.</p>	<p>This is perception only as the licensing team work with many partner agencies and resident representatives. Where allegations of breaches of conditions are received, they are investigated, and appropriate enforcement action is taken where necessary, to attain compliance and promote the objectives.</p>
<p>Vice Chair Community First See Appendix L for full response</p> <p>Raises concerns and details the problems and associated ASB the number of licensed premises in the Op-Can-Do area is causing.</p> <p>Grave concerns regarding the number of gambling outlets in the area and the effects problem gambling can have.</p>	<p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB.</p> <p>Problems specific to gambling matters, cannot be considered in the determination of the Licensing Act policy. Such matters can be raised when the Gambling Act 2005 Statement of Principles policy is reviewed and consulted upon in 2021.</p>
<p>MANERP and Community First See Appendix M for full response</p> <p>support the renewal of the cumulative impact policy for the Op-Can-Do area. They detail how residents and businesses are still being negatively affected by the large concentration of licensed premises.</p>	
<p>Cllr Ansar Ali x 2 See Appendix N for both full responses</p> <p>Endorses the comments made by MANERP and Community First</p> <p>Emailed a petition and is fully supportive of the residents objections to the increasing number of licensed premises in the Millfield area, and hopes</p>	

<p>the views of residents and businesses will be heard and acted upon.</p>	
<p>Petition containing nearly 170 signatures See Appendix O for full preface page. (The petition is exempt from publication, see paragraph 2.3 of the report)</p> <p>The signed petition pages state: We the undersigned residents adversely affected by the gambling and alcohol licenses in the central ward /Lincoln Road area hereby give notice to Peterborough City Council to forthwith stop the issuance of new licences and to permanently revoke the licenses of infringing businesses due to the adverse effects on residents of this densely populated area. We strongly object to the current licensing policy and demand immediate action and effective enforcement in the area</p> <p>The petition cover page, expresses the dismay at the state of the area due to excessive licensing of off licenses and Gambling halls. It states that excessive licensing has caused a breach of the objectives and swathes of the community are being destroyed. It states that the cumulative impact policy and other initiatives have not worked.</p>	<p>The licensing of gambling and alcohol premises are regulated under separate individual legislation, that being, the Gambling Act 2005 and the Licensing Act 2003 respectively. The council's decision making process when considering both types of applications are set out in the specific legislation, regulations and policies. Therefore the council are not legally permitted to adopt the proposal to 'stop the issuance of further new gambling or alcohol licenses', as this would be outside the powers conferred.</p> <p>In 2013 it was acknowledged that the saturation of licensed premises, in the Lincoln Road area was having a negative impact on the licensing objectives, and a Cumulative Impact Policy (CIP) was adopted and subsequently re-adopted when reviewed. The Licensing Act is permissive in many ways, the effect of a CIP allows greater scrutiny of new and variation applications, by requiring the applicant to demonstrate that they will not add to the issues identified in the published Cumulative Impact Assessment, but provides no other powers.</p> <p>Whilst the policy cannot be absolute, it does allow those who wish to object to a licence being granted in the CI area, a formal basis for their representation.</p> <p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB</p>
<p>Portman Group See Appendix P for full response</p> <p>Welcomed the reference and commendation of the Portman Group Code of Practice in paragraph 14.12 of the draft policy. It suggests the addition of extra wording to clarify the aim of the Code of practice and its operation.</p>	<p>Paragraph 14.12 amended link to portmangroup.org website added</p>
<p>2 Local residents See Appendix Q for the full responses</p> <p>The residents have serious concerns regarding the effectiveness of the policy. They say that over the last decade the area has been neglected and allowed to rot through lack of investment and failing policies. That crime is on the up and this is linked to the concentration of licensed premises. They go on to describe the effects this has on residents and</p>	<p>The Licensing Act is not the primary mechanism to deal with general control of nuisance and ASB by individuals once they are away from licensed premises.</p> <p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB</p>

<p>community green spaces. That the area needs better enforcement, not an extended failing policy, but a fresh approach.</p>	<p>The CI policy allows for greater scrutiny of certain applications and provides a formal basis for representations.</p>
<p>One Local Resident See Appendix R for the full response</p> <p>The resident is dismayed at the state of the area and the rampant alcoholism that has emerged. That the numerous off licences contribute to street drinking, littering, fighting etc. If nothing is done very soon, the area is on the verge of a dangerous crescendo.</p> <p>The resident is also concerned about the amount and type of gambling premises operating in the area and the effects problem gambling can have.</p> <p>The same resident also submitted another email which has not been included as it is a complaint regarding a specific premises, rather than a response to the consultation.</p>	<p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB</p> <p>Problems specific to gambling matters, cannot be considered in the determination of the Licensing Act policy. Such matters can be raised when the Gambling Act 2005 Statement of Principles policy is reviewed and consulted upon in 2021.</p> <p>Officers are investigating the concerns raised, and are working with the premises to ensure the licensing objectives are promoted.</p>
<p>One local business owner See Appendix S for the full response</p> <p>States that in the last decade the area has changed with off licenses and mini-marts being the issue, it has a distasteful appeal, with so many licensed premises, you are not more than 200 yards away from the next venue. The area needs a mix of businesses, but is just takeaways and mini-marts and littering of alcohol related containers. He explains the impact the associated problems have on his business. That there is an unspoken ghetto effect and knows he paints a nasty distasteful picture of Millfield, but when councillors and council employees have all gone home, it's what residents and businesses see and are left with.</p>	<p>In 2013 it was acknowledged that the saturation of licensed premises, in the Lincoln Road area was having a negative impact on the licensing objectives, and a Cumulative Impact Policy (CIP) was adopted and subsequently re-adopted when reviewed.</p> <p>The Licensing Act is not the primary mechanism to deal with general control of nuisance and ASB by individuals once they are away from licensed premises.</p> <p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB</p>
<p>4 responses See Appendix T for all 4 responses.</p> <p>State 'I am against the extension of the licensing policies in the Op-Can-Do area.'</p>	
<p>3 similar responses See Appendix U for all 3 responses in full</p> <p>Totally object for the alcohol licence policies to be extended in the area. That there are too many alcohol premises which is not good for the area, and don't need anymore. One states that they are scared to go to certain places on Lincoln Road and is sure many others feel the same. The number of licenses should be reduced.</p>	<p>Unfortunately, need is not a consideration under the Licensing Act, it is for market forces to determine the survivability of different businesses.</p>
<p>1 boxing club owner See Appendix V for response in full</p>	

<p>States they try hard to get kids off the streets and into the gym, but it's getting harder, too many influences from drinking and gambling outlets, having an adverse effect on local quality of life.</p>	
<p>11 responses from residents See Appendix W for all 11 responses in full</p> <p>Summary of matters raised:</p> <p>Residents feel let down by all professionals / authorities. The area generates income for the council, but they see nothing in return</p> <p>The area is getting worse by the day, too many off licenses, area is full of people drinking and causing problems for the community. Cannot use green spaces due to drunks, litter etc.</p> <p>Constantly finding people loitering onto property drunk. They use it as a public toilet, this has an adverse effect on the community, would welcome stricter controls.</p> <p>So many premises serving alcohol has caused the area to become one of the worst places in the country. I can't visit the area with my family as so many drunk individuals causing ASB, it's a danger zone for anyone walking past.</p> <p>Disappointed and disgusted at the way Peterborough City Council has allowed the Millfield area to deteriorate into an unruly cesspit, too many drinking outlets in a small area, having a negative impact on residents, ASB, urination in public, litter, objectives not being upheld</p> <p>Highly oppose any further licenses being issued, stricter controls, too lenient.</p> <p>Should not be licensed to 2am in a residential area.</p> <p>Against the extension of the licensing policies in the Op-Can-Do area</p> <p>No more licenses, work to regulate and manage the existing licenses, to meet the objectives. Shop owners clearly flout the rules. Enforce punishments for breaches to make it a safer place for residents.</p> <p>Suggests enforcement to stop underage sale of alcohol, serving to people who are intoxicated, littering, as a few things that should be better handled.</p> <p>Too many gambling premises in the area, stricter controls needed.</p>	<p>In 2013 it was acknowledged that the saturation of licensed premises, in the Lincoln Road area was having a negative impact on the licensing objectives, and a Cumulative Impact Policy (CIP) was adopted and subsequently re-adopted when reviewed.</p> <p>The Licensing Act is permissive in many ways, the effect of a CIP allows greater scrutiny of new and variation applications, by requiring the applicant to demonstrate that they will not add to the issues identified in the published Cumulative Impact Assessment, but provides no other powers.</p> <p>Whilst the policy cannot be absolute, it does allow those who wish to object to a licence being granted in the CI area, a formal basis for their representation.</p> <p>New and full variation applications are advertised at the premises by way of a pale blue notice, in the public notice section of the local newspaper and on the public register on the council's website, and there is a mandatory 28 day public consultation. Members of the public can object to any application which they consider does not promote the licensing objectives during the consultation period.</p> <p>Even with a CI policy in place, if there are no objections to an application, the Act requires the licence to be granted as applied for.</p> <p>The Licensing Act is not the primary mechanism to deal with general control of nuisance and ASB by individuals once they are away from licensed premises.</p> <p>Plans to reinstate the PSPO by the PES team, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB.</p> <p>The licensing team work with many partner agencies and resident representatives. Where allegations of breaches of conditions are received, they are investigated, and appropriate enforcement action is taken where necessary, to attain compliance and promote the objectives.</p> <p>Problems specific to gambling matters, cannot be considered in the determination of the Licensing Act policy. Such matters can be raised when the</p>

<p>The money that was meant to regenerate the area is nowhere to be seen.</p>	<p>Gambling Act 2005 Statement of Principles policy is reviewed and consulted upon in 2021</p>
-------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------

Please reply to: Superintendent Andrew Gipp
Area Commander for Peterborough
Telephone 101
E-mail: Andy.Gipp@cambs.pnn.police.uk



Licensing
Peterborough City Council
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

Dear Sir or Madam

RE: **Licensing Policy consultation response**

I write in my capacity as Northern Area Commander for Cambridgeshire Police.

I have read the Peterborough City Council Draft Statement of Licensing Policy and am pleased that this makes suitable consideration around the key objectives of Prevention and Detection of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Preventing Children from Harm.

In terms of my specific focus, my feedback surrounds Section 12 of the Draft: The Cumulative Impact of a Concentration of Licensed Premises within the Op Can Do area.

Attached is the Police analytical document that shows levels of incidents and crime related to Licensed Premises for the Op Can Do Area. We also need to consider that Licensed Premises that use to provide solely On sales of Alcohol, are now automatically allowed to provide Off sales due to the Covid Pandemic & the potential impact of the 'COVID effect'.

It is my view that the Cumulative Impact Policy is both necessary and proportionate to prevent crime, disorder and nuisance, promote public safety and prevent children from harm. Unfortunately, violent crime and alcohol related anti-social behaviour remains a significant issue for both the Police and Local Partners to address. We continue to spend considerable time, effort and resource tackling this. The Special Policy on Concentration of Premises is seen as a vital tool in preventing further escalation of crime and disorder levels.

My conclusion is that it is my view that the Special Policy works and should continue to form part of the City Council's Statement of Licensing Policy.

Yours faithfully

Superintendent Andy Gipp
Northern Area Commander

This page is intentionally left blank

Alcohol-related crimes and incidents in Peterborough's OP Can Do area

This report covers all incidents and crimes (alcohol-related and otherwise) recorded by Cambridgeshire Constabulary within the boundaries of Peterborough City Council's 'OP Can Do' area, which includes parts of North, Central and Park Wards. Its aim is to provide quantitative data on the prevalence of alcohol-related crimes and incidents and whether or not these correlate to the presence of licensed premises in this area to support the Peterborough City Council's review of the policy undergirding OP Can Do.

Author: Travis Lee, Cambridgeshire Constabulary Senior Intelligence Analyst – travis.lee@cambs.pnn.police.uk, 01480 422875

Key findings

Based on the data examined for this report, it is not clear if the Cumulative Impact Policy (CIP) in the OP Can Do area is having the intended effect. There appears to be no positive effect on the occurrence of alcohol-related incidents and crimes over this time. In fact:

- **Alcohol-related incidents occurred at approximately the same rate over the last three years**, as a percentage of all incidents (declining less than 1% from October 2017 to September 2020). Over this period, **alcohol-related incidents declined in absolute terms**, but this is more likely a result of the COVID-19 response (lockdown).
- **Alcohol-related crimes actually rose** as a percentage of all crimes, and in absolute, year-on-year terms, over the same period, but **non-alcohol-related crimes fell**.
- Alcohol-related incidents and crimes have also been stable in terms of where they are concentrated in the OP Can Do area: the **same group of postcodes are afflicted year after year**, with little change in concentration.
- **Alcohol-related incidents and alcohol-related crimes tend to occur in different areas: the former in more commercial areas and the latter in more residential areas.**

Specific figures are provided below to support these points. However, before an assessment can be made as to whether or not the OP Can Do area should be maintained, altered or scrapped, a comparative analysis of this area with other, similar areas in Peterborough should be completed and a further analysis going back to the pre-CIP period should be completed.

Date and method

Data were provided by the Force Performance Team and cover the period 1 October 2017 to 30 September 2020. Crime data are drawn from CrimeFile for 2017 and part of 2018, and Athena from mid-2018 onward. All incident data are drawn from C&C3. The data set is extensive, but incomplete as it relies on those creating records to apply an 'alcohol' tag or code for each entry. These are not always applied. Furthermore, the switch from CrimeFile to Athena in mid-2018 caused a disruption in reporting and produced artificial declines in crime numbers. This is due to missing crime reports. Data on licensed premises in Peterborough are drawn from a list dated 18 August 2020 and provided by a Peterborough-based Strategic Regulatory Officer – Licensing.

Because the OP Can Do area does not align precisely with ward boundaries, mapping based on 'hotspot' analysis and postcode choropleths is used to show correlation between alcohol-related

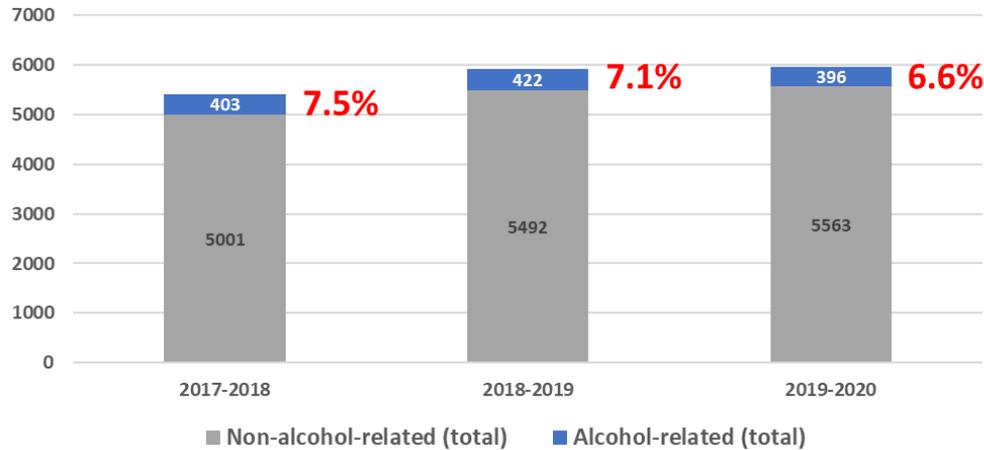
incidents and crimes and licensed premises locations, and with the locations for all incidents and crimes in the same area. In brief, this report provides:

1. Temporal analysis: year-on-year comparisons of total incidents and crimes, total alcohol-related incidents and crimes, and the percentage of incidents and crimes that are alcohol-related.
 - a. Based on three twelve-month periods from October to September, 2017 to 2020.
2. Spatial analysis comparing the areas of concentration (using postcode-based choropleths and top-ten postcode tables) including:
 - a. Proximity of all incidents and crimes, and alcohol-related incidents and crimes to licensed premises.
 - b. Areas where alcohol-related incidents are most prevalent versus where alcohol-related crimes are.
 - c. Areas where general incidents and crimes are most prevalent versus where alcohol-related incidents and crimes are.

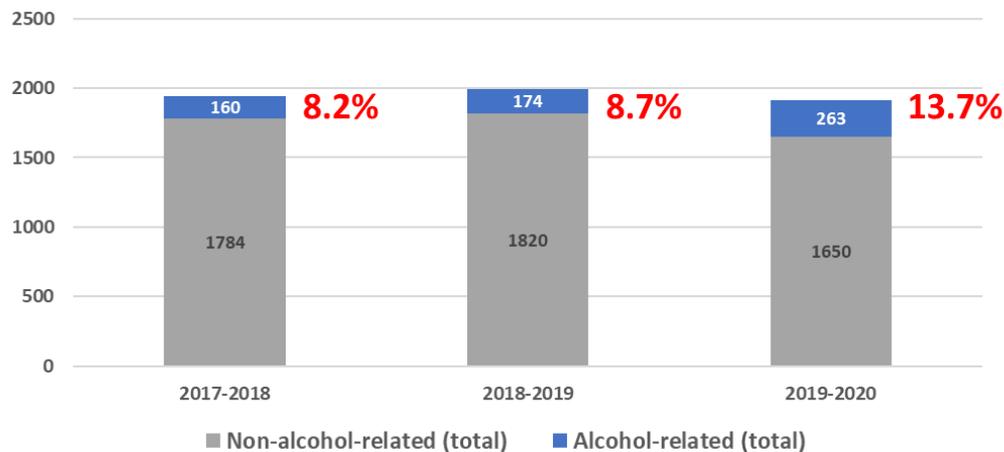
This report did not compare the occurrence of alcohol-related incidents and crimes in other parts of Peterborough to the OP Can Do area, nor did it include a deeper historical look at the whole CIP period since 2013, though such comparisons would be useful in providing a more comprehensive assessment as to the efficacy of the CIP in the OP Can Do area.

Temporal comparison: alcohol-related incidents and crimes since October 2017

Alcohol-related incidents as a percentage of all incidents, total by twelve month period



Alcohol-related crimes as a percentage of all crimes, total by twelve month period



Key points:

- Alcohol-related incidents declined each twelve-month period from October 2017 to September 2020, as a percentage of all incidents, and in absolute terms from 2018-2019 to 2019-2020.
- Alcohol-related crimes rose in both as a percentage of all crimes and in absolute terms in the same period, and rose by 51% from 2018-2019 to 2019-2020.

From October 2018-September 2019, alcohol-related incidents rose by 5% compared to the same period in 2017-2018 (up 19, to 422 from 403) but such incidents *declined by 6%* in the 2019-2020 period (down 26, to 396 from 422). This decline is likely attributable to the ‘COVID effect’, whereby the pandemic response and closure of the night-time economy and hospitality industry meant less public intoxication and fights. This decline is mirrored in total incidents: in the 2018-2019 period, incidents rose by 9% over 2017-2018, but rose by only 1% in the 2019-2020 period.

As a percentage of all incidents, alcohol-related incidents occurred at a relatively constant rate over the period examined: from 2017-2018 they were 7.5%, 7.2% in 2018-2019 and 6.7% in 2019-2020, so becoming slightly less frequent as a percentage of all incidents (a decline of .8%).

Alcohol-related crimes rose more dramatically in the timeframe of this report: from 2018-2019, such crimes rose by 9% versus 2017-2018 (up 14, to 174 from 160) but *were up a significant 51%* in 2019-2020 (up 89, to 263 from 174). The reason for this rise is unclear, but may be attributable to two primary factors: one data related (an artificial drop in crime figures in 2018 due to the system switch from

65

CrimeFile to Athena) and the other COVID-19 related (as reflected in the spatial dispersion of alcohol-related crimes, perhaps alcohol fuelled more violence in the home and at private residences and residential areas, versus at public venues that were closed during the ‘lockdown’). This rise was *not observed* in all crimes for the same period: in the 2019-2020 period, *all crimes actually fell by 4.1%* (after rising by 2.6% in the 2018-2019 period). As a percentage of all crimes, alcohol-related crimes occurred at a relatively constant rate between 2017-2018 and 2018-2019: 8.2% and 8.7% of all crimes, respectively. However, in the 2019-2020, alcohol-related crimes were 13.7% of all recorded crimes. This is not surprising given the decline in crimes overall, but the rise in alcohol-related crimes, and this gives more credence to the ‘COVID effect’ driving crimes up at residential locations. This maybe attributable to the ‘lockdown’, when sales of alcohol rose and surveys showed people were drinking more at home.¹ During this time, crime in general declined as people stayed home.

Month	INCIDENTS									Month	CRIMES								
	2017-2018			2018-2019			2019-2020				2017-2018			2018-2019			2019-2020		
	All	% alcohol	Alcohol	All	% alcohol	Alcohol	All	% alcohol	Alcohol		All	% alcohol	Alcohol	All	% alcohol	Alcohol	All	% alcohol	Alcohol
Oct	504	6.5%	33	419	5.5%	23	469	5.5%	26	Oct	194	9.3%	18	150	2.0%	3	157	17.2%	27
Nov	479	6.9%	33	422	5.5%	23	472	8.3%	39	Nov	207	9.2%	19	124	7.3%	9	141	9.2%	13
Dec	431	9.7%	42	481	9.1%	44	423	8.0%	34	Dec	173	12.7%	22	151	8.6%	13	148	18.2%	27
Jan	425	5.2%	22	475	9.9%	47	496	5.2%	26	Jan	147	11.6%	17	181	7.2%	13	178	14.0%	25
Feb	400	5.5%	22	468	7.5%	35	391	10.0%	39	Feb	127	8.7%	11	162	4.3%	7	130	13.1%	17
Mar	436	6.7%	29	458	5.7%	26	449	7.6%	34	Mar	157	12.1%	19	203	6.9%	14	152	13.8%	21
Apr	454	7.3%	33	500	8.4%	42	541	4.8%	26	Apr	150	12.7%	19	191	14.7%	28	137	16.8%	23
May	446	4.3%	19	529	6.8%	36	512	7.6%	39	May	152	6.6%	10	148	10.1%	15	136	13.2%	18
Jun	412	10.9%	45	583	7.2%	42	532	6.4%	34	Jun	158	3.8%	6	160	8.1%	13	186	12.4%	23
Jul	519	9.6%	50	519	9.2%	48	564	4.6%	26	Jul	175	3.4%	6	181	13.8%	25	196	12.2%	24
Aug	459	7.8%	36	538	6.7%	36	563	6.9%	39	Aug	156	5.1%	8	165	14.5%	24	165	12.1%	20
Sep	429	9.1%	39	494	4.0%	20	533	6.4%	34	Sep	148	3.4%	5	178	5.6%	10	187	13.4%	25
TOTAL	5394	7.5%	403	5886	7.2%	422	5945	6.7%	396	TOTAL	1944	8.2%	160	1994	8.7%	174	1913	13.7%	263
Avg per 12 month period	450	7.5%	34	491	7.1%	35	495	6.8%	33	Avg per 12 month period	162	8.2%	13	166	8.6%	15	159	13.8%	22
Avg over 3 years	478	7.1%	34			Avg during lockdown	528	6.3%	33	Avg over 3 years	163	10.2%	17			Avg during lockdown	153	14.1%	21

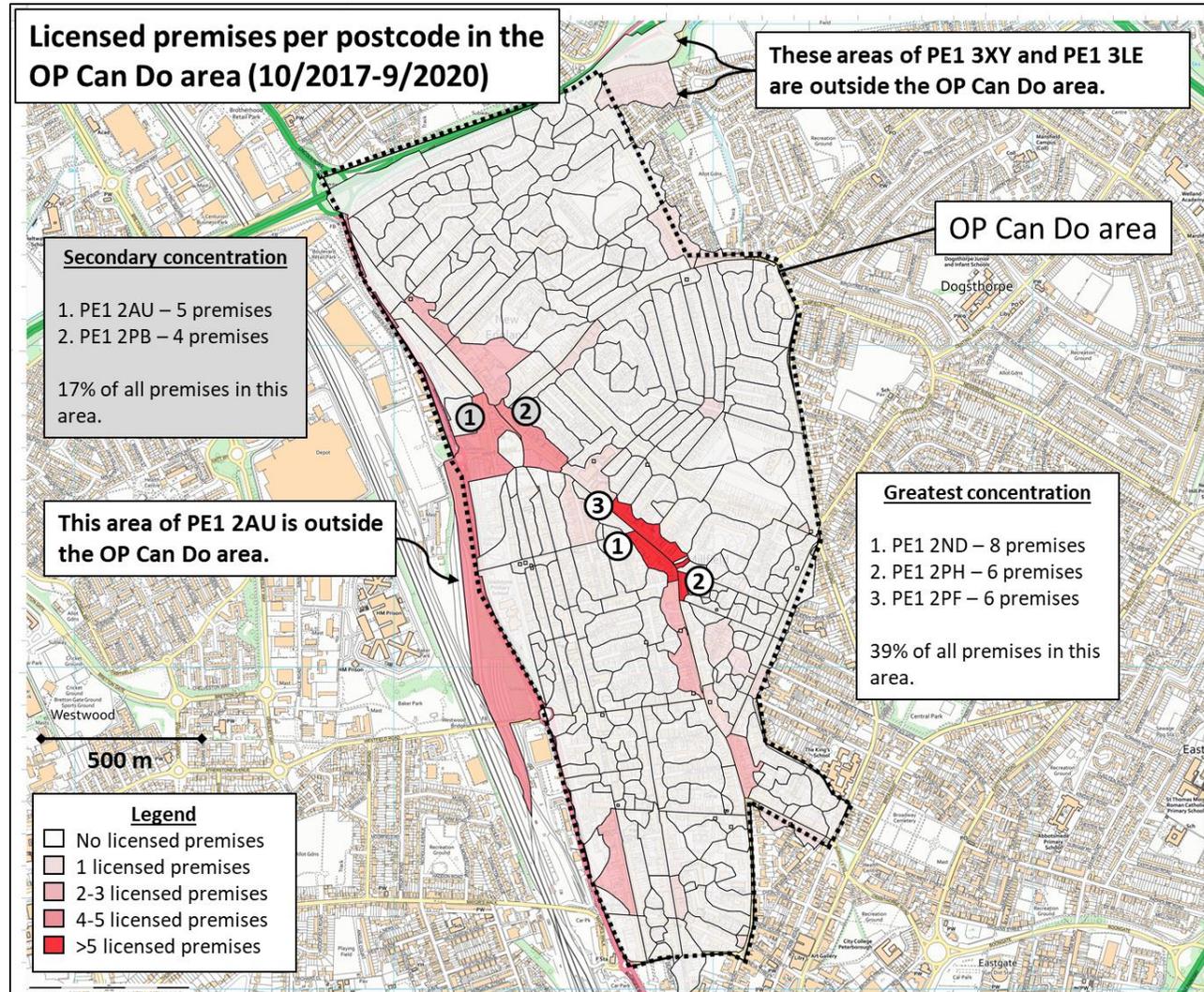
The table above reflects the so-called ‘COVID effect’ on both incidents and crimes (alcohol-related and not). The average number of alcohol-related incidents during lockdown (April to June 2020) is 33, which is below or equal to the average for each of the three twelve-month periods, and below the average for the entire three-year period. Further, the average percentage of incidents that were alcohol-related during the lockdown (6.3%) is lower than each of the three twelve-month averages and the average for the whole period, but the average number of incidents per month during lockdown (528) is substantially higher (this is due to an increase in incidents related to COVID-19 breaches). The opposite effect is seen in crimes (the table to the right). There, the monthly average number of crimes in lockdown (153) is below all other averages, but the monthly average for alcohol-related crimes during lockdown (21) is higher than or equal to all others, and the percentage of crimes that were alcohol-related during this time (14.1%) is well above all other averages. ***Alcohol drove crimes higher in 2020, especially during the pandemic response, but it was less of a factor in incidents during the same period.***

¹ Household drinking was examined in an Institute of Alcohol Studies survey in June 2020 (<http://www.ias.org.uk/uploads/pdf/IAS%20reports/sb28062020.pdf>). Off-license sales (especially at supermarkets) were covered by *The Guardian* in a 21 July 2020 story (<https://www.theguardian.com/business/2020/jul/21/uk-grocery-sales-covid-19-outbreak-local-shops>).

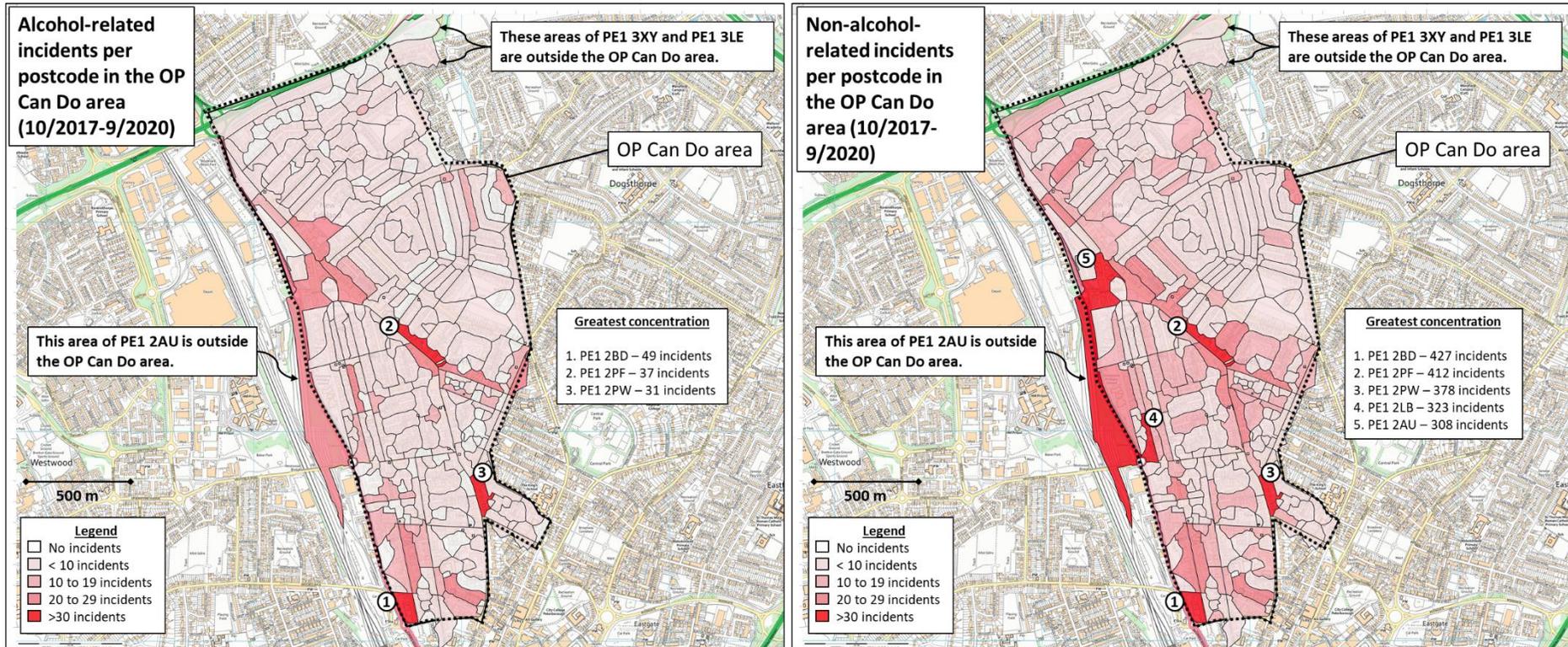
Spatial comparisons: locations of incidents and crimes relative to licensed premises

As seen in *Map 1*, licensed premises in the OP Can Do area are highly concentrated along Lincoln Road (the area’s main commercial thoroughfare) and are clustered at particular points along it. There are two primary clusters: one at Lincoln Road and Bourges Boulevard and the other at Lincoln Road and Alma Road. This concentration is reflected in *Map 2*, which shows licensed premises by postcode in the OP Can Do area, with these postcodes coloured based on the number of such locations within them (a choropleth). There are five shades, from white (no licensed location) through to red (five or more licensed premises). This shows licensed premises in this area are concentrated in only five postcodes, out of more than 300. These five include 56% of all licensed premises in the OP Can Do area. There are a handful of licensed premises away from Lincoln Road, but no significant clusters of more than one such location.

Similar five-scale choropleths were generated using data on incidents and crimes (alcohol-related and not) to determine any correlation in terms of location (whether or not alcohol-related incidents and crimes, in particular, occur nearer to licensed premises). If this were the case, it could reasonably be concluded that licensed premises help to drive alcohol-related incidents and crimes in this area and would particularly apply



to those premises where alcohol consumption occurs on site (bars, pubs, restaurants, etc.) Both clusters described above include a mix of on and off-licensed premises.

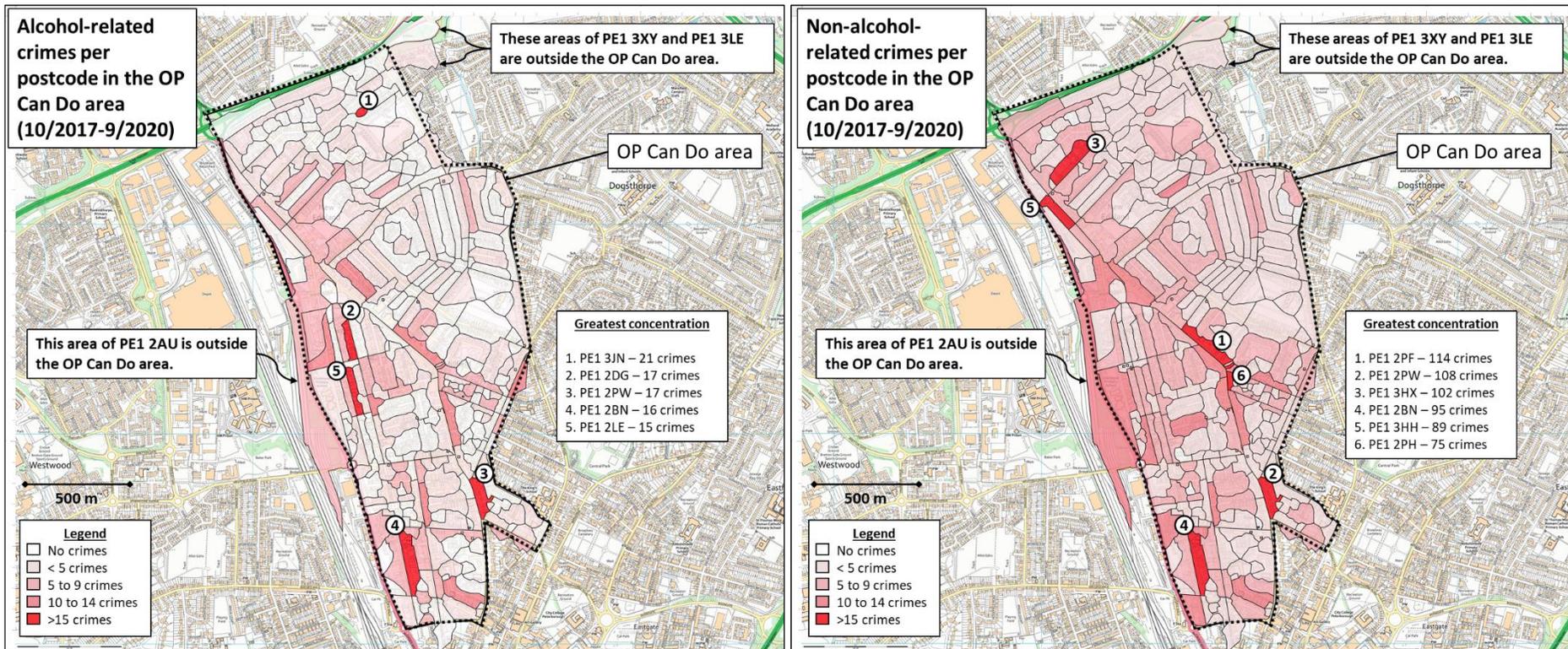


The map on the left depicts where alcohol-related incidents occurred over the three-year period, by postcode, and there is only minor overlap with the concentration of licensed premises in the OP Can Do area, with only one postcode (PE1 2PF) appearing on both choropleths. Indeed, the postcode with the most recorded alcohol-related incidents (PE1 2BD) has no licensed location and the postcode with the third highest number of such incidents (PE1 2PW) only has two (one for on-site consumption and an off-license). Other postcodes, with lower concentrations of alcohol-related incidents (such as PE1 2ND and PE1 2AU, fourth and fifth highest, respectively) do overlap more with those postcodes with the highest concentration of licensed premises. Further, the map to the right, showing non-alcohol-related incidents per postcode, shows a similar overlap: two of the top five postcodes with the more non-alcohol-related incidents also appear on the top five list for licensed premises per postcode (PE1 2PF and PE1 1AU) but the other most afflicted postcodes are outside the

68

‘licensed premises clusters’ (the top three postcodes for both alcohol-related and not are the same, and in the same order: PE1 2BD, with no licensed premises, PE1 2BD, part of the main cluster of licensed premises, and PE1 2PW, with two licensed premises).

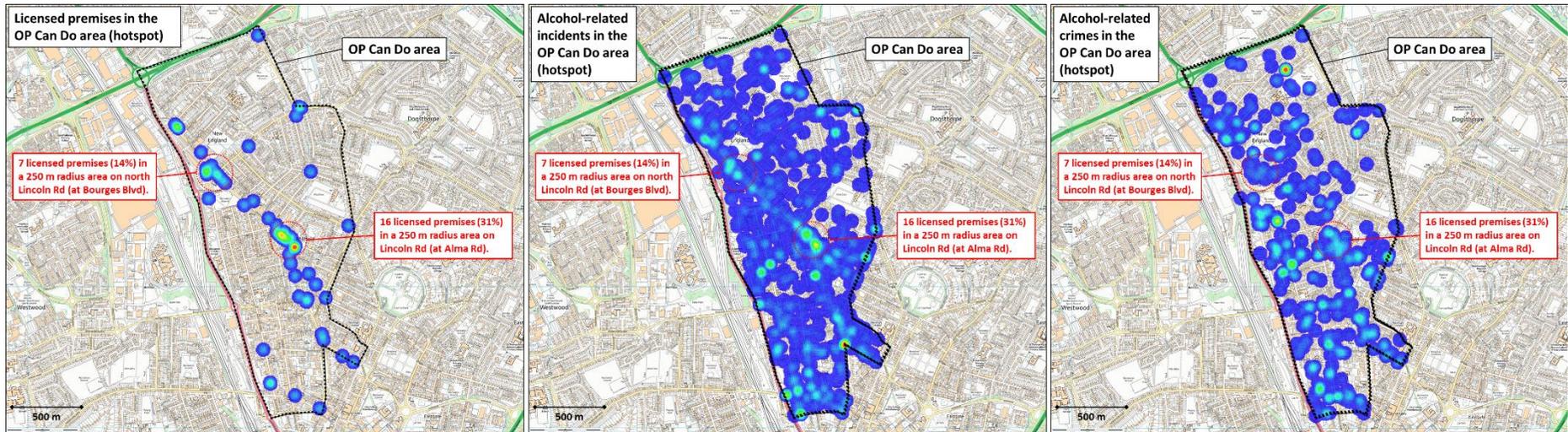
Thus, the locations of licensed premises do appear to attract alcohol-related incidents, with 13% of all recorded alcohol-related incidents in the three-year period occurring within the five postcodes (out of more than 300) with the greatest number of licensed premises. However, the greatest concentrations of alcohol-related and non-alcohol-related incidents occur elsewhere in the OP Can Do area and not necessarily within close proximity to a licensed location (especially in the southern portion of the OP Can Do area, south of Taverners Road and west of Lincoln Road, where there are few licensed premises but where over one-third of all incidents occurred).



With regard to crimes, the conclusion is even less clear. As with incidents on the page above, the two maps above show crimes per postcode, on a five-colour scale: alcohol-related crimes on the left, and non-alcohol-related crimes on the right. Alcohol-related crimes appear to be concentrated in areas that do not include any (or only a few) licensed premises and appear to be primarily residential in nature. For instance, the top postcode for alcohol-related crimes is PE1

3JN, which includes the supported living facility Carl Hall Court, where 21 alcohol-related crimes occurred (nearly 5% of the total over three years). The second, fourth and fifth next highest postcodes for alcohol-related crimes (PE1 2DG, PE1 2BN and PE1 2LE, respectively) each do not include a single licensed location and are mostly residential in nature. Only PE1 2PW is a 'high alcohol-related crime postcode' that also includes (only two) licensed premises. For non-alcohol-related crime, however, the correlation is slightly stronger, with the primary cluster of licensed premises in the middle of Lincoln Road (at Alma Road) featuring (PE1 2PF is the top postcode for crimes over this period in the OP Can Do area, and it has the highest number of licensed premises). However, the more significant overlap with crime locations appears to be commercial areas in general, rather than those defined by the night-time economy and the hospitality industry.

The bottom line is that over one-fifth of all alcohol-related crimes recorded over the three-year period examined in this report occurred in postcodes that lack a licensed location and which are primarily residential in composition, while non-alcohol-related crime appears to be more concentrated in commercial areas (especially along the Lincoln Road corridor). This breakdown is not surprising when details of alcohol-related crimes are considered: over 30% of crimes of common assault, assault without injury and assault occasioning ABH/GBH are related to domestic incidents. Alcohol is driving crimes in the OP Can Do area, especially within homes, but it is not clear if this is due to local licensed premises (though it would stand to reason that if alcohol is readily available near home, residents are likely to go to local off-licenses and bars to get it).



The maps above are provided to reinforce the conclusions drawn from the postcode choropleths by showing as 'hotspots' where licensed premises (left map), alcohol-related incidents (middle) and alcohol-related crimes (right) are located. The hotspots are based on concentrations of event or premises location within a 50-meter radius circle: blue reflects low density (one occurrence or location) and red indicates high density (greater than 10 locations or incidents).

within 50 meters). Alcohol-related incidents are seen to concentrate primarily along the Lincoln Road corridor, from the greatest concentration (obscured by the OP Can Do area boundary in the bottom right of the map) through the clusters of licensed premises, heading northwest, with other concentrations in the southwest of the OP Can Do area (described in the postcode choropleth section as mostly lacking licensed premises). Alcohol-related crimes are much more dispersed, but the greatest concentration (at Carl Hall Court, in the northeast of the OP Can Do area) is clearly evident, with other less dense concentrations along Clarence Road and Gladstone Road, in the west-central area of the OP Can Do area. For alcohol-related crimes, there is little overlaps in terms of density with those areas with the highest concentrations of licensed premises (indicated on the maps with red circles).

This page is intentionally left blank

This page is intentionally left blank

licensing policy consultation

Sylvia Bland <Sylvia.Bland@peterborough.gov.uk>

Wed 02/09/2020 17:52

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

📎 1 attachments (210 KB)

Marrons UCO 2020.pdf;

Hi

No particular comments from PCC Development Management except to point out that recent changes to the Use Classes Order mean that restaurants and other A3 uses now fall into a new Class E (commercial). As planning permission is not required for changes of use within a use class, there are a wider range of uses that might change to restaurants without the need for permission. The former A4 drinking establishments and A5 hot food takeaways are now 'sui generis' and so new premises will need planning permission. See the attached handy summary for further details.

Regards

Sylvia

Sylvia Bland

Development Management Group Lead

mobile: 07920 160772

email: sylvia.bland@peterborough.gov.uk

Planning Services

Peterborough City Council

Sand Martin House

Bittern Way

Fletton Quays

Peterborough

PE2 8TY



This page is intentionally left blank

Changes to the use classes order in England

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280 sq m mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwelling house by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, crèches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights, until 31 July 2021. The new use classes comprise:

- Class E (Commercial, business and service uses)
- Class F.1 (Learning and non-residential institutions)
- Class F.2 (Local community uses)
- Sui generis (In use class of its own)

This page is intentionally left blank

Facsimile: 01733 207176
Please ask for: 01733 452680
Our Ref: Mary Leen
Email: liz.robin@peterborough.gov.uk
By Email

Dr Liz Robin
Director of Public Health
 Peterborough City Council
 Ground Floor
 Sand Martin House
 Bittern Way
 Fletton Quays
 Peterborough
 PE2 8TY

14th of October 2020.

Thank you for your recent communication regarding the consultation on the Licensing Cumulative Impact Policy. As you will be aware, since April 2013, Directors of Public Health (DPH) have been included as Responsible Authorities under the Licensing Act 2003. Although the protection of public health is not a discrete licensing objective, it can be pertinent to each of the licensing objectives. The role of the DPH is to help promote the health and wellbeing of the local populations they serve. Promotion of the licensing objectives, which collectively seek to protect the quality of life for those who live and work in the vicinity of licensed premises and those who socialise in licensed premises is an important contribution to this.

I am writing in support of the continuation of the Cumulative Impact Policy (CIP) in place for the 'Op Can-Do' area of Peterborough. These comments have been formulated using relevant data and evidence, and guidance from Public Health England.

The impact of alcohol on health and wellbeing of Peterborough residents:

Public Health England's evidence of review of the impact of alcohol and the effectiveness of alcohol control policies⁽¹⁾ states that alcohol is now the leading risk factor for ill-health, premature death and disability in people aged between 15 and 49, the fifth leading risk factor for ill-health across all age groups. Alcohol is known to be a cause of over 200 health conditions and has a number of social negative impacts, including loss of earnings or unemployment, family or relationship problems and problems with the law. Many of these harms affect both the drinker and those around them, including families, friends and strangers.

These harmful effects place considerable economic burden on the government and health system, and individuals affected; the Cabinet Office estimate placed the economic costs of alcohol in England at around £21 billion in 2012.

¹ Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.

² National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

³ Public Health England, 2018. Local Authority Health Profile – Peterborough.

There are inequalities associated with alcohol-related harm, with children, women and people with lower socioeconomic status all experiencing higher levels of alcohol-related harm. In the English population, rates of alcohol-specific and related mortality increase as levels of deprivation increase and alcohol-related liver disease is strongly related to socioeconomic gradient.

The link between alcohol outlet density and alcohol-related harms:

A considerable body of research examines the relationship between alcohol outlet density (AOD) and alcohol-related harms. This shows that areas with more deprivation tend to have greater AOD which means that regulating the local availability of alcohol has the potential to reduce health inequalities (1), which supports the use of the CIP in the 'Op Can-Do' area which has high levels of deprivation.

There is strong evidence for a relationship between AOD and problems associated with social disorder. Although the relationship between AOD and alcohol consumption and alcohol-related harm is more complex and largely obtained from other countries, a number of systematic reviews have identified that higher levels of AOD are associated with greater alcohol consumption, alcohol related violence, injuries, alcohol-related road traffic crashes, sexually transmitted infections, child abuse and neglect and suicide. This evidence supports the use of policies, such as cumulative impact policies, to limit AOD within areas, particularly those of high deprivation, such as the 'Op Can-Do' area.

In addition, the National Institute for Health and Care Excellence (NICE) public health guideline on the prevention of alcohol-use disorders (2), concludes that reducing the number of outlets selling it in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm. The guidelines recommend that a cumulative impact policy should be used where an area is saturated with licensed premises and the evidence suggests that additional premises may affect the licensing Objectives.

The need for a cumulative impact policy in the 'Op Can-Do' area:

I support the need for a CIP in the 'Op Can-Do' area in line with the following licensing objectives:

1 Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.

2 National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

3 Public Health England, 2018. Local Authority Health Profile – Peterborough.

(i) The prevention of crime and disorder:

There is a high density of premises selling alcohol in the 'Op Can-Do'. Peterborough has relatively high levels of deprivation compared with the rest of Cambridgeshire and is the most deprived lower tier area in Cambridgeshire and Peterborough. East and Central wards are among the most deprived in the City according to the IMD 2019. In addition, the 'Op Can- Do' area is within an area subject to significant level of crime and disorder (See PES response to the CIZ). Which provides evidence of:

- 115 alcohol related incidents between May 2019 and May 2020 in Millfield and New England
- Clear problem hot spots around the Triangle, Century Square, Gladstone Park and Fulbridge Road Recreation Area
- A public consultation with 51 responses including area covered by the Can Do Area showing a need for designated Public Spaces Protection Orders
- A log of specific incidents in the area.

Minimising growth of alcohol related premises in the Can Do Area is therefore important in preventing crime and disorder, and protecting the health and wellbeing of the local population.

(ii) Public safety:

Alcohol related hospital admissions have improved in recent years in Peterborough overall but there is still a significant problem in Central Ward and East Ward. Rates are of concern and there is a statistically significant higher number of admissions in these wards compared with the rest of Peterborough). In the most recent data available from 18/19 a total of 63 (equal to 783 people per 100,000) individuals from East Ward and 83 (equal to 728 people per 100,000) from central ward were admitted to hospital for an alcohol related hospital admission. This compares with only 10 in Hargate and Hempstead (equal to 184 per 100,000) ⁽³⁾. Minimising the availability of alcohol, especially in areas of high AOD such as the 'Op Can-Do' area, is therefore important to protect the health and safety of Peterborough residents and visitors.

(iii) The protection of children from harm:

Children and young people are more vulnerable to alcohol related harm. Families may be affected by alcohol in a variety of ways including violence, financial

¹ Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.

² National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

³ Public Health England, 2018. Local Authority Health Profile – Peterborough.

problems, absenteeism from school and disrupted relationships, and there is a strong relationship between alcohol misuse and child maltreatment. A number of studies have identified that higher levels of AOD are associated with greater alcohol related consumption and alcohol-related harm, including those that affect children, such as violence. Minimising the growth of AOD in the 'Op Can-Do' area, an area of high deprivation in Peterborough, is therefore important to protect children from harm.

Summary:

Alcohol can have significant negative health, social and economic impacts on communities, many of which are heightened in areas of high alcohol outlet density, such as the 'Op Can- Do' area. In addition, there are inequalities associated with alcohol-related harm, with more deprived communities, such as those in the 'Op Can-Do' area experiencing greater levels of harms. In line with the licensing objectives outline above, I therefore support the continuation of the cumulative impact policy in this area and would urge the licensing authority to consider the use of cumulative impact policies in other areas where a need is identified, including areas with high alcohol outlet density and high levels of deprivation.



**Dr Liz Robin MBBS FFPH
Director of Public Health
Peterborough City Council**

1 Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.

2 National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

3 Public Health England, 2018. Local Authority Health Profile – Peterborough.

1 Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.

2 National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

3 Public Health England, 2018. Local Authority Health Profile – Peterborough.

This page is intentionally left blank

PES CIA/Licensing Policy Consultation response 2020

The area of Millfield and New England has been an area prone to suffer from the effects of alcohol-related anti social behaviour for many years, with Designated Public Places Orders (DPPO) implemented initially in 2007 and then replaced by a Public Space Protection Order (PSPO) for the Millfield, New England, Eastfield and Embankment area in June 2017.

The PSPO for Millfield, New England, Eastfield and Embankment was imposed on the designated area for 3 years and comprised conditions to tackle quality of life issues such as alcohol-related and other forms of anti-social behaviour, littering, spitting and urination and defecation. The order expired in August 2020 as due to the Covid-19 pandemic it wasn't possible to review, carry out a fair consultation and re-implement the existing order prior to the expiration date. However based on the levels of enforcement carried out whilst the PSPO was in force, combined with the continued reports of alcohol-related crimes and ASB within the Millfield and New England area, the Prevention & Enforcement is proposing to re-implement a PSPO by the end of 2020 for the Millfield, New England, Eastfield and Embankment area for a further 3 years.

According to Police data, during the period June 2019 to May 2020 there were 1,054 incidents relating to ASB made to the Police within the overall Millfield, New England, Eastfield and Embankment PSPO area and ASB was the second highest crime type totalling 22% of all crimes/incidents. Alcohol related anti-social behaviour can include (but is not limited to):

- Causing harassment, alarm and distress
- Urination and defecation
- Littering
- Noise
- Excessive consumption of alcohol can also be contributing factors to criminal damage, begging and public order offences.

Another search of Police records for May 2019 to May 2020 looking specifically at alcohol-related incidents for the Millfield and New England area identified that there had been 115 recorded incidents for the period. These incidents range from:

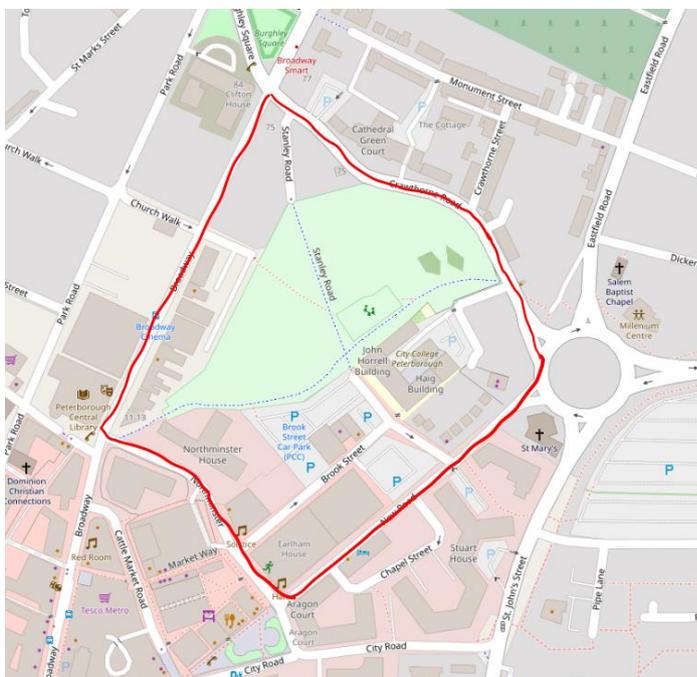
- Groups drinking in public areas,
- Rowdy/aggressive drunken behaviour,
- Assaults, threats of violence and drunks fighting,
- Concern for intoxicated persons,
- Urination,
- Trespass and obstruction,
- General nuisance and disturbance from noise – shouting, smashing bottles, etc

Areas within Millfield and New England which are considered hot spot locations include (all figures quoted are from the period June 2019 to May 2020):

- **Triangle, Lincoln Road** there were a total of 64 crimes and incidents reported for this small section of Lincoln Road during June 2019 to May 2020, 18 (28%) of which related to ASB.

- **Century Square and Alma Road area** had 52 incidents of ASB reported to the Police out of a total of 139 crimes and incidents for the 12 month period. ASB was the highest crime type and represented 37% of total crimes.
- **Gladstone Park area** had 49 reported crimes and incidents, 10 of which related to ASB. It is believed that the true figure may be higher and issues are under-reported for this area due to anecdotal reports from councillors and residents.
- **Fulbridge Road Recreation Area** had 105 crimes and incidents reported from June 2019 to May 2020, 20 of which related to ASB.

Whilst it is acknowledged that **Stanley Recreation Ground and Brook Street car park** fall just outside of the CIA, this area had 55 ASB incidents reported to the Police from June 2019 to May 2020. ASB was the second highest crime type for this defined area and represented 22% of all incidents reported to the Police within the 12 month period. However it is believed that the true number of incidents is much higher, with many instances going unreported to the Police or Peterborough City Council. There were 56 recorded incidents of street drinking within the recreation ground captured by CCTV officers during March 2020 to August 2020, 46 of these incidents amounted to 175 people. Additionally, Environmental Enforcement Officers have identified 24 incidents of street drinkers in Stanley Recreation Ground during July 2020 and up to 14th August 2020 with groups of up to 20 individuals, some of whom were drinking in the children’s play area. However, this is not a full representation of the level of anti-social drinking which occurs in Stanley Recreation Ground and only includes those incidents observed by officers whilst out on patrol/monitoring. Anecdotal evidence received from cleansing operatives, local businesses and City College is that groups drinking, anti-social behaviour and alcohol-related littering occurs within Stanley Recreation Ground on a daily basis. A resident living opposite Stanley Recreation Ground contacted the council to request that one of the benches was removed due to drugs drinking and anti-social behaviour which were having a significant detrimental impact on their quality of life.



In January 2017 a public consultation was launched to implement the PSPO for the Millfield, New England, Eastfield and Embankment area to tackle a wider range of quality of life issues including alcohol-related ASB. There were a total of 51 respondents, 96% were in favour of a PSPO to be used

to deter people urinating and defecating in a public place and 92% were in favour of the proposal to allow officers to disperse groups causing harassment, alarm or distress. 90% of respondents were supportive of the proposed condition to tackle littering and spitting. 88% were in favour of the use of a PSPO to control anti-social behaviour from people who have been consuming alcohol. Following consultation the PSPO for Millfield, New England, Eastfield and Embankment was implemented in June 2017. A public consultation on proposals to re-implement a PSPO for the Millfield, New England, Eastfield and Embankment area is planned to commence in October and will include proposals to

Since the implementation of the CIA in 2013, our service has responded to the following alcohol related ASB issues:

1. The historical Clock Tower near the Triangle was boarded up following complaints to ward councillors, Police and the Council concerning people congregating and drinking, urinating, defecating within the recesses of the clock tower.
2. Complaints have been received by the Salvation Army charity shop on Lincoln Road in relation to staff and customers being accosted by drunks congregating in the bus shelter outside the store, as well as entering the store being abusive and inappropriate in their behaviour towards female staff.
3. Residents and ward councillors regularly report that Gladstone Park is being misused by drinkers and drug users.
4. The impact of street drinking, drugs and prostitution is experienced by residents and businesses in the Burghley Rd and Park Road area.
5. Businesses within Blenheim Court have reported groups of people drinking, leaving bottles and broken glass in the car park as well as urinate. It is making staff members and customers feel concerned for their safety.
6. Reports of street drinking on Lincoln Road, Windmill Street, Green Lane.
7. A community organisation in the Lincoln Road area has been negatively affected by individual's street drinking, urinating, defecating and associated anti-social behaviour on and around their premises. This is having a detrimental impact on the safety of staff and volunteers as well as their ability to support their elderly and vulnerable visitors.
8. Residents and ward councillors have reported street drinking, drugs and anti-social behaviour in and around Connect Park and Gladstone Street. This area is regularly patrolled by the local policing team as a result of the reports.
9. In August 2020 businesses and residents along Lincoln Road in Millfield signed a petition calling upon the council and Police to take action against littering, loitering and anti-social behaviour and request an increase in officer presence in the area. The behaviours being experienced are affecting residents, businesses and their customers.
10. In September 2020 a business owner on Lincoln Road contacted the Prevention & Enforcement Service to report issues that his business and staff have been experiencing with people entering their premises in the daytime intoxicated with alcohol. They also report that groups of drinkers on Lincoln Road and some of the surrounding streets will regularly gather which leads to staff and customers feeling concerned for their safety, particular in the evening. The associated alcohol litter being left outside their business and elsewhere in the streets also creating a poor image for the businesses and the area in general.

Other factors to consider:

1. From anecdotal information we are aware that issues concerning alcohol-related ASB continue to regularly occur within the Millfield and New England area, but the figures

quoted within this response are likely to be lower than the true figure due to significant under reporting to agencies.

2. The frequency of cleansing for streets and open spaces in the CIA area continues to be significantly higher in comparison to other areas of the city. This is partly attributable to the amount of alcohol related litter (bottles, cans) which pose a safety risk and degrade the area.
3. From August 2017 to 16th December 2019 there were 2,344 Fixed Penalty Notices (FPNs) issued for breaches of the Millfield, New England, Eastfield and Embankment order for littering, spitting, urination and defecation and failing to disperse for alcohol and general ASB.
4. There continues to be an interest with new businesses applying to operate licensable activities within the CIA area. Our service has responded to licensing applications opposing off-sales of alcohol within the Millfield and New England area due to the continued problems with alcohol related crime and disorder in the area.
5. There is the concern that if the CIA is not continued in this area, there will not be sufficient Police or Council resources to tackle any increase in anti-social behaviour or crime in this area.
6. A public consultation on plans to re-implement a PSPO for the Millfield, New England, Eastfield and Embankment area is due to commence during October and November. The consultation will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and associated anti-social behaviour.

It is the recommendation of the Prevention & Enforcement Services that the existing CIA continues in the Millfield and New England area.

Also, 12.14 of the Policy document states *"Powers of local authorities to designate parts of the local authority area as Public Spaces Protection Orders. Confiscation of alcohol from adults and children in designated areas."* This should be amended to *"Officers can request the surrender or disposal of alcohol or disperse an individual from an area."* It should be noted that it is only an offence for people aged 18 years or over to breach the conditions of a PSPO. However Police officers will have alternative powers to deal with children consuming alcohol.

Broadway Residents Association

Broadway • Broadway
Gardens • Park Crescent



222 Broadway
Peterborough
PE1 4DT

Telephone 01733 349396

11th October 2020

Attn: Terri Martin,
Licensing,
Peterborough City Council,
Sand Martin House,
Bittern Way,
Fletton Quays,
Peterborough
PE2 8TY

Dear Ms Martin,

Re: Consultation on PCC Statement of Licensing Policy

On behalf of Broadway Residents Association I would like to endorse the Statement of Licensing Policy. We do have some comments based on resident's experiences as listed below:

1. Alcohol abuse is a problem covering many areas of Peterborough, not just the Can-Do area. Street drinkers are an ongoing issue in our area. In particular, street drinkers are commonly seen in Broadway, Central Park, Broadway Cemetery and Stanley Recreation Ground. Groups of drinkers are commonly seen at all times of the day. These groups are intimidating, can be abusive and are responsible for littering. They also use public places and private gardens as toilets. There is also a perception that they are associated with crime, including criminal damage and burglary.
2. Late-night noise from alcohol-affected groups walking home from the City Centre is common in Broadway and vandalism to fences and street trees is almost invariably associated with this time.
3. Introduction, Page 5. It is stated that there are two theatres in Peterborough. Would the Broadway theatre make it three?
4. Section 5.6. We agree that there is no argument for more alcohol licenses in the Can-Do area. We would argue that the same applies to other areas such as Eastfield Road, where there are multiple alcohol outlets in a small area, leading to local anti-social behaviour.

5. Section 8.5. "Due to the national emergency" What national emergency? We know it is COVID-19 but in an official document it should be stated.
6. Section 12.14. Public Space Protection Orders are mentioned here and are strongly supported by the Broadway Residents Association. We are very concerned that the current PSPOs, including the Millfield, New England, Eastfield and Embankment PSPO (which includes our area) have expired and, because of COVID-19, are yet to be renewed. We urge you to ensure that these PSPOs are renewed without delay.
7. In the Cumulative Impact Assessment annex, Public Health section, there are references to statistically higher rates without stating what is the comparator. I presume it is higher than the national mean.

Yours sincerely,

Dr Derek Brown
Chairman
Broadway Residents Association

cc. Laura Kelsey, Senior Problem Solving Officer, Prevention and Enforcement Service, PCC
Park Ward Councillors



HOUSE OF COMMONS

LONDON SW1A 0AA

Licensing
Peterborough City Council
Sand Martin House
Bittern Way
Fletton Quays
Peterborough PE2 8TY

11 September 2020

Thank you for providing me with the details of the consultation on the Statement of Licensing Policy and the Cumulative Impact Policy and Assessment.

I am very pleased that Peterborough City Council adopted a Cumulative Impact Policy in 2013, that it has been retained as a result of previous consultations and reviews, and that it is again proposed for renewal.

The Cumulative Impact Policy plays a crucial role in meeting our licensing objectives, including the prevention of crime and disorder, ensuring public safety, preventing public nuisance and protecting children from harm. The presumption under the policy, whilst useful when considering new applications, needs to be matched with a commitment to rigorous enforcement of existing licences.

Since becoming the Member of Parliament for Peterborough, I have visited many areas of the City that suffer from the consequences of anti-social behaviour, whether that is street drinking, under-18 alcohol abuse, litter, noise, or drunk and disorderly behaviour. Many people have raised with me a perception that when there are breaches of licensing conditions there is a lack of enforcement. This needs to change, and local residents need to be confident that when these issues are reported they are followed up.

I support the extension of the Cumulative Impact Policy and look forward to continuing to work with Peterborough City Council, the Millfield and New England Regeneration Partnership (MANERP) and our businesses and residents to ensure our licensing scheme is used in a constructive way to prevent anti-social behaviour.

Yours sincerely,

A large, stylized handwritten signature in black ink, appearing to be 'P. Bristow'.

Paul Bristow MP
Member of Parliament for Peterborough

This page is intentionally left blank

Op-Can Do area licencing

Mohammed Saeed [REDACTED]

Wed 09/09/2020 10:16

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Dear Sir/Madam,

I am writing to you to voice my concern about the number of licence premises in the Op-Can Do area. This is having an adverse affect on the local community with continued increase in number of people Street drinking. Large groups of mainly men can be seen at the Rock Park and an immense amount of cans and bottles have been collected by our volunteers during litter picks at the park.

We have also seen many urinating in the Rock park area and where I work in the evenings we have to chase off at least two people every evening for coming into the rear of our property at 389 Lincoln Road to drink alcohol and urinate. This is a growing and troublesome problem. We have turned up to work on some occasions and human faeces has been left on our property along with beer cans and needles.

Along the Lincoln Road groups of men can be found drinking near to off licence locations especially on the corner of Windmill Street and Lincoln Road, there is a small bush on this corner that gets used as an open toilet. All the parks from Russell Street, Connect park, land in between Hankey Street and Bamber Street, underpasses along the Bourges Boulevard, Park on Bourges Boulevard opposite the Seargeant Street junction, Alma Road park, the corner of Alma Road and Lincoln Road are just some of the places that are adversely affected due to the amount of street drinking prevalent at these locations.

I would also like to bring to your attention to the fact that along the Lincoln Road from St Martins Street junction to the Triangle we have SIX gambling outlets in under a half mile distance with the latest addition being a 24hr slot machine operator, Merkur Slots. This again is a grave concern for local residents. Many studies have shown that these establishments target working class communities especially in difficult times. Since austerity was introduced we have been seeing an increase in gambling outlets opening on Lincoln Road area.

There are currently 2 Ladbrokes, 2 Paddy Power, Ace Electra (Slot machines) and Merkur Slots. This is a deliberate attack on our local communities which is being facilitated by the local planning department of the Peterborough City Council. The Op-Can Do project was setup to enhance the local area. It seems that rather than Can-Do it has become CAN'T BE BOTHERED!

This is a quotation from a paper produced by the Gambling Commission '***Gambling-related harm as a public health issue. Briefing paper for Local Authorities and local Public Health providers February 2018***'

"It is estimated that there are around 373,000 problem gamblers in England, 30,000 in Scotland and around 27,000 in Wales. These estimates are likely to be conservative as the surveys do not include certain population groups more likely to be more vulnerable to harm. (In comparison we know that research by the National Treatment Agency for Substance Misuse estimates that, for the year 2011/12, there were around 293,000 opiate and/or crack cocaine users in England)"

The situation for ethnic minorities is much more exorable;

- ethnicity: **problem gambling is more prevalent among some ethnic minority groups** – it is higher among those of Asian/Asian British origin (2.8 per cent) and Black/Black British origin (1.5 per cent) compared with those who identify as White/White British (0.8 per cent).

Data from www.ippr.org

The situation on the streets is very worrying we have in the recent year seen many more requests from residents with problem gambling in the family. Most of the time people are reluctant to ask for help and are not able to find the right type of help for a gambling addiction. We know of a young mother who has to follow her husband around when he leaves the home other than for work. Just so she can drag him out of the bookies as he will blow all his earnings on slot machines and horses.

These are the experiences we are having with decision that local government are making on our behalf, we are being let down time and time again. The Op-Can Do was supposed to be a partnership between the local community and the agencies that work for us. We have seen over the past years that there is no engagement with the local community and the situation as I have described above is proof to that affect.

Mohammed Saeed

Vice-Chair
Community First Peterborough
82 Lincoln road
Peterborough
PE1 2SN


DISCLAIMER: The information contained in this e-mail is intended for the use of the addressee only, and is confidential and may also be privileged. If you are not the intended recipient, please contact the sender immediately and delete the original email. Any use, copying, disclosure, alteration or reliance on the contents of this email for any purpose without the named sender's express authorisation is strictly prohibited and it may be unlawful. Please be aware email transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Community First Peterborough is committed to GDPR compliance. We take reasonable steps to minimise risk, but we advise that any attachments are virus checked before they are opened.

The Licensing Team
Peterborough City Council
Bayard Place
Peterborough

10th October 2020

Dear Sir/Madam

CUMULATIVE IMPACT CONSULTATION

REPRESENTATION FROM MANERP AND COMMUNITY FIRST

We represent the Millfield & New England Regeneration Partnership (MANERP). MANERP and Community First who also represent residents and businesses in the Millfield and New England areas of Peterborough.

The Millfield and New England area of Peterborough has had for years a history of anti-social behaviour fuelled by alcohol and drug abuse. This has been exacerbated by the rapid growth of outlets retailing alcohol by means of “off-sales.”

The area is also within the boundary of the “Can-Do” initiative which brought together the city council, police, NHS, Resident Associations and other partner agencies to jointly combat the serious issues being faced in this area. The whole area is extremely sensitive and volatile because of the ease of access to the purchase of alcohol often sold at a low price in order to attract customers or to be competitive. It is also an area where anti-social behaviour, such as littering and noise associated with consumption of alcohol, is commonplace.

The Millfield and New England area has a phenomenal number of outlets selling alcohol “off-sales” which has contributed significantly to anti-social behaviour in the area. This has had an impact on all the Licencing Objectives in one way or another. The current joint partnership between Peterborough City Council, Cambridgeshire Police and other partner agencies has highlighted the need to actually reduce the number of outlets and hours that alcohol can be freely purchased, if it is to make any headway towards the goals that it is striving to achieve. If the C.I. Policy is terminated, it is our view that this would have a seriously detrimental impact on everything that has been achieved over the past few years that the policy has been in force in the area.

The area has the highest density in terms of number of alcohol-selling outlets in proximity of residential areas in Peterborough and the negative implications of street drinking and consequentially the area was designated a Public Spaces Protection Order. New Premises Licence applications within the area are still being received by the council, and with new supermarkets, cafes and convenience stores being opened in Millfield and New England, this will only increase as they seek to compete with existing licensed premises.

The extent of frustration of long-time residents in the area is high as they have been deeply affected by alcohol-related behaviour including dumped alcohol cans and bottles, bottles broken by being thrown down on the pavement or roadside, people urinating and defecating in streets or in resident's front gardens, noise created by shouting and irrational behaviour and more.

- Children cannot play safely in front gardens and the level of alcohol-related noise impacts on children's sleeping patterns which has an impact on their studies in many cases.
- A number of bus-stops along Lincoln Road are used during the day by street drinkers (and therefore cannot be used by bus passengers);
- The outdoor gym at New England Rec is sometimes occupied by drinkers and so cannot be used by resident for exercising;
- Drinkers use the park (including the seating in the children's play area), dump their bottles in it, and use the trees in it as urinals, this means these facilities are no longer safe or available for residents.
- Similar behaviour takes place throughout public spaces in the area. The side roads off Lincoln Road in Millfield, such as Sargeant Street, have spots that are used for drinking as the drinkers know they are unlikely to be bothered by the police or wardens there, evidenced by the number of discarded cans, bottles and cigarette ends nearby.
- As many of the licensed premises conducting off-sales in the area can do so from early in the morning until late at night, residents suffer from the nuisance of alcohol-related behaviour all day.

These factors have had its impact resulting in a significant level of 'White flight' from this area as proven by the last Census results. The remaining numbers of long-term residents are deeply concerned but unable to seek help especially with drastically reduced policing resources. Hence there is exceptionally low confidence to report such matters to police, that is if they are able to wait for long time prior to someone answering calls on 101.

All these factors mean that there is a high level of fear of crime in the area and unless people have choice, they would avoid the vicinity of Lincoln Road at a late night hour due to rowdy behaviour of drunk people in the street. Many residents would avoid the area at any time unless they have to come or pass through.

With this and the current Cumulative Impact Policy in mind, we also make this representation under all the Licensing Objectives set out in the Licensing Act 2003, namely.

- a. The prevention of crime and disorder
- b. Public safety
- c. The prevention of public nuisance
- d. Protection of children from harm

The MANERP's primary aim is to try to regenerate an area that has been sadly neglected for many years. The largest single problem of all revolves around the ease, low cost but above all, availability at which alcohol can be purchased and subsequently abused. The impact on the area is huge and is a cause of concern for all the statutory agencies and bodies.

Since its introduction, the Cumulative Impact Policy has been a small but nonetheless noticeable improvement in the Millfield and New England area. However, if the policy is terminated there is every probability that the problems that were responsible for the C.I. Policy's' introduction in the first place will return and worsen. This will place a higher burden on the police, the council and the NHS as well as the associated stress and strain that residents and businesses will have to suffer.

We therefore ask that the Cumulative Impact Policy be renewed.

Yours Sincerely

BRIAN W J GASCOYNE BEM

On behalf of the Millfield and New England Regeneration Partnership

MOHAMMED SAEED

Vice-Chair - Community First Peterborough

This page is intentionally left blank

Fw: COMULATIVE IMPACT POLICY CONSULATION 2020

Cllr Ansar Ali <Ansar.Ali@peterborough.gov.uk>

Wed 14/10/2020 13:00

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>**Cc:** Rob Hill <Rob.Hill@peterborough.gov.uk>; Adrian Chapman <adrian.chapman@peterborough.gov.uk>; Peter Gell <peter.gell@peterborough.gov.uk>; Cllr Shaz Nawaz <Shaz.Nawaz@peterborough.gov.uk>; Brian W J Gascoyne <[REDACTED]> community first <communityfirst@outlook.com> 1 attachments (19 KB)

CI POLICY CCONSULTATION 2020.docx;

I am writing to endorse the comments made by MANERP and Community First.

Regards

Ansar

Councillor Ansar Ali

North Ward

From: Brian Gascoyne <[REDACTED]>**Sent:** 12 October 2020 16:21**To:** Licensing <eh.licensing@peterborough.gov.uk>**Cc:** Saeed Mohammed <communityfirst@outlook.com>; Cllr Mohammed Nadeem

<Mohammed.Nadeem@peterborough.gov.uk>; Cllr Mohammed Jamil

<Mohammed.Jamil@peterborough.gov.uk>; Cllr Ansar Ali <Ansar.Ali@peterborough.gov.uk>; Cllr Mahboob

Hussain <Mahboob.Hussain@peterborough.gov.uk>; Cllr Amjad Iqbal <Amjad.Iqbal@peterborough.gov.uk>;

Cllr Shaz Nawaz <Shaz.Nawaz@peterborough.gov.uk>; Cllr Shazia Bashir

<Shazia.Bashir@peterborough.gov.uk>; Cllr Aasiyah Joseph <Aasiyah.Joseph@peterborough.gov.uk>; Cllr Ikra

Yasin <Ikra.Yasin@peterborough.gov.uk>

Subject: COMULATIVE IMPACT POLICY CONSULATION 2020

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Dear Sir/Madam

I attach the joint Millfield and New England Regeneration Partnership (MANERP) and Community First's representation in response to the Commutative Impact Policy review for the area.

Kindest Regards,

Brian

Brian W J Gascoyne BEM

On behalf of MANERP and Community First



Fw: Petition Re: Licensing Policy Consultation - Millfield

Cllr Ansar Ali <Ansar.Ali@peterborough.gov.uk>

Wed 14/10/2020 12:54

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>**Cc:** Adrian Chapman <adrian.chapman@peterborough.gov.uk>; Rob Hill <Rob.Hill@peterborough.gov.uk>; Peter Gell <peter.gell@peterborough.gov.uk>; Gillian Beasley <gillian.beasley@peterborough.gov.uk>; Cllr Shaz Nawaz <Shaz.Nawaz@peterborough.gov.uk> 1 attachments (4 MB)

Petition.pdf;

Please find attached a Petition residents have presented to me with regard to Licensing Policy Consultation for the area of Millfield.

I am fully supportive of the residents objections to the increasing number of licensed premises (alcohol and gambling) in this small congested area over the last fifteen years which have given rise to Anti Social Behaviour, Crime etc.

Residents feel let down by the authorities, feel frustrated and tell me Enough is Enough.

I have been raising these concerns on behalf of the residents and businesses over several years through at every opportunity in meetings with council and Police Officers, emails and at Council meetings.

I hope the views of residents and businesses will be heard and acted upon and the authorities embark on a strategy to stop granting new licenses and work towards reducing the number of licensed premises.

Regards

Ansar

Councillor Ansar Ali

North Ward

From: . SADDIQUE [REDACTED]
Sent: 14 October 2020 12:31
To: Cllr Ansar Ali <Ansar.Ali@peterborough.gov.uk>
Subject: Petition

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Good afternoon Councillor Ali,

Please see attached a petition in relation to THE LICENSING POLICY CONSULTATION.

The petition is in response to this and our objections in the way alcohol licenses have been issued over the past decade and how they have been mismanaged. The objectives set by the council and in particular the four highlighted in the consultation document have clearly not been met and governed properly. There is no way of measuring them and no record as to what has been done to tackle the increasing issues we face as residents. We, residents are angry, annoyed and frustrated in

seeing how our area in particular Lincoln Road has deteriorated over the past decade and the route problem is the licensing. This brings ASB, criminal disorder, drug issues along with other problems and we have seen this first hand.

Kindest regards
Saj

This page is intentionally left blank

To the Licencing team at Peterborough City Council

We write this letter and attached petition to express our dismay at the state of area due to excessive licencing of off-licences and gambling halls in the Gladstone Area. As residents of the area, the state that the area is in is a disgrace to the honest and law-abiding residents of the area.

The problems in the area caused directly by your licencing are:

- Drug abuse
- Drug Dealing
- Harassment
- Fighting
- Noise
- Littering
- Loitering
- Public urination
- Public drinking
- Theft and other petty crimes

The excessive licencing in the area is directly causing crime & disorder and public nuisance. Businesses such as off-licences are endangering public safety and increasing the risk of harm to children with drinking centred around the busy parts of the area and its green spaces.

The location of the problem stretches across the Gladstone area, from Taverhens Road to the Triangle. This is an entire swathe of the community that is being destroyed through your reckless grants.

You have saw fit to grant a 24 hour gambling licence in a residential area. This beggars belief and reinforces our position that the City Council does not care for the area.

The current cumulative impact policy, OP CAN DO and other initiatives have clearly not worked as they are unenforced, measured and the set objectives are not met. This area generates a great deal of income for the council and not enough has been put back for the residents.

Specifically the Blue Shop on Lincoln Road is a particular hub of problems. This establishment has people drinking outside its door from morning to night. These establishments have no regard for the residents of the area and they are allowing people to drink in the vicinity of the premises. Businesses on Lincoln Road must take responsibility for their patrons and exercise civic responsibility.

Please consider this letter and take action on this matter.

Petition enclosed.

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

RE: Licensing Act 2003 - Statement of Licensing Policy, Cumulative Impact policy and Assessment consultation

David Saer <DSaer@portmangroup.org.uk>

Mon 05/10/2020 11:43

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hello,

Thank you for contacting us to contribute to the consultation on your licensing policy.

We welcome the reference and commendation of the Portman Group Code of Practice in the document guidance section.

We know that several other authorities have included a brief description of the Portman Group Code of Practice and contact details in their document annexes. If you were to consider such a text to encourage retailers in your area to abide by Retailer Alert Bulletins to remove irresponsible products and promotions, we might suggest including the following:

The Portman Group Code of Practice

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the naming, packaging and promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important tool in protecting children and vulnerable consumers from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may particularly appeal to these groups.

I would also highlight the latest edition of the [Code of Practice](#), which was published last year and contains several [new important updates](#) including action to target offensive marketing and associations with illegal behaviour.

I would also highlight the following technical points -

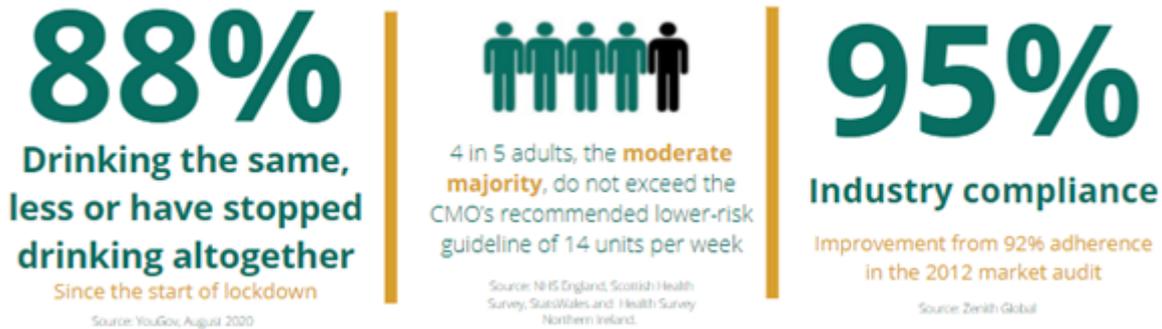
- We have recently moved office and our new address is Millbank Tower, 21-24 Millbank, London SW1P 4QP
- Our new telephone number is - 020 3925 5704
- We plan on launching a dedicated page to our Retailer Alert Bulletins on our website soon, which will help aid licensing officers and retailers in viewing the most recent and past decisions from the Independent Complaints Panel.

I do hope you find the above useful and if you have any questions, or if you are not receiving our Retailer Alert Bulletins, please just let me know.

Kindest regards,

David Saer

Policy and Communications Manager

Tel: 020 3925 5704 | Millbank Tower, 21-24 Millbank, London, [SW1P 4QP](#) | Twitter: @portmangroup

From: Licensing Policy Consultation <ipc@peterborough.gov.uk>
Sent: 19 August 2020 16:31**Subject:** Licensing Act 2003 - Statement of Licensing Policy, Cumulative Impact policy and Assessment consultation

Good afternoon,

Peterborough City Council Licensing department are consulting on the Licensing Act 2003 Statement of Licensing Policy, Cumulative Impact Policy and Assessment, and invite your comments.

The consultation runs from 19 August to 14 October 2020. Should you wish to respond and make comment, please ensure that you do so prior to the end of the consultation period, to ensure your comments can be properly considered prior to determination.

Comments must relate to the effect that licensed premises are having, positive and/or negative and must relate to at least one of the four licensing objectives, which are:

- ❖ The prevention of crime and disorder
- ❖ Public Safety
- ❖ The prevention of public nuisance
- ❖ The protection of children from harm

Further information, including how to respond, may be found on the attachment to this email or on the council's website. (see link below)

<https://www.peterborough.gov.uk/business/licences-and-permits/licensing-act>

As part of the consultation process, we are writing to those likely to be affected by the policy and recognise that in some areas it may be difficult to identify the correct persons or bodies to consult. With this in mind, it would be appreciated if you could forward this email to the most appropriate person or body to respond, if necessary.

Yours faithfully

--

Consultation Officer

Conditions apply to the confidentiality, copyright, legal liability and use of this email. For full information relating to the transmission and use of this email please visit www.peterborough.gov.uk/emaildisclaimer

This page is intentionally left blank

Licensing

Naveed Hussain <[REDACTED]>

Wed 14/10/2020 15:23

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Good Afternoon,

I have some serious concerns which I want to raise in regarding the policies under consultation especially concerning the licensing of the Op-Can-Do area.

I have lived in the central ward all my life and have grown up in this area. Over the last decade or so this area has been heavily neglected. It has criminally been allowed to rot through the lack of investment and continuation of failing policies like those under consultation. Under the false guise of encouraging financial growth and encouraging local businesses to thrive, the City Council has contributed to the wards within this area becoming rife with the exact same issues that the policy was supposedly implemented to address.

Crime & Disorder is on the up within this area. The number of assaults, public indecency, public disorder linked to the sale of alcohol from the nearly 100 licensed premises has made this an unsafe area for the local residents. This is certainly not an environment that any of the policy makers would want their families living in. It is therefore that I am at a loss as to why the policy makers think it a good idea to even consider extending the same failing policies.

The limited green spaces have intimidating drunks congregate en masse. Local shops sell them cheap alcohol and they stay in these green spaces from early in the day to late at night. They leave behind litter, empty beer and spirit cans & bottles. These are the only green spaces many of the local residents and their children have access to. How is this deemed a safe environment or an environment where the children are safe from harm?

I see that certain green spaces have had their tokenistic investment of gym equipment installed. But why would any sane resident want to go to an area full of drunks to exercise or even socialise.

Lincoln Road is littered with beer cans, bottles and smashed glass. Huge crowds gather outside the licensed premises and make certain paths intimidating for even the most burly amongst us.

Not to mention the sale and consumption of drugs, the countless needles left behind after the addicts have had their fix. The flytipping, the noise pollution and the countless people thinking it is acceptable to congregate outside the businesses, openly drink and urinate on street corners.

This area needs better enforcement, it does not need the same failing policies to be extended. If the policies are extended, inevitably the issues highlighted in the Cumulative Impact Assessment will be ignored yet again until the next review. I strongly oppose this and want to see a fresh approach to handling the problematic issues in this area.

There is no need for any more licences in this area. The area does not need or warrant any more gambling shops, any more off-licences. There is however a clear need for better enforcement.

Enforcement which the current policy has failed miserably to deliver.

Many of the licensed premises will sell alcohol to underage children without even attempting to pretend to check IDs. I cant remember the last time I ever saw any enforcement officers target these places. All I tend to see is dodgy cigarettes being confiscated but what about punishing those who sell alcohol to underage children or sell to drunk individuals who struggle to stand and even string two words together.

In recent weeks along with other concerned residents, I have attended roving surgeries with representatives from the council, the neighbourhood policing teams and one local councillor. These issues have been highlighted to all the individual faculties and they witnessed first hand what I have mentioned in this email. Not one of them disagreed with our valid frustrations.

It is high time that the City Council invested some time, effort and money in the Op-Can-Do cashcow. A fresh new approach is needed and I hope somebody takes note of the problems we are facing.

Nav Hussain
Concerned Local Resident

Local area concerns

Nazim Khan [REDACTED] >

Wed 14/10/2020 16:12

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Good Afternoon

I have some serious concerns which I want to raise in regarding the policies under consultation especially concerning the licensing of the Op-Can-Do area.

I have lived in the central ward all my life and have grown up in this area. Over the last decade or so this area has been heavily neglected. It has criminally been allowed to rot through the lack of investment and continuation of failing policies like those under consultation. Under the false guise of encouraging financial growth and encouraging local businesses to thrive, the City Council has contributed to the wards within this area becoming rife with the exact same issues that the policy was supposedly implemented to address.

Crime & Disorder is on the up within this area. The number of assaults, public indecency, public disorder linked to the sale of alcohol from the nearly 100 licensed premises has made this an unsafe area for the local residents. This is certainly not an environment that any of the policy makers would want their families living in. It is therefore that I am at a loss as to why the policy makers think it a good idea to even consider extending the same failing policies.

The limited green spaces have intimidating drunks congregate en masse. Local shops sell them cheap alcohol and they stay in these green spaces from early in the day to late at night. They leave behind litter, empty beer and spirit cans & bottles. These are the only green spaces many of the local residents and their children have access to. How is this deemed a safe environment or an environment where the children are safe from harm?

I see that certain green spaces have had their tokenistic investment of gym equipment installed. But why would any sane resident want to go to an area full of drunks to exercise or even socialise.

Lincoln Road is littered with beer cans, bottles and smashed glass. Huge crowds gather outside the licensed premises and make certain paths intimidating for even the most burly amongst us.

Not to mention the sale and consumption of drugs, the countless needles left behind after the addicts have had their fix. The flytipping, the noise pollution and the countless people thinking it is acceptable to congregate outside the businesses, openly drink and urinate on street corners.

This area needs better enforcement, it does not need the same failing policies to be extended. If the policies are extended, inevitably the issues highlighted in the Cumulative Impact Assessment will be ignored yet again until the next review. I strongly oppose this and want to see a fresh approach to handling the problematic issues in this area.

There is no need for any more licences in this area. The area does not need or warrant any more gambling shops, any more off-licences. There is however a clear need for better enforcement. Enforcement which the current policy has failed miserably to deliver.

Many of the licensed premises will sell alcohol to underage children without even attempting to pretend to check IDs. I cant remember the last time I ever saw any enforcement officers target these places. All I tend to see is dodgy cigarettes being confiscated but what about punishing those who sell alcohol to underage children or sell to drunk individuals who struggle to stand and even string two words together.

In recent weeks along with other concerned residents, I have attended roving surgeries with representatives from the council, the neighbourhood policing teams and one local councillor. These issues have been highlighted to all the individual faculties and they witnessed first hand what I have mentioned in this email. Not one of them disagreed with our valid frustrations.

It is high time that the City Council invested some time, effort and money in the Op-Can-Do cashcow. A fresh new approach is needed and I hope somebody takes note of the problems we are facing.

As a place of worship we actively have a interest in the local area and try our best to encourage everyone to improve it in any way they can

We are taking a stance by voicing our concerns, thank you in advance

Kind Regards

Israr Khan

Admin Manager

Masjid Ghousia

█ Gladstone Street

Peterborough

PE1 2BY

Tel: █ (Office)



Licensing millfield, OP-can-do

Adeel Younis

Thu 10/09/2020 15:12

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Dear sirs

Further to the forthcoming review of licensing in the Gladstone area, I wish to make representations which I hope will be taken into consideration at your meeting.

At present that are 6 gambling businesses in a stretch of Lincoln Road that is no more than half a mile long. Alongside these are the equally abundant off-licences.

As a lifelong resident of Peterborough I am dismayed at the state of the area and the rampant alcoholism that has emerged. Merkur, which is a 24 hours slots/bingo gaming hall, has now opened its doors on Lincoln Road. 24 HOURS! We have a casino in a residential area! The situation is in dire need of correction.

The gambling venues contribute to large gangs hanging around the vicinity of the shops. The venues are designed to prey on the vulnerable and encourage crimes such as theft and drug abuse. I strongly encourage you to read the work of charity Gamcare to see the causal link between gambling and crime. <https://www.gamcare.org.uk/news-and-blog/blog/gambling-and-the-criminal-justice-system/?cn-reloaded=1>

The numerous off-licences in the area contribute to street drinking, littering, fighting amongst many many more problems. The proprietors of these off-licences are exercising no civic responsibility and much of their patrons are drunkards and teenagers. Much of the alcohol is being consumed on-site or in the immediate vicinity of the shop. One only has to pass the Lincoln Road/Windmill Street junction to see evidence of this. The Blue Shop is a hub of the area's problems.

The licences have already been issued and legally you have no right to take them back without following due process, which makes me question the whole process being a facade to make it look like somethings being done. If nothing is done very soon the area is on the verge of a dangerous crescendo.

I trust you will read this letter and treat its contents with the respect the residents of Millfield deserve.

Regards

Adeel Younis

This page is intentionally left blank

have any written legislation that says we have to remove drunks from the arcade and we have no power over people drinking outside our premises, so with all the street drinking we have a continuous problem of having to check people's breath or watch how they walk and move to know if they're safe to be on the premises. We have records of staff and customer interactions which should include staff talking to customers about their problems with gambling and self exclusions etc... but our records are usually full of customers being asked to leave because the staff feel unsafe, and I have records going back several years showing how the amount has increased year on year where as we used to see one or two and not really think about it enough to include in the records. This matter has been raised with both the PCC and the Gambling Commission.

To make matters worse there is the unspoken ghetto effect then has happened in Milfield in recent years, on a daily basis you will see the same faces of people wondering around with nothing to do, long before Covid and beyond, in the daytime whole families just standing on corners having their meeting despite social distancing restrictions. In the evening and by day you'll groups of males from various nationalities hanging around or doing business (and I don't mean trading stocks and shares either) Often you'll see young girls heading to the mini-mart for another pack of cigs/condoms before returning back to work on a street corner and several homeless people sleeping in the doorways which we didn't have before in Milfield. I know I paint a nasty, distasteful picture of Millfield but when the councillors and council employees have all gone home from their 9-5 it's what we still see and are left with.

I'm happy to discuss at length in detail any of these issues or if I had more time I could write this one better, I did rush it as I know you're waiting to get things off to the public consultation.

I've included a few pictures and a video taken over several different times.

Yours David Thomas.

This page is intentionally left blank

Alcohol licensing

Tahir Mahmood [REDACTED]

Wed 14/10/2020 15:54

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do NOT click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hi,

I am against the extension of the licensing policies in the Op-Can-Do area.

Thanks, Tahir Mahmood

(No subject)

Arman Zabair [REDACTED]

Wed 14/10/2020 15:53

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do NOT click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

To Whom It May Concern;

I am against the extension of the licensing policies in the Op-Can-Do area.

Kind Regards

Arman Zabair

Sent from my iPhone

Op-can-do

kamran khan [REDACTED]

Wed 14/10/2020 15:52

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do NOT click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hi

I am against the extension of the licensing policies in the Op-Can-Do area.

Regards

Mr kamran khan

Sent from my iPhone

Op-can-do-area

Javed Iqbal [REDACTED]

Wed 14/10/2020 15:50

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do NOT click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

I am against the extension of the licensing policies in the Op-Can-Do area.

Sent from my iPhone

LPC extension

Salma Kausir [REDACTED]

Wed 14/10/2020 16:26

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

To whom it may concern,

I totally object for the alcohol license policies to be extended in this area.

We have too many alcohol licensed shops which is not good for my area.

I as a local am scared to go to certain place on Lincoln Road in the evenings already and am sure there are many others who feel the same.

I think these licenses should be reduced as they are not good for the future, and the future of our children.

I hope you take this in to consideration.

Regards

Salma

Alcohol license policy

Mohammad Arif [REDACTED]

Wed 14/10/2020 16:20

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

To whom it may concern,

I totally object for the alcohol license policies to be extended in this area.

There are far too many alcohol premises and we don't need anymore!

This is not good for the area I was born and grew up in.

This is not good for the future of this area either.

I hope you take this in to consideration.

Kind Regards

Adnan

License extension

Mohammad Arif [REDACTED]

Wed 14/10/2020 16:15

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

To whom it may concern,

I totally object for the alcohol license policies to be extended in this area.

There are already too many alcohol premises and we don't need anymore!

I feel extending these license policies will just make it worse for the area, and the locals will suffer.

We want to make it a better place for all of us, and not the few.

I hope you take this in to consideration.

Regards

M Arif

Get [Outlook for Android](#)

This page is intentionally left blank

Alcohol and gambling license review

Ballal Javed [REDACTED]

Wed 09/09/2020 09:57

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hi

We run a boxing club in the Millfield area and we are really trying hard to get kids off the streets and into the gym. Our job is getting harder because of the influence in the area of too much drinking in Millfield and too many gambling outlets, which is having an adverse affect on local quality of life.

I urge you to take this into consideration when reviewing the license.

The Millfield area is in a mess and in order to save our children and to build a clean environment for the future, we need strict measures put in place. Having all these gambling outlets and Alcohol off license close to one another doesn't make sense for the wellbeing of the community.

This puts a strain in the whole area, parents, families, domestic violence, drug dealers, gambling addictions, alcohol addictions, anti social behaviour etc.. this will create more work for the police. More people will die from this addiction.

Regards

Bilal Javed

This page is intentionally left blank

Licensing consultation

. SADDIQUE [REDACTED]

Wed 14/10/2020

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Good afternoon,

I am a local resident in the MILLFIELD area and have lived here all my life. I have had a look at the Licensing consultation document that you published dated 19/08/2020. Having read the document and the policy, I would like to say that I am deeply appalled by how the whole licensing issue has been handled and managed since it was introduced. It does not take a lot of effort to see how the area in particular the CENTRAL part of PETERBOROUGH has deteriorated over the last decade. The 4 objectives you have set have clearly not been met and are not policed in the way they should be. I have had meeting with the local SGT along with other professionals such as our Councillor Mr ALI, Head of Environmental partnerships and others who a few weeks ago took out their time and walked around the CENTRAL WARD in order to see first-hand the problems we face on a daily basis. These issues such as drug mis-use, fly-tipping, binge drinking in public places like the local parks, ASB are some of the direct impacts of Alcohol licenses. I cannot believe we have so many licensed alcohol premises in such a small area and do not see the need or how they were granted in the first place.

I am passionate about my area and speak to local residents and local businesses in and around CENTRAL WARD and when the topic of licensing arises, I can see frustration in how they also feel let down by ALL professionals/AUTHORITIES. This area generates a large income for the council and yet we do not see anything in return. I do not speak purely out of frustration but I have witnesses and seen these problems first hand. My children and others that I have spoken to no longer visit our local park (OCCUPATION ROAD) due to the issues I have highlighted above. The alcoholics sit on the bannisters that lead into the park and this in itself puts them off. The local off license is a few metres away from this park and cheap alcohol is what is consumed and with this it brings ASB issues such as urination and littering. I would ask you to come and visit the area yourself or I am happy to show you around.

Yesterday, a local resident showed me how he had found used needles in the area and this is one of many problems we face daily. Surely, the council has a duty of care to residents and in particular our future generations and a role to safeguard them.

We feel enough is enough, NO MORE LICENSES please, we need to work to regulate and manage the licenses already in place and find ways of how we can manage and enforce policies to better meet the set objectives. Enforce strong punishments for misuse or breaches of these licenses and try and make this a safer and better place for us residents. Issues such as under age purchases of alcohol, serving people who are already intoxicated, littering outside these premises are only but a few things that should be better handled.

Kindest

Saj (Local resident)

Lincoln road and millfield licensing policy

Christopher Keen [REDACTED]

Wed 09/09/2020 07:34

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hello,

Its not nice to see such leniency on the alcohol selling policy in the area. I'm not going to beat around the bush, its quite blatantly a certain community of shop owners and managers that clearly flout the rules and create problems for the local area by selling to kids. Youths across the city know this is where they can get booze easily, it has to stop. All the good work done in the city centre and fletton quays is meaningless if you have a city with things like this bubbling beneath the surface. If shops are found doing this, there should be a yellow and red card policy with a red card banning them for a long time. If you care about our city, you will tighten the rules here and stop others in the city stepping into a 'power vacuum' in a sense when you do.

I trust you will do the right thing for the people of our city.

Regards

Christopher Keen - [REDACTED]

Sent from Yahoo Mail on Android

Licensing consultation

Wed 14/10/2020 15:50

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do NOT click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Good afternoon,

I am a local resident in the MILLFIELD area and I want to say LOUD and CLEAR to you people that sit there and give out these licenses to fill your pockets that we the residents of the central ward have had enough of you giving out alcohol licenses to any tom, dick or Harry. I invite you to spend a weekend living in the central ward and to go out to Lincoln Road with your families and see firsthand what we have to put up with!!

You will never be far from drunkards, the whole area has been turned into a right [REDACTED] and you the LICENSING team are to blame!!!!!!!!!!

NO MORE.. CUT BACK ON WHAT YOU HAVE ISSUED!!

Fozia

(No subject)

Ali Khan [REDACTED]

Fri 11/09/2020 16:39

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Having so many offlicense and bookies in this area is causing so many problems and because of this there is so much rubbish..being a residential area why has the council given these lot license to operate especially the of license till 2oclock in the morning

Millfield Drinking

shuj [REDACTED]

Wed 09/09/2020 10:08

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

As a lifelong resident of the Millfield area I am disappointed and disgusted at the way Peterborough city Council has allowed the Millfield area to deteriorate into an unruly cesspit. There are clearly way too many drinking and gambling outlets in a small area which is having a negative impact on the local residents. Add on the other problems they bring, antisocial behaviour, adults urinating in public, mental health issues associated with drinking and gambling addiction.

Shop owners selling alcohol irresponsibly to underage children and those already intoxicated without any penalties.

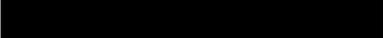
We have seen a rise in open drug dealing and violence as well as prostitution with nothing being done. The area is in need of updated one way systems and traffic control but nothing is being done.

The residents take one step forward and PCC force them 2 steps back. Why don't we see these kind of shops in the more affluent parts of our city? I'll answer that for you, It wouldn't be allowed!

Pull your fingers out!

Shujah saklain

Sent from my Samsung Galaxy S10+ - Powered by Three

MillfieldZafer Ali 

Wed 09/09/2020 10:11

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do NOT click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Licensing, Peterborough City Council,

I have been encouraged to send an email after reading an article in the paper and also due to the break ins to our properties on Lincoln Rd. I believe this is due to the social surroundings. In the last week our homes have been broken into and items stolen from our vehicles. We are constantly finding people loitering onto our properties drunk. They either use them as a public toilet and in some cases looking for an easy opportunity to take something. This is having an adverse affect on our community and would welcome stricter controls on licensing alcohol and gambling.

Zafer Ali

Sent from my iPhone=

Concerns

Asif Nazir [REDACTED]

Wed 09/09/2020 10:17

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

To whom it may concern,

The situation in the area of Millfield and New England is getting worse and worse. The causing factor is more liquor stores coupled with betting shops. These have had a major impact on the community and society, many residents within the area have raised this within the community. Their concerns are that these establishments have been granted licences in areas where ethnic minorities reside. No other area in Peterborough has this problem, my concern is, has it been done deliberately to drive down property prices in this area?. Peterborough has been voted the worst place to live in, and Lincoln Road the worst place in Peterborough. Is this what we are promoting Peterborough for? The parking issue is another subject, also the money that was meant to regeneration for the area is nowhere to be seen.

I hope this helps, should you require any assistance then please feel free to contact me

Kind regards

Asif Nazir

Millfield alcohol licence

faraz_saklain [REDACTED]

Wed 09/09/2020 17:57

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hi.

Having so many premises serving alcohol in the millfield area has caused the area to become one of the worst places in the country. I can't visit this area with my family as so many drunk individuals behave in a anti social manner and there is always fights breaking out. People drink outside off licences and the coffee shops that serve alcohol are always a danger zone for anyone walking past.

Even during lockdown the coffee shops were having partys and a riot broke out one night leaving many innocent people injured and other business vandalised. Police do not take any action against the perpetrators. It it obvious that the opinion from people of colour do not matter to the city council or the police.

Kind regards

Faraz

Op Can Do

Nasir Mohammed [REDACTED]

Wed 14/10/2020 16:38

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

I am against the extension of the licensing policies in the Op-Can-Do area.

We feel enough is enough, NO MORE LICENSES please, we need to work to regulate and manage the licenses already in place and find ways of how we can manage and enforce policies to better meet the set objectives. Enforce strong punishments for misuse or breaches of these licenses and try and make this a safer and better place for us residents. Issues such as under age purchases of alcohol, serving people who are already intoxicated, littering outside these premises are only but a few things that should be better handled.

Regards

Get [Outlook for Android](#)

Millfield licensing

Wed 14/10/2020 16:02

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Hi,

I have been bought up in this area and can honestly say that it is getting worse day by day, I feel that the off licenses play a vital role in this issue as the area is always full of people who are drinking and causing problems for the community.

I highly appose any further licences being issued to businesses in this area.

Regards

Majid saddique

Licensing consultation

Abid Hussain [REDACTED]

Wed 14/10/2020 15:15

To: Licensing Policy Consultation <lpc@peterborough.gov.uk>

CAUTION: This email originates outside of Peterborough City Council's network. Do **NOT** click on links or open attachments unless you recognise the sender and know the content is safe. Please report any concerns or issues to ICT

Good afternoon,

I am a local resident in the MILLFIELD area and I want to say LOUD and CLEAR...., NO MORE LICENSES please!!!!!!!!!!

You have already issued way more than you should have enough out and thanks to this the area is a [REDACTED] paradise and we are sick and tired of this.

We need to work to regulate and manage the licenses already in place and find ways of how we can manage and enforce policies to better meet the set objectives. Enforce strong punishments for misuse or breaches of these licenses and try and make this a safer and better place for us residents. Issues such as under age purchases of alcohol, serving people who are already intoxicated, littering outside these premises are only but a few things that should be better handled.

Abid

This page is intentionally left blank



PETERBOROUGH CITY COUNCIL

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

CONTENTS

PAGE NO

Definitions	3-4
The City Of Peterborough And District	5
1. Introduction	6
2. Disclaimer	6
3. Licensable Activities	6
4. Objectives	6-7
5. Consultation	7
6. Fundamental Principles	7-8
7. Immigration Act 2016	8
8. Other Legislation	8-9
9. Other Regulatory Systems and Policies	9-10
10. Temporary Event Notices	10-11
11. Duplication	11
12. Cumulative Impact	11-15
13. Licensing Hours / Zoning	16
14. Children and Licensed Premises	16-18
15. Licence Conditions	18-19
16. Enforcement	19
17. Reviews	19-20
18. Delegations / Decision Making / Administration	20-21
19. Appeals	21-22
20. Effective Date and Review	22
22. Table of Delegations	23
22. Contact Details	24-25

DEFINITIONS

Note: In this Policy, the following definitions are included to provide an explanation of certain terms included in the Act and therefore in the Policy. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

'the Act' means the Licensing Act 2003 (c.17)

'Licensable Activities' means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

'The Guidance' means the guidance issued by the Secretary of State for the Department of Culture, Media and Sport under s.182 of the Act.

'Licensed Premises' includes club premises and events unless the context otherwise requires.

'Designated Premises Supervisor (DPS)' means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

'Regulated Entertainment' is defined as;

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- Boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Entertainment of a similar description to that falling within the performance of live music; the playing of recorded music and the performance of dance.

In some circumstances, the provision of regulated entertainment is not licensable, for further information please go to www.gov.uk (and search for entertainment licensing)

'Late Night Refreshment' means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

'Operating Schedule' means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

'Other Persons' means

Persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

‘Responsible Authority’ means any of the following: -

- The Chief Officer of Police
- The Fire Authority
- The enforcing authority for Health and Safety at Work
- The local planning authority
- The local weights and measures authority (Trading Standards)
- The Council responsible for minimising or preventing the risk of pollution of the environment or of harm to human health
- The body representing matters relating to the protection of children from harm
- In relation to a vessel, a navigation authority, the Environment Agency, or the British Waterways Board
- The relevant Licensing Authority
- The Director of Public Health
- **Home Office (Immigration Enforcement)**

‘Relevant Representations’ are representations which can be either in support of an application or against the application, (also called an objection) and must be:

- About the effect of the Premise Licence on the promotion of the licensing objectives;
- Are made by a responsible authority or any other person, have not been withdrawn and, in the case of representations made by other persons, they are not in the Council’s opinion frivolous or vexatious.
- Must relate directly to an application and received during the consultation period. Representations received outside the consultation period cannot be considered.
- An objection must relate to the licensable activities requested, **and must detail** how **you individuals, businesses, communities** and the objectives are likely to be adversely impacted by the activity, which the conditions proposed in the operating schedule of the application do not address or do not address sufficiently.

‘Temporary Event Notice (TEN)’ means a Permitted Temporary Activity involving one or more Licensable Activities subject to various conditions and limitations (see section 10). For further information, please go to www.gov.uk (and search for alcohol licensing)

Standard TEN: Must be received no later than 10 working days prior to the event. **(Not counting day of receipt of the application and day of the event).**

Late TEN: Must be received between 5 and 9 working days prior to the event. **(Not counting day of receipt of the application and day of the event).**

THE CITY OF PETERBOROUGH AND DISTRICT

Peterborough is a modern and progressive City with a strong historical character that makes it a stimulating environment in which to live, work and visit.

In the 2011 Census, Peterborough had a population of approximately 183,000, with an approximate population of **203,600 in 2018**. ~~188,400 in 2013~~. **Compared to neighbouring districts and for the East of England and England as a whole, ONS estimates show that Peterborough has seen the strongest growth in population between 2011 and 2018, of 9.0%¹**. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately **6,201,210** ~~350,000~~ people in **2018** in ~~both~~ the East of England and East Midlands' region.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today, Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the East of England. It is only 45 minutes from central London and within striking distance of the regions other great cities being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

An essential contribution to the continued development of the City of Peterborough are the differing types of premises and events licensed under the Licensing Act 2003. There are **over 500** ~~nearly 600~~ licensed premises offering a wide range of leisure activities, such as live music, theatres, sports venues, cinema and a vast range of restaurants offering diverse menus to suit any palate.

The embankment along with the county showground provide facilities for several open-air larger type festivals and concerts. Visitors can enjoy a vast range of outdoor leisure activities and picturesque countryside – including 2,000 acres of riverside parkland. There are ~~two~~ **three** theatres offering drama, ballet and concerts – the Key Theatre, the Cresset Theatre and the **New Broadway Theatre**. For sports fans, Peterborough has ~~four~~ sports stadia, e.g. football, speedway, ice hockey ~~and greyhound~~.

Peterborough continues to invest in regeneration, infrastructure and accessibility, with projects within the city centre and the outskirts. This creates a vibrant mix of activities and premises catering for a multi-cultural city, offering a wide range of facilities to residents and visitors.

Peterborough is an intelligence led authority, the Safer Peterborough Partnership is an integrated multi-agency initiative working in partnership with the police and others to tackle many issues, e.g. crime, anti-social behaviour and alcohol related issues. This approach highlighted the 'Op Can Do' area as an area which had reached saturation and a Cumulative Impact Policy was introduced and took effect in April 2013.

¹Cambridgeshire County Council Business Intelligence Research Team's 2018 - based population and dwelling stock forecasts.

1. INTRODUCTION

- 1.1 This Statement of Licensing Policy has been produced in accordance with s.5 of the Licensing Act 2003 (the Act) which requires the Council to review and where appropriate renew its contents on a five yearly basis (subject to changes in legislation or otherwise prescribed by the Secretary of State).
- 1.2 In reviewing the Statement of Licensing Policy the Council has considered the Guidance issued under s.182 of the Act.
- 1.3 This policy provides information and guidance to licence applicants, licence holders, objectors and Other Persons on the general approach to be taken by the Council in respect of its obligations under the Act.
- 1.4 This policy is made available in key Council offices and via the Council's website: www.peterborough.gov.uk under business.
- 1.5 The contents within the policy have been amended in line with Local Government Association (LGA)' Best Practice Framework for the Review of Licensing Policy Statements.

2. DISCLAIMER

- 2.1 The content of the Council's Statement of Licensing Policy is aimed only to provide guidance and should not be interpreted as legal advice. It is strongly recommended that persons obtain their own legal advice if they are not sure of the requirements of the Act and/or the Guidance and Regulations issued in accordance with it.

3. LICENSABLE ACTIVITIES

- 3.1 This policy relates to all those activities identified as falling within the provisions of the Act, provided to the public, to registered club members or with a view to profit as defined within the Act.
- 3.2 The Licensing Act 2003 regulates the following activities:
- Retail sale of alcohol
 - Supply of alcohol by or on behalf of a club, or to the order of, a member of the club
 - The provision of regulated entertainment
 - The provision of late night refreshment

4. OBJECTIVES

- 4.1 The Council has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are:-
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.2 Each objective has equal importance.
- 4.3 The Council will also in carrying out its duties have regard to the Guidance, this policy and any responses to consultation regarding this policy.
- 4.4 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. The Council will therefore continue to work in partnership with its neighbouring

authorities, responsible authorities such as the Police, Fire Service, Health Service etc. local businesses, licensed trade, residents and others, towards the promotion and delivery of the objectives.

- 4.5 The Council will expect individual applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. This must be particularly addressed for applications within the Cumulative Impact area.
- 4.6 It is recommended and encouraged that all applicants for authorisations enter into informal discussions prior to the submission of an application in order to avoid potential problems and unnecessary hearings and appeals.
- 4.7 The Licensing Authority and the Responsible Authorities of the Council will offer as much advice and guidance to applicants as resources permit. If additional assistance is required the Licensing Authority provides a paid for licensing pre-application advice service for all applicants. Full details are available on the Council's website.

5. CONSULTATION

- 5.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing functions and the promotion of the licensing objectives. The Council will continue to consult with these parties upon receipt of applications where relevant, and for the further continuation and development of the Licensing Policy.
- 5.2 In reviewing this Policy, the Council ~~will~~ ~~consulted~~ over an 8 week period ~~from 06 July 2015 – 13 September 2015~~ ~~to 14 October 2020~~ ~~from 19 August 2020 to 14 October 2020~~ with the following:
- (a) Chief Officer of Police for the area;
 - (b) Fire Authority for the area
 - (ba) Director of Public Health
 - (c) Persons/bodies representative of local holders of premises licenses;
 - (d) Persons/bodies representative of local holders of club premises certificates;
 - (e) Persons/bodies representative of local holders of personal licenses
 - (f) Persons/bodies representative of businesses and residents in its area;
- (And other bodies and groups that the Licensing Authority consider appropriate)
- 5.3 All responses to the consultation ~~were~~ ~~will be~~ given due consideration when determining the final policy.
- 5.4 A review of the policy was carried out by way of consultation with those listed in 5.2 to include a special policy. The consultation took place between 21/1/13 – 04/03/13.
- 5.5 The special policy was adopted by full council at a meeting held on 17 April 2013 ~~and retained in 2015 following review and consultation.~~
- 5.6 In 2018 a further review and consultation was carried out. The responses and evidence were evaluated and the licensing authority remained of the opinion, that the number of licensed premises in the Can-Do area, is such, that it is likely, that it would be inconsistent with the authority's duty to promote the licensing objectives, to grant any further licences in respect of any premises in the CIP area, and published a CIA statement to that effect. ~~Please see section 12.~~
- 5.7 The review and consultation carried out in 2020, revealed that a modification of the Cumulative Impact Policy and Assessment was required. The evidence obtained during the consultation process, demonstrated that the problems identified related to 'Off' sales of alcohol, rather than all application types. The policy and CIA were modified to reflect that

applications which requested 'Off' sales of alcohol, (whether or not 'On' sales were also requested) would be subject to the modified cumulative impact policy. Please see section 12.

6. FUNDAMENTAL PRINCIPLES

- 6.1 Licensing is about regulating the carrying on of licensable activities by the appropriate control of licensed premises, qualifying clubs, and temporary events together with the people who manage such premises or hold Personal Licences within the terms of the Act.
- 6.2 In circumstances where conditions are required to be attached to the various authorisations, the focus will be on matters which are within the control of the individual licensee and others in possession of relevant authorisations (please see section 15 for more information on licence conditions).
- 6.3 In setting conditions the Council will primarily focus on the direct impact of the activities taking place at, or resulting from the licensed premises on those living, working or engaged in normal activity in the vicinity of the licensed premises.
- 6.4 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. However:
- (a) licensing law is a key aspect of such control and therefore will always form part of an all round approach to the management of the entertainment evening and night-time economy within Peterborough; and
 - (b) licensees and Certificate Holders should take all reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example, on the pavement, in a beer garden, or with the smoking ban in force, in a smoking shelter, where and to the extent that these matters are within their control.
- 6.5 Nothing in this policy prevents each licence application being considered on its own merits nor will it override the right of any individual to apply under the terms of the Licensing Act 2003 for a variety of permissions.
- 6.6 This policy does not seek to override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 6.7 If no relevant representations are received from responsible authorities or any other persons, applications must be granted as applied for. The only conditions which will be applied are those proposed within the operating schedule and any applicable mandatory condition(s).

7. IMMIGRATION ACT 2016

- 7.1 Since April 2017 all applicants applying for a personal licence or premises licence will be required to demonstrate that they have the right to work in the UK. The list of documents which an applicant may provide to demonstrate their entitlement to work in the UK is published on gov.uk, at Annex A of Section 182 guidance and on relevant application forms.
- 7.2 Where an applicant's immigration permission to live and work in the UK is time-limited, or is curtailed or revoked by the Home Office, the licence will lapse and become invalid when the immigration permission expires.
- 7.3 A person is disqualified from applying for a personal licence or premises licence by reason of their immigration status if:
- The person requires leave to enter or remain in the UK and has not been granted it; or

- The person's leave to enter or remain in the UK is invalid, ceases to have effect (whether by reason of curtailment, revocation, cancellation, passage of time, or otherwise), or
- Is subject to a condition preventing the person from doing work of that kind.

8. OTHER LEGISLATION

- 8.1 Crime and Disorder Act 1998: Under this Act local authorities must have regard to the likely effect of the exercise of their functions, and do all they can to prevent crime and disorder in their area.
- 8.2 The Council will have particular regard to the likely impact of licensing on related crime and disorder in the district, particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, renewals and variations of conditions. Any conditions attached to premises licences and club premises certificates will, so far as possible, consider and reflect the local crime prevention strategies.
- 8.3 The Council recognises that the Equality Act 2010 places a legal obligation on public authorities and has due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity.
- 8.4 The Licensing Authority also recognises its responsibilities under the Data Protection Act 2018, and the General Data Protection Regulation (GDPR) when it comes to handling and storing personal data, and has created a data retention and sharing policy which is available via the Council's website
- 8.5 Due to the COVID 19 national emergency, Central Government introduced legislation which affects licensed premises for a limited duration. As these changes are temporary and time limited in nature, they have been summarised in Annex A.

9. OTHER REGULATORY SYSTEMS / POLICIES

- 9.1 By consultation and liaison, the Council will secure the proper integration of this licensing policy with local crime prevention, community safety, environment, planning, tourism, health and wellbeing, race equality schemes and cultural strategies and any other relevant policy, in addition to plans introduced for the management of the City and the night-time economy. Many of these strategies are not directly related to the promotion of the four licensing objectives, but, indirectly impact upon them.
- 9.2 **Sexual Entertainment Venues (SEV):** On 02 December 2010 The Council adopted the amendment to the Local Government (Miscellaneous Provisions) Act 1982 (LG(MP)A 1982) with an effective commencement date of 08 February 2011. The effect of this means that premises which provide sexual entertainment on a regular basis (more than 11 occasions per year) will be required to obtain a SEV licence under LG(MP)A 1982. If the premises also require the sale and supply of alcohol, licences under both Acts will be required.
- 9.3 **Planning, building control and the licensing regimes:** Will be separate to avoid duplication and inefficiency. Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Where a terminal hour has been set as a condition of planning permission for the use of premises for commercial purposes that are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.
- 9.4 **Cultural Strategies:** The Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre, including the performance

of a wide range of traditional and historic plays, for the wider cultural benefit of the communities.

- 9.5 **Public Spaces:** The Council wishes to promote a broad range of entertainment within its area including live music, dancing and theatre. To promote this policy the Council may, where appropriate, seek to obtain premises licences for Council owned public spaces within the community such as market squares, village greens, etc.
- 9.6 **Travelling Circuses:** Where types of entertainment are present in a performance by a travelling circus they will not be licensable provided that certain qualifying conditions are met. Guidance has listed these qualifying conditions as follows:
- The entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
 - The entertainment takes place between 08.00 and 23.00 on the same day
 - The entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
 - The travelling circus has not been located on the same site for more than 28 consecutive days.

It should be noted that the circuses with performing animals will not be permitted, and therefore not licensed, on Council owned land.

10. TEMPORARY EVENT NOTICES

- 10.1 A temporary events notice (TEN) is required for the sale of alcohol by retail, provision of regulated entertainment and/or the provision of late night refreshment, which is to take place at premises, which are currently unlicensed for the activities involved. Applicants are reminded that a limit of fewer than 500 persons at any one time applies to a temporary event and failure to comply with this limit may lead to the event closure or even prosecution. It is strongly recommended, therefore, that a means of recording the number of persons entering and leaving the premises is put into operation. There is nothing to stop a TEN being given for a premises where a premises licence is already in force although does not cover the type of event proposed.
- 10.2 If there are over 500 persons attending the event then this will fall outside the provisions of a temporary event notice and a premises licence will be required.
- 10.3 Applicants are reminded that an authorisation made under a TEN does not remove their obligations under any other legislation including that of statutory nuisance. Where necessary, permissions should be sought from the appropriate body. The Council strongly recommends that applicants familiarise themselves with these responsibilities which amongst others may include:-
- Planning permission
 - Health and Safety
 - Noise Pollution
 - Erection of temporary structures
 - Road closures
 - Use of pyrotechnics
 - Anti-social behaviour
- 10.4 As well as the limit on the number of persons permitted under a TEN the following conditions and limitations apply:-
- Duration – they are limited to events lasting for up to 168 hours (7 days);
 - Use of the same premises – the same premises cannot be used on more than 15 occasions in a calendar year, (this will increase to 15 with effect from 1 January 2016) but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used;

- The total number of notices (this includes late and standard TENs) given by an individual within a calendar year (1 January to 31 December) – a Personal Licence Holder is limited to 50 notices in one year and ~~another~~ **those who do not hold a personal licence, to 5 notices per year** ~~person to 5 notices~~
- The number of late TEN's is limited to 10 in a calendar year for a personal licence holder and two **for those who do not hold a personal licence.** ~~for other people.~~ If these limits are exceeded in a calendar year, the application will be returned as void and the event will not be authorised.
- There must be a minimum period of 24 hours between events authorised under separate TEN's at the same premises by the same premises user or associate.
- Relevant persons - Police and Environmental Health have the opportunity to consider whether they should object, modify or attach conditions to a TEN based on any of the licensing objectives

10.5 When calculating the number of working days for submission of TENs, the day the notice is received and the first day of the event are excluded from the calculation. If a TEN application requests for an event to start before midnight and end after midnight this will count as two days towards the 21 day limitation.

10.6 **Standard and Late Temporary Event Notices:** There are two types of TEN, a standard TEN and a late TEN. These are subject to different processes. A standard TEN is given no later than ten working days before the event to which it relates, and a late TEN is given not before nine and not later than five working days before the event.

10.7 **Standard Temporary Event Notices:** Whilst a minimum of 10 working days' notice must be given to the Council and relevant persons for applications, it should be noted that this gives very little time for the Council to process the application and for the relevant persons to respond. Applicants are therefore encouraged to provide a minimum of 28 days' notice of a licensable event.

10.8 Where a TEN is held on premises where a premises licence or club premises certificate is in place, and the relevant persons believe that allowing the premises to be used in accordance with the TEN would undermine the licensing objectives they can object and/or modify and/or request conditions from the premises licence or club premises certificate to be applied to the TEN.

10.9 Where an objection to a TEN is received from relevant persons and not withdrawn, the licensing authority must hold a hearing to consider the objection, unless all parties agree that this is unnecessary.

10.10 **Late Temporary Event Notices:** are intended to assist premises users who are required for reasons outside their control to provide licensable activities at premises in shorter time scales. However, there is a risk that the event may receive an objection from relevant persons, where this occurs the notice will not be valid and the event will not go ahead, as there is no scope for a hearing or the application of any existing conditions.

11. DUPLICATION

11.1 So far as is possible, this policy is not intended to duplicate existing legislation and other regulatory regimes that already place obligations on the self-employed, employers and operators of venues both in respect of employers and of the general public when on the premises in question. Therefore, conditions and control measures which would be a duplication of existing legislative requirements, cannot be imposed in the context of licensing law as they are already provided for in other legislation.

12. CUMULATIVE IMPACT

12.1 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can consider within its licensing policy statement. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type

of premises, e.g. a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.

- 12.2 The licensing authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.
- 12.3 The Licensing Authority has adopted (following a meeting of the full council on 17 April 2013) a special policy relating to cumulative impact in respect to all licensed premises for the Op Can Do area. The first special policy took effect on 18 April 2013 and was subsequently reviewed and published on 07 January 2016.
- 12.4 A CIP (**Cumulative Impact Policy**) creates a rebuttable presumption that **relevant** applications within the Op Can Do area for new premises or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 12.5 Cumulative Impact was only ever described in Section 182 Guidance, however, with effect from 06 April 2018 cumulative impact is now incorporated within Section 5A of the Licensing Act 2003, following commencement of Section 141 of the Policing and Crime Act 2017 which amended the Licensing Act 2003. This puts Cumulative Impact Assessments (**CIA**) on a statutory footing and requires authorities to set out the evidence as to why the authority is of the opinion that a CIP is required for those types of premises and that defined area **in a CIA published statement**.
- 12.6 Section 5A of the Act requires CIA's to be reviewed and re-evaluated every three years in order to establish if the CIA is still relevant to current problems in the defined area.
- 12.7 A consultation took place between the dates of 06 August 2018 – 23 September 2018, with the statutory consultees as set out in 5(3) of the Act. Evidence produced during the consultation was reviewed and considered by the Licensing Act 2003 Committee at a meeting on 18 October 2018.
- 12.8 The Licensing Committee at the aforementioned meeting resolved to recommend that Full Council approve the retention of the current Cumulative Impact Policy and Assessment for the Op Can Do area.
- 12.9 In making its determination the Authority considered **paragraphs 14.29 and 14.30** of the Guidance (April 2018) and gave particular weight to evidence from local councillors, evidence obtained through local consultation and complaints recorded by the local authority, which may include complaints raised by local residents and residents' associations.
- 12.10 **The evidence obtained in the 2020 review and consultation, demonstrated that the CIP should be modified, so that it only relates to new and variation applications which request the sale of alcohol for consumption 'Off' the premises. The policy is now updated to this effect and the CIA will be revised and re-published. From the date this policy takes effect, applicants for premises licences and or Club Premises Certificates requesting 'Off' sales, whether or not they are also providing 'On' sales, will be required to demonstrate that they will not add to the cumulative impact as described in the revised and re-published CIA.**
- 12.11 Applicants will need to address the CIA in their operating schedules in order to rebut such a presumption.
- 12.12 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the licensing authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to

information, which had been before the licensing authority when it developed its statement of licensing policy.

- 12.13 This licensing authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and **relevant** applications for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a **relevant** new application or for a **relevant** variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the licensing authority decides that a **relevant** application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.
- 12.14 The absence of a special policy however, does not prevent any responsible authority or other persons making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 12.15 Once away from licensed premises, a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing these problems. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:
- Planning controls
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority **including best practise schemes such as Best Bar None, Pubwatch or BIDs**
 - **Community Protection Notices**
 - The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
 - Powers of local authorities to designate parts of the local authority area as Public Spaces Protection Orders. Confiscation of alcohol from adults and children in designated areas.
 - Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
 - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale).
 - Powers to close down instantly premises or temporary events to prevent a nuisance or disorder from continuing, recurring or occurring.
 - The power for responsible authorities and other persons to seek a review of a premises licence or club premises certificate.
 - **Raising a contribution to policing the late night economy through the Late Night Levy.**
 - **Early Morning Alcohol Restriction Orders**
- 12.16 The above may be supplemented by other local initiatives that seek to address these problems, for example through Safer Peterborough Partnership, in line with the strategic objectives for crime and disorder reduction in the city.
- 12.17 **Information regarding Public Spaces Protection Orders (PSPO) can be found on the link below <https://www.peterborough.gov.uk/residents/saferpeterborough/public-spaces-protection-order>**

Map Showing Current CI Policy Area in Green

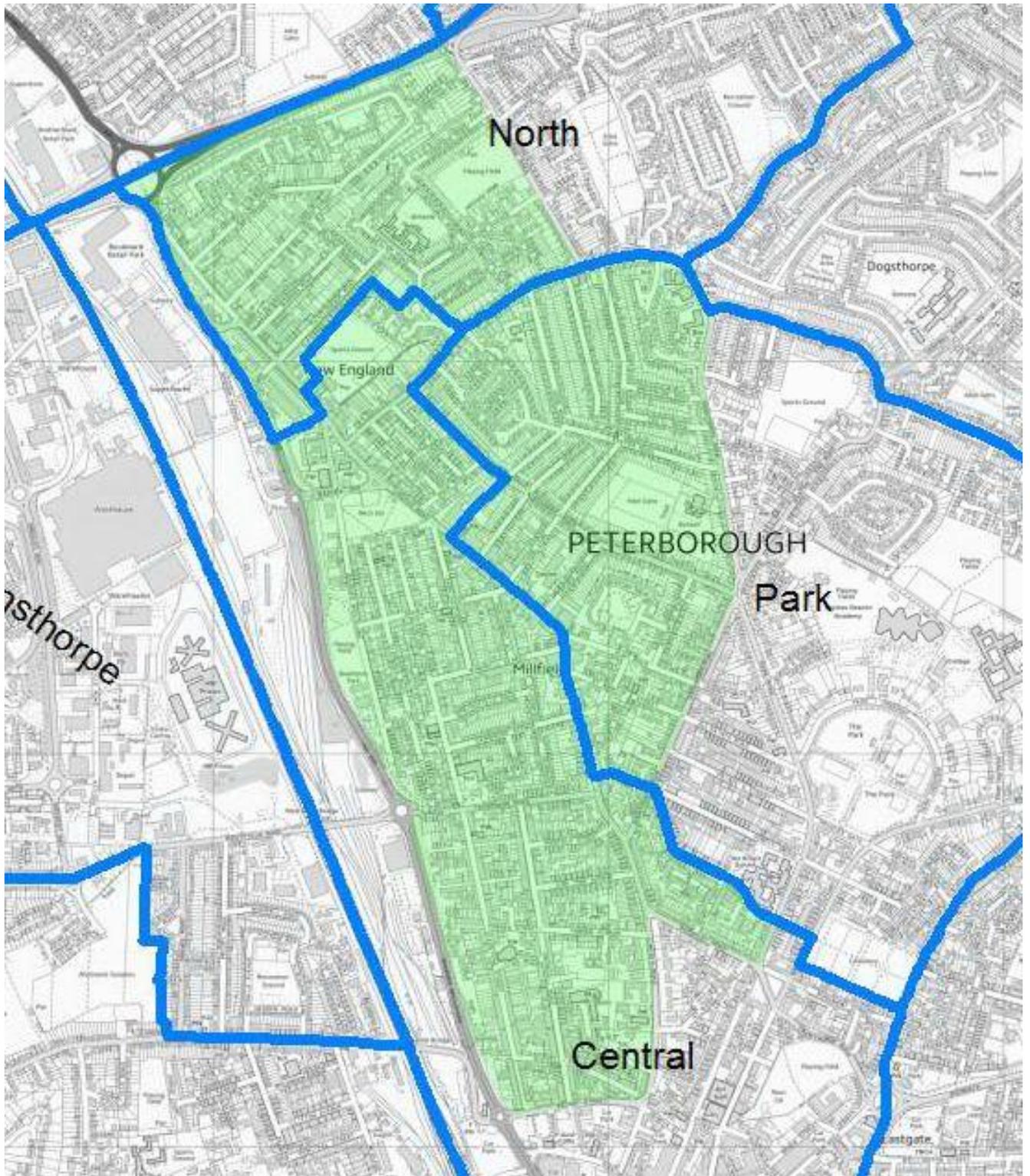


Table of Street Names Within the Current CI Area

Streets in the Op Can Do area		
Alexandra Road	Keats Way	1-359 Dogsthorpe Road
Allen Road	Keeton Road	40 - 50 Bright Street
Alma Road	Kipling Court	Beckets Close
Bamber Street	Lammas Road	Berry Court
Beech Avenue	Lawn Avenue	Boswell Close
Belham Road	Lime Tree Avenue	Burghley Mansions
Bourges Boulevard	Lincoln Road	Burns Close
Brassey Close	Link Road	Burrows Court
Brownlow Road	Lister Road	Carl Hall Court
Burghley Road	Lynton Road	Caroline Court
Burmer Road	Maskew Avenue	Cecil Pacey Court
Cambridge Avenue	Norfolk Street	Century Square
Cecil Road	North Street	Claridge Court
Chantry Close	Northfield Road	Coleridge Place
Chaucer Road	Norton Road	Connaught Mews
Church Walk	Nursery Close	Cromwell Court
Clare Road	Occupation Road	Dogsthorpe Grove
Clarence Road	Park Road	Dyson Close
Cobden Avenue	Parliament Street	Gillwell Mews
Cobden Street	Peveril Road	Gray Court
Cowper Road	Pope Way	Hamilton Court
Craig Street	Portland Avenue	Ingleborough
Cromwell Road	Russell Street	Johnson Walk
Crown Street	Scotney Street	Kimbolton Court
Dryden Road	Searjeant Street	Lincoln Gate
Eaglesthorpe	Shakespeare Avenue	Loire Court
English Street	Sheridan Road	Manor House Street
Exeter Road	Silverwood Road	Old Court Mews
Fitzwilliam Street	Springfield Road	Oxford Road
Foxdale	St James' Avenue	Parkodi Court
Fulbridge Road	St Mark's Street	Popley Court
Geneva Street	St Martins Street	'Raedwald Court
Gilpin Street	St Paul's Road	Rock Road
Gladstone Street	Stone Lane	Rosehall Court
Granville Street	Summerfield Road	Russell Mews
Green Lane	Taverners Road	Salaam Court
Hankey Street	Tennyson Road	Shelley Close
Harris Street	Thistle Moor Road	St Marks Apartments
Henry Court	Towler Street	St Marks Court
Henry Street	Vere Road	St Martins Mews
Herrick Close	Victoria street	The New Haven
Highbury Street	Warbon Avenue	Tom Lock Court
Windmill Street	Waterloo Road	up to 135 Park Road
Bamber Court	Wilberforce Road	Victoria Place
Walpole Court	York Road	

13. LICENSING HOURS / ZONING

- 13.1 EMRO's: Early Morning Restriction Orders, are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 13.2 LNL: Late Night Levy, is a levy imposed on businesses which sell alcohol between midnight and 6am or part thereof. Funds raised by this levy are applied to the costs of policing crime and disorder connected to those sales of alcohol.
- 13.3 The Council notes guidance on the late night levy and EMRO's and has considered the options of adopting the provisions, but has no intention at this time of implementing either provision. The Council reserves the right to review this decision in the future.
- 13.4 The Council has not adopted fixed trading hours as a matter of policy. It recognises that flexible licensing hours with regard to the sale of alcohol is important to ensure that the concentrations of customers leaving premises simultaneously are avoided.
- 13.5 The Council recognises that providing consumers with greater choice and flexibility is important to a thriving evening and night-time economy however, this will be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 13.6 There is no general presumption in favour of lengthening licensing hours and accordingly the Council may when issuing new licenses or following reviews of existing licenses reject a proposal or grant it with appropriate conditions and/or different hours from those requested.
- 13.7 Shops, stores and supermarkets will normally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons based on the four licensing objectives for restricting those hours. For example, a limitation on licensing hours may be appropriate following Police representations in the case of premises known to be a focus of disorder and disturbance because youths gather there.

14. CHILDREN AND LICENSED PREMISES

- 14.1 There are a great variety of premises for which licences may be sought, including theatres, cinemas, restaurants, cafes, fast food outlets, community halls and schools where children may frequent. No statement of policy can properly anticipate every issue of concern that could arise in respect of children in relation to individual premises, and therefore the individual merits of each application will be considered in each case.
- 14.2 It is however an offence under the 2003 Act to:
- permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
 - to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.
- 14.3 Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. This does not mean that children should automatically be admitted to, or excluded from, such premises.

- 14.4 Conditions restricting the admission of children to any premises will not generally be attached to licences or certificates (except those identified in 14.10). Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club, subject to compliance with the Act
- 14.5 Where it is deemed appropriate to attach conditions to the licence in relation to access by children, this will be for the prevention of physical, moral or psychological harm to them.
- 14.6 Venue operators seeking premises licences and club premises certificates will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events. It may also be that their own risk assessments have determined that the presence of children is undesirable or inappropriate.
- 14.7 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedules, having regard to their particular type of premises and/or activities:-
- Effective and responsible management of the premises
 - Provision of a sufficient number of people employed or engaged to secure the protection of children, including child performers, from harm
 - Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
 - Limitations on the hours when children may be present in all or parts of the premises
 - Limitations or exclusions by age when certain activities are taking place
 - Imposition of requirements for children to be accompanied by an adult
 - Acceptance of accredited 'proof of age' cards and/or 'new type' driving licences with photographs.
- 14.8 Where no relevant representations are made to the Council, any proposed conditions in the operating schedule will be attached as conditions to the licence or certificate, subject to section 15 below, and will be enforceable.
- 14.9 Following receipt of any relevant representations, the Council will consider and determine each application, on its merits, as to whether to limit access by children or exclude them altogether from licensed premises by attaching any relevant conditions.
- 14.10 The conditions limiting and restricting access by children may include a combination of the following: -
- Limitations on the hours when children may be present in all or parts of the premises
 - Requirements for children to be accompanied by adults
 - Full exclusion of those people under 18 from the premises when any licensable activities are taking place
 - Limitations on the parts of premises to which children might be given access
 - Limitations or exclusions by age when certain specified activities are taking place e.g.
 - Where entertainment or services of an adult or sexual nature for example, lap-, table- or pole dancing, topless bar staff or striptease are commonly provided
 - Where there is a strong element of gambling on the premises (but not where there is a small number of cash prize gaming machines);
 - With a known association to drug activities – taking or dealing;
 - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
 - Where the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

14.11 The Council recognises [The Director of Childrens Services-Cambridgeshire and Peterborough Safeguarding Children Partnership Board \(CPSCPB\)](#) as the competent body to advise on these matters.

14.12 **The Portman Group:** The Council commends the Portman Group Code of Practice on the naming, packaging and promotion of alcoholic drinks. ~~The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.~~ [The Code is an important tool in protecting children and vulnerable consumers from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may particularly appeal to these groups.](#)

[Complaints about products under the Code are considered by an independent complaints panel and the decision is published. If a product's packaging or point of sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point of sale material, until the decision has been complied with.](#)

[Further information on the Portman Group and the 2019 revised Code can be found at \[www.portmangroup.org.uk\]\(http://www.portmangroup.org.uk\)](#)

14.13 **Proof of Age Schemes:** The Council commends proof of age cards accredited under the Proof of Age Standards Scheme (PASS).

14.14 **Children and Cinemas:** In the case of premises which are used for film exhibitions, **mandatory** conditions will be imposed restricting access only to those who meet the required age limit, in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself. **Since the above mandatory condition applies to 'any film', it is therefore applicable to the exhibition of adverts.**

15. LICENCE CONDITIONS

15.1 There are three different types of condition that may be attached to a licence or certificate:
Proposed - those conditions offered within the operating schedule of the application:
Imposed - attached by licensing authority following a hearing
Mandatory - imposed by the Act and can be amended by the Secretary of State.
All conditions should be clear, enforceable, evidenced, proportional, relevant, and capable of being understood.

15.2 One of the key concepts of the Act is that any conditions (other than the statutory mandatory conditions and those proposed within the application) attached to licences or certificates can only be imposed to licenses at a hearing following relevant representations. Conditions will be tailored to the individual style and characteristics of the premises and events concerned.

15.3 The Council will only attach conditions to premise licenses and club certificates where they are appropriate for the promotion of one or more of the four licensing objectives.

15.4 Conditions that are appropriate for the promotion of the licensing objectives should emerge initially through the operating schedule and risk assessment carried out by a prospective licensee or certificate holder at the time of application, particularly for applications within the cumulative impact area. **The licensing Authority may not replicate the exact wording from an applicant's operating schedule. A condition will be interpreted and may be re-worded, in accordance with the applicant's intention.**

15.5 The Council will not impose any conditions unless they are proposed or its discretion has been engaged following relevant representations having been received and upheld. In these circumstances, it may then only impose conditions as are appropriate to promote the licensing objectives arising out of the consideration of representations.

15.6 The Council will take into account:

- The character of the surrounding area;

- The nature and character of the proposed operation;
- The impact that the activity will have on those living, working or engaged in normal activities in the area concerned.

15.7 Conditions will generally be considered inappropriate if they are already adequately covered by other legislation.

15.8 The pool of conditions cover, among other things, issues surrounding:

- Crime and disorder, incorporating local crime prevention strategies, e.g. CCTV at certain premises;
- Public safety (including fire safety and means of escape);
- Theatres and cinemas (promotion of public safety);
- Anti-social behaviour (inc: public nuisance, provision of clearance of litter outside premises, fly posting);
- Protection of children from harm;

Further information can be found via the Council's website www.peterborough.gov.uk under 'business'

~~14.9 Any conditions not listed in the pool may be specifically tailored by this Council and attached as conditions where appropriate.~~

15.9 In determining what conditions should be attached to licences and certificates, to appropriately promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

16. ENFORCEMENT

16.1 The Council will establish arrangements with the responsible authorities on enforcement issues in addition to carrying out their own regular inspections. These protocols will provide for the targeting of agreed problem and high-risk premises, **with a 'light touch' to low risk, well managed premises.**

16.2 Operators are reminded of their obligations to provide appropriate training for staff to ensure the promotion of the licensing objectives, compliance with the Act and conditions of operation.

16.3 All decisions and enforcement action taken by the Council will have regard to the relevant provisions of the Act, national guidance, e.g. BRDO (Better Regulation Delivery Office) Regulators' Code and the enforcement policy of the Council. To this end, the key principles of consistency, targeting, transparency and proportionality will be maintained.

16.4 Responsible authorities may carry out their own enforcement activities such as test purchasing, on and off sales, underage and proxy sales. Any national guidance will be observed when these activities are conducted.

16.5 Premises licences and club premises certificates are subject to an annual fee. The Council must suspend these authorisations for the non-payment of the annual fee. Where disputes or administrative errors arise, there is a grace period of 21 days to resolve (from the due date of the invoice). If the dispute or error is not resolved, a notice of suspension will be given to the premises providing the date (minimum of two working days) when the suspension notice takes effect.

16.6 Where an authorisation is suspended, any licensable activities taking place would be unauthorised and subject to further enforcement. Responsible authorities will be notified of suspension notices issued.

16.7 With effect from April 2017 (following changes made by the Policing and Crime Act 2017), the Licensing Authority may revoke or suspend (for a maximum period of 6 months) a personal licence where the licence holder is convicted of a relevant or foreign offence and or required to pay an immigration penalty.

17. REVIEWS

17.1 The licensing authority works in partnership with the responsible authorities to promote the licensing objectives and will aim to give licensees early warning of any concerns identified at a premises.

17.2 Reviews of premise licences represent a key protection for the community where matters arise at the premise in connection with any of the four licensing objectives.

17.3 There are certain circumstances (as detailed within guidance), when the crime prevention objective is being undermined, it is expected that revocation of the licence, even in the first instance will be seriously considered.

17.4 At any stage following the grant of a Premises Licence a responsible authority or any other person may request a review. Evidence would be required based on one or more of the licensing objectives.

17.5 If relevant representations are made about a current licence, the Council will hold a hearing to consider them, unless the Council, the applicant and those making representations agree that the hearing is not necessary.

17.6 Additionally a review of the licence will normally follow any action by the Police or Local Authority to close down the premises on grounds of disorder or public nuisance.

17.7 No more than one review will normally be permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances or where it arises following a Closure Notice or Order.

17.8 Where entertainment is deregulated, between 08.00 and 23.00 and it is having a negative impact on the licensing objectives, a premises licence or club premises certificate can be reviewed to bring the entertainment back under the scope of the authorisation and appropriate conditions can be applied **and enforced**.

17.9 A summary review (or expedited) is appropriate for premises experiencing serious crime or disorder. It is a fast track licence review where the Council can attach interim conditions (where appropriate) to a premises licence where the responsible authority consider that the premises concerned is associated with serious crime or disorder or both. The Council can take the following interim steps:

- Modification of the conditions of the premises licence
- The exclusion of the sale of alcohol (or other licensable activities) from the scope of the licence
- Removal of the DPS
- Suspension of the licence

17.10 The decision takes effect immediately or as soon as the Council directs. The Council will have regard to the Guidance when processing summary reviews.

17.11 Licensing officers may not initiate their own review of premises licences.

18. DELEGATION / DECISION MAKING / ADMINISTRATION

18.1 When determining applications the Council will have regard to the Guidance and this policy. Therefore, determination of applications made under the Act will be made by either the

Licensing Committee, by a Sub-Committee of the Licensing Committee, or by one or more authorised officers acting in accordance with the Council's Scheme of Delegation. (See table of delegations on page 23)

- 18.2 A decision made by an officer under the Council's Scheme of Delegation, will be considered a decision made by the Council.
- 18.3 The Council will consider relevant representations made both in support of or opposition to any application.
- 18.4 Where a relevant representation is made then the authorised officer will liaise with the applicant and relevant parties to try and reach an agreement between them and the Council, as to the need for final determination by the Licensing Committee or Sub-Committee.
- 18.5 Where relevant representations are raised which cannot be resolved by mediation, matters will be referred to either of the aforementioned committees for determination.
- 18.6 The licensing authority is also a responsible authority and will make representations and review licenses where it considers appropriate. This does not negate the requirement for other responsible authorities or other persons from acting in their own capacity.
- 18.7 Where the licensing authority utilises the responsible authority provision, there is separation of responsibilities to ensure procedural fairness and eliminate any conflicts of interest. The officer acting as the responsible authority will be a different officer to that who is acting in its capacity as the licensing authority.
- 18.8 In cases where only positive relevant representations are received and upon agreement of the Applicant, the Licensing Authority and the other persons making those representations, it will not be necessary to hold a hearing to determine the application.
- 18.9 Each application will be determined on its individual merits taking into consideration the four licensing objectives.
- 18.10 Where it is determined that it is appropriate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned, on members of the public living, working or engaged in normal activity in the area concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.
- 18.11 If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Council's consideration will balance those representations against the wider benefits of the community. Furthermore, the Council acknowledges the advice received from the DCMS that the views of local minorities should not be allowed to predominate over the general interests of the community.
- 18.12 It may be appropriate for the Sub-Committee in some circumstances to conduct a site visit. In such circumstances, Members will observe the Members' Licensing Code of Good Practice and Procedure for Licensing Sub-Committee Site Visits.
- 18.13 All parties will receive a fair hearing.
- 18.14 The Council will ensure that Members and Officers having responsibility under the Act will receive appropriate training to administer and enforce the Act.
- 18.15 Upon request, the Licence Committee will receive regular reports on decisions made by officers to ensure that an overall picture of the state of licences in the area is maintained.
- 18.16 The Council will give comprehensive reasons for its decisions and such reasons shall also address the extent to which the decision has been made with regard to this Policy and Guidance.

19. APPEALS

- 19.1 **Magistrates' Court Appeals:** Other than in the case of personal licences, all appeals in connection with various decisions made by the Council will be determined by the Magistrates' Court in the area which the premises concerned are situated.
- 19.2 In the case of personal licences, the appeal must be made to the Magistrates' Court in the area in which the Council (or any part of it) which made the decision is situated.
- 19.3 Beginning with the day the appellant was notified by the Council of the decision to be appealed against; the appellant has a period of 21 days to commence his appeal by the issue of a complaint and notice of appeal to the Magistrates' Court. A fee is payable to the Court and the 21 day period is strict and cannot be extended.
- 19.4 The Council will always be a Respondent to the appeal, but in cases where a favourable decision has been made for an applicant licence holder, club or premises user against the representations of a responsible authority or an interested party or the objections of the chief officer of Police, the holder of the premises or personal licence or club premises certificate or the person who gave an interim authority notice or the premises user will also be a respondent to the appeal and the person who made the relevant representation or the chief officer of Police will be the appellants.
- 19.5 On determining an appeal, the court may:
- Dismiss the appeal;
 - Substitute for the decision appealed against any other decision which could have been made by the Council; or
 - Remit the case back to the Council to dispose of it in accordance with the direction of the court.
- 19.6 The court may make such order as to costs as it sees fit.
- 19.7 The court, on hearing any appeal, may therefore review the merits of the decision on the facts and consider points of law or address both.
- 19.8 In hearing an appeal against any decision made by the Council, the Magistrates' Court will have regard to this licensing policy statement and the Guidance.
- 19.9 The Court can depart from both if it is justified to do so, depending on the individual circumstances.
- 19.10 This Council, therefore, when determining applications will give comprehensive reasons for its decisions.
- 19.11 Any decision made by the Magistrates' Court will be implemented by the Council immediately.

20. EFFECTIVE DATE AND REVIEW

- 20.1 This policy statement will take effect on 7 January 2021 46
- 20.2 This policy statement will be kept under review, consulted on, and will remain in existence for a period of up to five years. It is subject to review and further consultation before 7 January 2026 4 (subject to changes in legislation prescribed by the Secretary of State).

21. Table: Recommended Delegations of Functions

Matter to be dealt with	Sub Committee	Officers
Application for Personal Licence	If a Police objection	If no objection made
Application for Personal Licence with unspent convictions	All cases	
Decision to revoke or suspend a personal licence where the licence holder is convicted of a relevant or foreign offence and or required to pay an immigration penalty.	All cases	
Application for Premises Licence/Club Premises Certificate	If a relevant representation made	If no relevant representation made
Application for Provisional Statement	If a relevant representation made	If no relevant representation made
Application to vary Premises Licence/Club Premises Certificate	If a relevant representation made	If no relevant representation made
Application to vary designated Premises Supervisor	If a Police objection	All other cases
Request to be removed as designated Premises Supervisor		All cases
Application for transfer of Premises Licence	If a Police objection	All other cases
Applications for interim authorities	If a Police objection	All other cases
Application to review Premises Licence/club Premises Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc		All cases
Decision to object when Local Authority is a Consultee and not the relevant Authority considering the application	All cases	
Determination of an objection by relevant persons to a Temporary Event Notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a Police objection	All other cases
Decision whether to consult other responsible authorities on minor variation applications and determination of application		All cases

22. CONTACT DETAILS

THE LICENSING AUTHORITY:

The Licensing Team
Peterborough City Council
~~Sand Martin House~~ Town Hall
~~Bittern Way~~ Bridge Street
~~Fletton Quays~~
Peterborough
PE2 8TY 44FA
T: 01733 747474
E: eh.licensing@peterborough.gov.uk

www.peterborough.gov.uk
(under the Business section)

THE RESPONSIBLE AUTHORITIES:

Cambridgeshire Constabulary

Licensing Department
Cambs Constabulary North Division
~~Thorpe Wood~~ 4th Floor Bayard Place
~~Broadway~~
Peterborough
PE3 6SD 44HZ
T: 01733 424438 / 424449

Cambridgeshire Fire and Rescue:

Cambs Fire & Rescue Service
Peterborough District
Dogsthorpe Fire Station
Dogsthorpe Road
Peterborough
PE1 3RE
T: 01733 353206

~~Safeguarding Children Board The Cambridgeshire and Peterborough Safeguarding Children Partnership Board (CPSCP)~~

~~Child Protection and Review Manager
Peterborough City Council
Children's Services - Social Care
Sand Martin House 2nd Floor, Bayard Place
Bittern Way Broadway
Fletton Quays
Peterborough
PE2 8TY 44FB
T: 01733 863744
E: safeguardingboards@cambridgeshire.gov.uk~~

Director of Childrens Services

Director Of Childrens Services
Peterborough City Council
Town Hall, Bridge Street,
Peterborough
PE1 1HL
T: 01733 863607
E: wendi.ogle-welbourn@peterborough.gov.uk

Environmental Health - Pollution

Pollution Control Team
Peterborough City Council
~~Sand Martin House~~ Town Hall
~~Bittern Way~~ Bridge Street
~~Fletton Quays~~
Peterborough
PE2 8TY 44FA
T: 01733 747474
E: pollution.control@peterborough.gcsz.gov.uk

Health and Safety:

Health & Safety Team

e.g. Public houses, nightclubs, shops, restaurants, takeaways, Community centres managed by a committee

Peterborough City Council
Sand Martin House Town Hall
Bittern Way Bridge Street
Fletton Quays
Peterborough
PE2 8TY 4-1FA
T: 01733 747474
E: healthandsaftey@peterborough.gov.uk

Premises **managed** by Peterborough City Council e.g. schools, leisure centres

Health and Safety Executive
14 Cardiff Road
Luton
LU1 1PP
T: 01582 444200

Planning

Planning Services
Peterborough City Council
Sand Martin House Town Hall
Bittern Way Bridge Street
Fletton Quays
Peterborough
PE2 8TY 4-1HF
T: 01733 453410
E: planningcontrol@peterborough.gov.uk

Trading Standards

Trading Standards Department
Peterborough City Council
Sand Martin House Town Hall
Bittern Way Bridge Street
Fletton Quays
Peterborough
PE2 8TY 4-1HT
T: 01733 747474
T: 03454 040506 for consumer advice
E: trading.standards@peterborough.gov.uk

Public Health

Director of Public Health
Peterborough City Council
2nd Floor Town Hall
Peterborough
PE1 1HQ
T: 01733 747474
E: publichealth@peterborough.gov.uk

Home Office

Home Office (Immigration Enforcement)
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY
E: alcohol@homeoffice.gsi.gov.uk

For vessels carrying more than 12 passengers the certifying authority will be: -

Maritime & Coastguard Agency
Surveyor In Charge
Harwich Marine Office
East Terrace
Walton-on-Naze
Essex
CO14 8PY

T: 01255 682107

For Vessels carrying 12 or less passengers the certifying authority will be: -

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR
T: 01733 464277

Further information can be found on the following links:

Peterborough City Council website; www.peterborough.gov.uk/business

Home Office website: www.gov.uk/government/organisations/home-office

Guidance issued under section 182 of the Act:

www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

The Licensing Act 2003: www.legislation.gov.uk/ukpga/2003/17/contents

Information Commissioners Office: ico.org.uk

Supplementary information to Peterborough City Council Licensing Act 2003 Statement of Licensing Policy 2021 - Paragraph 8.5 – Temporary Legislation

Coronavirus legislation.

The Coronavirus legislation, regulations and guidance, are constantly evolving and being adapted as circumstances change, although the legislation is expected to be limited in duration. At the time of writing, none of the legislative changes would permanently amend the Licensing Act 2003, therefore have not been written in to the overarching 5 year policy. A brief summary pertaining to licensed premises is provided below.

On 23 March 2020, the Government told people to stay at home and introduced emergency legislation to close certain businesses, this included types of licensed premises. On the 4 July 2020 the regulations changed, which allowed certain types licensed premises to reopen, provided certain measures were put in place and requirements met. Some types of licensed premises were required to remain closed.

On 18 July 2020, legislation to grant local authorities new powers to respond to a serious and imminent threat to public health and to prevent COVID-19 (“coronavirus”) transmission in a local authority’s area where this is necessary and proportionate to manage spread of the coronavirus in the local authority’s area took effect. These regulations have procedural requirements and include powers for local authorities to:

- restrict access to, or close, individual premises
- prohibit certain events (or types of event) from taking place
- restrict access to, or close, public outdoor places (or types of outdoor public places)

In certain circumstances, local authorities have powers to require and enforce the closure of licensed premises.

Business and Planning Act 2020.

Summary – Temporary Amendments to the Licensing Act 2003

To promote economic recovery and growth in certain sections of the hospitality industry, Central Government Introduced the Business and Planning Act 2020. The 2020 Act, which received Royal Assent on 26 July 2020, amends the Licensing Act 2003, by inserting sections 172F to 172L.

The effect of which gives temporary (until 31 September 2021, unless extended by the Secretary of State) authorisation to premises which have a premises licence under the 2003 Act to have ‘off sales’ provision, where a current premises licence only authorises on sales, and suspend certain conditions attached to existing premises licences which authorise on and off sales, with a ‘cut off’ time of 11pm. Premises utilising these provisions are required to display a notice to that effect.

It contains provision for redress to Responsible Authorities, (not members of the public) via an expedited review process, very similar to the current expedited review process under s53A to 53D of the 2003 Act. It does not apply to CPC’s (Club Premises Certificate).

Current premises licence authorising ‘on sales’ only

Where a premises licence is in effect and it authorises ‘on sales’, it is considered varied for the relevant period to include ‘off sales, subject to the condition that every off-sale must be made at a time when the licensed premises are open for the purposes of selling alcohol for consumption on the premises, until 11pm.

Except where premises are considered disqualified from this process.

Disqualifying criteria

Premises licences which have in the last three (3) years, been subject to any of the below, are considered disqualified from the new provision:

- Been refused to grant a premises licence with off sales permission
- Been refused to vary a premises licence to include off sales
- The premises licence was varied or modified to exclude off sales

Current premises licence authorising 'on and off sales'

Where a premises licence is in effect and it authorises 'on and off sales', it is considered varied, in so far as, any conditions currently attached which restrict off sales in the following way, are considered suspended for the relevant period and until 11pm

- Any condition which restricts the hours during which off sales can be made which are different to those permitted for on sales.
- Any condition which requires the 'off sale' to be in a sealed container
- Any condition which restricts 'sale for delivery' of alcohol off sales, where 'on sales' are permitted

"sale for delivery" - in relation to a premises licence means an off sale for delivery by or on behalf of the holder of the licence to a building which is used for residential or work purposes (or both)

Redress - Summary off sales expedited review

A Responsible Authority (RA) (including Public Health) may apply under section 172G, for an 'expedited off sales review' of a premises licence which has been varied/modified by the Act, under any of the licensing objectives, where it can be evidenced that the 'off sales' activity is having a negative impact on the licensing objectives.

Interim steps

Where an expedited off sales review application is received, within 48 hours, the licensing authority must determine if any permitted interim steps need to be applied, pending determination of the review application by licensing sub-committee within 28 days.

Where the review is in relation to a premises licence which had 'on sales' only, the interim steps and final determination, the committee must consider are:

- Modify the conditions of the licence, in so far as it relates to 'off sales'
- Exclude 'off sales' (authorised by this Act) from the scope of the licence
- Suspend 'off sales' (for a maximum of 3 months on final determination of review application)

Where the review is in relation to a premises licence which had 'on and off sales', but conditions have been suspended, the interim steps and final determination, the committee must consider are:

- Alteration or omission of the 'suspended' conditions
- Addition of one or more new conditions, which must not affect any conditions of the licence which existed immediately before the Bill took effect.

Hearing against interim steps

If the premises licence holder makes a representation against the interim steps and does not withdraw it, the licensing authority must within 48 hours hold a hearing to consider those representations, and give advance notice of the hearing to the premises licence holder and the RA which served the application.

At the hearing the licensing authority must consider whether the interim steps are appropriate for the promotion of the licensing objectives and determine whether to withdraw or modify the steps, having regard to representations made by the licence holder and the RA. The licence holder can only make further representation against the interim steps if there has been a material change in circumstances since the hearing.

Representation period: for representations from the applicant, RA's and other persons, begins on the first working day after the publication of the notice and ends on the ninth subsequent working day. Representations received outside this period are not considered valid.

Determination hearing

The licensing authority must hold a hearing to determine the expedited off sales review application within 28 days of receipt of the application. Must review the interim steps applied, consider all relevant representations. (Including representations from 'other persons')

The licensing authority can only take the same options (as above) for interim steps, as appropriate for the promotion of the objectives. They may consider the final determination to have effect only for a specified period not exceeding 3 months.

The licensing authority must notify the licence holder, the applicant (RA), the chief officer of police, and any other person who made relevant representations of its determination, providing reasons.

The final determination decision does not have effect until the appeal period has expired, or if the decision is appealed against, the time until the appeal is disposed of. However, the interim steps apply during this period and expire when the decision takes effect.

Appeal process

The Committee's interim steps decision and final determination of the application, can be appealed, within 28 days, by the holder of the licence, the RA which served the review application or any other person who made relevant representations in relation to the application.

Where the appeal is against the interim steps, the Magistrates court must hear it within 28 days

Business and Planning Act 2020

Summary - Pavement Licences – issued and administered by City Centre Services

Again to promote economic recovery and growth, the 2020 Act introduced a 'fast track' ability for premises to apply to use prescribed parts of the highway, as external areas for tables and chairs etc. The new provisions are time limited (until 30 September 2021, unless extended by the Secretary of State) and do not repeal any existing legislative provisions which are currently available.

The new provisions are based on the current system under Part 7A of the Highways Act 1980, but is limited to certain premises for certain purposes. It reduces the consultation period to 7 days, with determination within 14 days (or tacitly granted as applied for), and removes the requirement for planning permission for change of use.

To an extent, these changes run alongside (but do not rely upon) the changes to the Licensing Act 2003 as detailed above.

This page is intentionally left blank

Background

The Cabinet discussed the Can-Do project funding last October and reaffirmed its commitment to investment in the Lincoln Road area. This is subject to a clear business case being established for individual projects which could deliver value for money in addressing local needs. Capital investment is required to regenerate the area and bring about positive change in a sustainable way. The initial funding proposed back in 2017/2018 covered three investment strands:

- Public Realm and Street Scene
- Community Facilities
- Improvement to areas of open space.

To date £663k has been spent or allocated on the following projects.

- Three play areas have had new equipment installed.
- A total of 30 planters which had previously been overgrown have been transformed and are still being maintained by the community.
- Over 30 trees have been planted in locations where trees had previously been removed. These are being watered by local volunteers.
- A state of the art 'green gym' has been installed at Connect Park between Gladstone Street and Bourges Boulevard which is used daily.
- A new urban park has been installed along Dyson Close with match funding from WREN.
- We are working with The Combined Authority to find a suitable place to move the Stagecoach Depot which will have a positive impact on the Lincoln Road corridor.
- The council has been working with landscape architects LDA Design to identify public realm improvement schemes to improve the Lincoln Road corridor where many businesses are located.
- Concept schemes have been developed to support the revitalisation of the public realm.
- The Thomas Deacon Trust have, via a community asset transfer, taken over the operation of the Gladstone Park Community Centre.

Peterborough City Council is now operating in challenging and unpredicted times, due to the impact of Covid 19 and increased budget pressures in recent years. This means difficult investment decisions are being undertaken and a small number of funding projects have had budgets redistributed.

Media Statement

Councillor Peter Hiller, cabinet member for strategic planning, commercial strategy and investment at Peterborough City Council, said: "The council is committed to investing in projects in Lincoln Road - subject to available resources - where a key business case has been identified which demonstrates a real return on any investment in terms of residents health, wellbeing and pride in their neighbourhood.

"As a result of financial pressures on the council due to reduced Government funding and the impact of Covid-19, we have not been able to invest as heavily as we would have liked three years ago.

"We are committed to the regeneration of this area which does require considerable capital investment to move it forward and we are actively seeking means to do this. We are currently working on securing a bid for funding with the Peterborough application to the Towns Fund which, if supported, would see considerable improvements to be made in Lincoln Road. News regarding the bid should be heard later in October 2020."