

## LICENSING ACT 2003 SUB-COMMITTEE

WEDNESDAY 12 JULY 2023

1.30 PM

Bourges/Viersen Rooms - Town Hall

### AGENDA

Page No

1. **Apologies for Absence**

2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

3. **Application for New Premises Licence - Hana Express, 2 Burghley Road, Peterborough, PE1 2QB** 3 - 68



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Committee Members:

Councillors: Hussain, Moyo and Wiggin (Chairman)

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

<b>LICENSING ACT 2003 SUB COMMITTEE</b>		AGENDA ITEM No. 3
<b>12 JULY 2023</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Darren Dolby, Licensing Regulatory Officer Maria Crowe, Trainee Regulatory Officer	Tel. 453540 Tel. 453426

**APPLICATION: NEW PREMISES LICENCE**

**APPLICANT:** Nijole Mikareviciute

**REFERENCE NO:** 122364

**PREMISES:** Hana Express, 2 Burghley Road, Peterborough, PE1 2QB

**GLOSSARY OF TERMS:** Attached at **Appendix A** on **Page 8 - 10**

## 1. PURPOSE OF REPORT

- 1.1 To consider and determine this application for a new premises licence for Hana Express, 2 Burghley Road, Peterborough, PE1 2QB taking into account the representations against the application that have been received.

## 2. BACKGROUND INFORMATION

- 2.1 This is a new application for a premises licence at the premises. There have been a number of premises licences granted at this premises. The original premises licence, granted under the Licensing Act 2003 in 2006, was for the Glass Onion with the 'on and off sales' of alcohol authorised for Sunday to Thursday 9am to Midnight, Friday and Saturday 9am to 1am. The last premises licence at this premises was for the Creations Lounge with the authorisation of 'on sales' of alcohol only authorised Monday to Sunday between 5pm and 11.30pm. This licence lapsed in October 2020 when the licence holder's business was liquidated at Companies House. The current applicant does not have any known connection with previous licence holders.
- 2.1.1 Since 18<sup>th</sup> April 2013 the Licensing Authority has adopted a special policy relating to the cumulative impact in respect to all licensed premises within the 'Operation Can – Do' area. An explanation of what this special policy entails can be found on page 11 of the Council's Statement of Licensing Policy. The Council's Cumulative Impact Assessment statement can be found at **Appendix C Page 29** and a map showing the Can – Do area is attached at **Appendix D Page 39**
- 2.2 The premises fall within the 'Operation Can – Do' area and is therefore subject to the provisions of the special 'cumulative impact' policy.
- 2.3 A map is attached at **Appendix E Page 41** showing the location of the nearest 'off licensed' premises.

### **3. AUTHORISATIONS AND TIMES APPLIED FOR**

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

Monday to Sunday 7:00 to 24:00

### **4. APPLICATION**

4.1 Please refer to the application attached at **Appendix B – Pages 11 – 28.**

4.2 Representations against the application being granted have been received from Cambridgeshire Constabulary and Public Health in their capacity of being a 'Responsible Authority', and from Peterborough City Council Safer Community Service, a local Councillor and a local resident in their capacity of 'other persons'. These representations are attached at **Appendix F, G, H, I and J from Page 43.**

4.3 Part P of the application sets out the applicant's proposed conditions under the licensing objectives, these being, 'The Prevention of Public Nuisance', 'Public Safety', 'Prevention of Crime and Disorder' and 'The Protection of Children from Harm'. These are also contained within the body of this report (in section 7) and in accordance with section 10.5 of Guidance have been interpreted into enforceable conditions. Only those appropriate and proportionate for the promotion of the licensing objectives have been included in the Operating Schedule.

4.4 No representations have been received from any other of the Responsible Authorities, Peterborough Trading Standards, Cambridgeshire Fire and Rescue Service, Licensing Authority, Peterborough City Council Planning Department, Peterborough City Council Health & Safety Department, Peterborough City Council Environmental Pollution Team, or Children's Services.

4.5 A 'Notice' was displayed in the newspaper in accordance with Part 4 No. 25 of Statutory Instruments 2005 No. 42 – The licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

### **5. REPRESENTATIONS**

5.1 Summary of issues raised in the representations against the application being granted :

- The granting of the licence would increase the availability of alcohol in the area leading to a negative impact on the licensing objectives, especially the prevention of crime and disorder objective.
- The granting of the licence would have a negative impact on the health and wellbeing of residents and businesses in the area as evidenced in the CIA statement.
- The granting of the licence would contribute to anti-social behaviour in the area.

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

### **6. MEDIATION**

6.1 Mediation has not been undertaken.

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

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

The premises licence holder will ensure that CCTV cameras are located within the premises to cover all public areas including all entrances and exits. The CCTV system will record clear images permitting the identification of individuals. The CCTV system will securely retain all

recorded footage for a minimum of 31 days. The CCTV system will operate 24/7 and the equipment will have a constant and accurate time and date generation. The CCTV system will employ security functions to prevent recordings being tampered with, i.e. password protected. The premises licence holder will be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority within 24 hours. Any footage will be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (ie. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.

The premises licence holder will ensure that any digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document [www.ico.org.uk](http://www.ico.org.uk) regarding installation of CCTV at the premises.

All staff shall be trained in the requirements of the Licensing Act 2003, relevant age restrictions in respect of the sale of alcohol, vulnerability, Challenge 25 Scheme, recognising signs of drunkenness, how to refuse service, the premises duty of care policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene, reporting an incident to the emergency services and the conditions in force under this licence.

Alcohol Sales area to be no more than 20% of premises total sales area

No super-strength beer, lagers, ciders, perry's or spirit mixtures of 6.5% ABV (alcohol by volume) or above shall be sold at the premises

There shall be no availability / sell of miniature spirits, or individual vessels.

No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.

All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the licensed premises and made available to Police, Council and HMRC Officers upon request.

A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.

A ultra-violet light will be available and maintained at the store for the purpose of checking the UK Duty Stamp on all spirits as soon as practical after they have been purchased.

If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to the Trading Standards department and HMRC as soon as possible.

All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.

When considered necessary via a risk assessment by the Licence Holder / DPS at least one (1) SIA registered door supervisor must be on duty at the premises. A record must be kept of their SIA registration number and the dates and times when they are on duty

## 7.2 **Public Safety**

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

## 7.3 **Prevention of Public Nuisance**

Prominent, clear notices shall be displayed at all exits requesting customers and staff to respect the needs of local residents and leave the premises and the area quietly

Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.

#### **7.4 Protection of Children**

The 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises & signage will be prominently placed within the premises advertising the fact that the premises operate the 'Challenge 25' initiative

A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks

All staff, who are not personal licence holders working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises.

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

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

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

- Objectives, Section 4 on Page 6
- Fundamental Principles, Section 6 on Page 8
- Licence Conditions, Section 15 page 18
- Delegation / Decision Making / Administration, Section 18 on Page 20

#### **8.3 Guidance Issued under Section 182 of the Licensing Act 2003 December 2022**

- The Licensing Objectives – Section 2 pages 6 to 12
- Applications for Premises Licences – Section 8 pages 54 to 72
- Determining applications – Section 9 pages 73 to 81
- Conditions Attached to Premises Licences – Section 10 page 82 to 93

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

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

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

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

10.2 In this case, the application was received at these offices on 19 May 2023.

10.3 The application before this Committee will be treated on its own merits, and the Licensing committee will make its decision based upon:

- The merits of the application;
- The promotion of the four licensing objectives;

- The statement of policy of the Licensing Authority; and
- The Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003 – April 2018.

10.4 The licensing authority may determine the application, depending upon what is appropriate for the promotion of the licensing objectives, in any of the following ways:

- Decide to grant the licence in the same terms as it was applied for;
- Decide to grant the licence, but to modify or add conditions (to promote the licensing objectives);
- Exclude from the scope of the licence a licensable activity; and
- Decide to refuse to grant the licence.

10.5 Conditions are modified if they are altered, omitted or any new condition added (Section 35(4) Licensing Act 2003).

## APPENDIX A LICENSING ACT 2003 GLOSSARY OF TERMS

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

### **'Child'**

- (a) means an individual aged under 16
- (b) a child is unaccompanied if he is not in the company of an individual aged 18 years or over

**DCMS:** Department for Culture Media and Sport

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

### **'Other Persons':**

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

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

**'Licensable Activities'** means: -

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

**'Licensing Authority':** - is the licensing function of Peterborough City Council

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

### **'Licensing Objectives'**

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

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

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

**'Challenge 25'** means that a retailer will ask for proof of identification if they have reason to believe that the person making a purchase of alcohol is under the age of 25.



**'Rateable Value'**: as regards a premises, is the value for the time being in force for the premises entered in the local non-domestic rating list for the purposes of Part III of the Local Government Finance Act 1988(b).

**'Regulated Entertainment'** (Schedule 1 of the Act) means: -

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance

Except where there is an exemption under the Live Music Act 2012 or Statutory Instrument 2013 No. 1578 The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013

Or entertainment of a similar description falling within the last three of the categories listed above, where the entertainment takes place in the presence of and for the purposes of entertaining that audience or spectators.

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

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

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

**'Supply of alcohol'**:

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

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

- Duration – they are limited to events lasting for up to 168 hours (7 days);
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used; and
- The number of notices given by an individual within a given period of time – a Personal Licence Holder is limited to 50 notices in one year and another person to 5 notices in a similar period.

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

**'the Act'**: means the Licensing Act 2003

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\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Is your business registered outside the UK?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Business name  If your business is registered, use its registered name.

VAT number   Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Nijole

Family name

Makareviciute

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="2"/>
Street	<input type="text" value="Burghley Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Peterborough"/>
County or administrative area	<input type="text" value="Cambs"/>
Postcode	<input type="text" value="PE1 2QB"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text" value="[REDACTED]"/>
* Date of birth	<input type="text" value="[REDACTED]"/> dd mm yyyy
* Nationality	<input type="text" value="[REDACTED]"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Convenience store off-licence (previously late night bar). Premises is located in the current cumulative impact area and conditions are supplied to promote licensing objectives.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.



Continued from previous page...

FRIDAY

Start 07:00

End

Start

End 00:00

SATURDAY

Start 07:00

End

Start

End 00:00

SUNDAY

Start 07:00

End

Start

End 00:00

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Nijole

Family name

Makareviciute

Date of birth

dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	2
Street	Burghley Road
District	
City or town	Peterborough
County or administrative area	Cambs
Postcode	PE1 2QB
Country	United Kingdom
Personal Licence number (if known)	118638
Issuing licensing authority (if known)	Peterborough

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

The premises licence holder will ensure that CCTV cameras are located within the premises to cover all public areas including all entrances and exits. The CCTV system will record clear images permitting the identification of individuals. The CCTV system will securely retain all recorded footage for a minimum of 31 days. The CCTV system will operate 24/7 and the equipment will have a constant and accurate time and date generation. The CCTV system will employ security functions to prevent recordings being tampered with, i.e. password protected. The premises licence holder will be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority within 24 hours. Any footage will be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (ie. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.

The premises licence holder will ensure that any digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document [www.ico.org.uk](http://www.ico.org.uk) regarding installation of CCTV at the premises.

All staff shall be trained in the requirements of the Licensing Act 2003, relevant age restrictions in respect of the sale of alcohol, vulnerability, Challenge 25 Scheme, recognising signs of drunkenness, how to refuse service, the premises duty of care policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene, reporting an incident to the emergency services and the conditions in force under this licence.

Alcohol Sales area to be no more than 20% of premises total sales area

No super-strength beer, lagers, ciders, perry's or spirit mixtures of 6.5% ABV (alcohol by volume) or above shall be sold at the premises

There shall be no availability / sell of miniature spirits, or individual vessels.

No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.

All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the licensed premises and made available to Police, Council and HMRC Officers upon request.

A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.

A ultra-violet light will be available and maintained at the store for the purpose of checking the UK Duty Stamp on all spirits as soon as practical after they have been purchased.

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

If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to the Trading Standards department and HMRC as soon as possible.

All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.

When considered necessary via a risk assesment, the Licence Holder/DPS at least one (1) SIA registered door supervisor must be on duty at the premises. A record must be kept of their SIA registration number and the dates and times when they are on duty.

#### c) Public safety

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

*Continued from previous page...*

d) The prevention of public nuisance

Prominent, clear notices shall be displayed at all exits requesting customers and staff to respect the needs of local residents and leave the premises and the area quietly

Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.

e) The protection of children from harm

The 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises & signage will be prominently placed within the premises advertising the fact that the premises operate the 'Challenge 25' initiative

A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks

All staff, who are not personal licence holders working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

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Capacity 80000-89999 £56,000.00  
Capacity 90000 and over £64,000.00

\* Fee amount (£)

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

## DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/peterborough/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**





## **Cumulative Impact Assessment Statement for the 'Can-Do' New England and Millfield area of Peterborough**

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

### **Background**

The 'Operation-Can-Do' (Op-Can-Do or 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.

Peterborough City Council adopted a Cumulative Impact Policy (CIP) in the Can-Do area 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 (CIP) for the defined boundary of Can-Do, as the saturation of licensed premises continued to have a negative impact on the four licensing objectives and residents in the locality.

In 2018, in line with statutory requirements, the CIP was reviewed and consulted upon. The Licensing Authority determined to retain the CIP, as the licensing authority considered that the number of premises licences and Club Premises Certificates in the defined boundary was such, that it is likely that granting further licenses of any type, would be inconsistent with the authority's duty to promote the objectives. In accordance with Section 5A of the Licensing Act 2003 (as amended by s141 of Policing and Crime Act 2017) a Cumulative Impact Assessment was published to that effect.

A further review and consultation was carried out between 19 August 2020 to 14 October 2020 which invited comments and responses on the future of the policy. The Licensing Committee convened on the 18 November 2020 and considered all responses and evidence made available and determined to retain but modify the cumulative impact policy.

### **Current Cumulative Impact Policy**

The licensing authority consider, that the number of premises licenses and/or club premises certificates offering 'Off sales' of alcohol within the defined boundary is such, that it is likely, that the granting of further licenses of this type, would be inconsistent with the authority's duty to promote the licensing objectives.

Further details including responses and minutes of the meeting on 18/11/2020 can be found on the following link: <https://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=142&MId=4522&Ver=4>

## **Basis of Evidence**

### **Licensed premises in the defined Can-Do cumulative impact boundary – August 2020**

At the time of the review and determination by the licensing authority, there were 85 licensed premises within the defined boundary. Of these 85 there were:

- 18 premises licensed for 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, and the cumulative impact of premises offering 'Off sales', is having a negative impact on the licensing objectives and residents.

### **Public Health evidence**

In making its determination the licensing authority considered the evidence submitted by the Director of Public Health (DPH). 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 are an important contribution to this.

There is a high density of premises selling alcohol in the 'Can-Do' boundary. 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.

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, which supports the use of the CIP in the 'Can-Do' area which has high levels of deprivation.

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 reasons related to alcohol. This compares with only 10 in Hargate and Hempstead (equal to 184 per 100,000), 31 in Orton Waterville (equal to 365 per 100,000) and 42 in Fletton and Stanground (equal to 436 per 100,000)

Minimising the availability of alcohol, especially in areas of high AOD such as the 'Can-Do' area, is therefore important to protect the health and safety of Peterborough residents and visitors.

There is strong evidence for a relationship between AOD and problems associated with social disorder. 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 'Can-Do' area.

The 'Can- Do' area is within an area subject to significant levels 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.

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 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 'Can-Do' area, an area of high deprivation in Peterborough, is therefore important to protect children from harm

In conclusion, 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 'Can- Do' area. In addition, there are inequalities associated with alcohol-related harm, with more deprived communities, such as those in the 'Can-Do' area experiencing greater levels of harms.

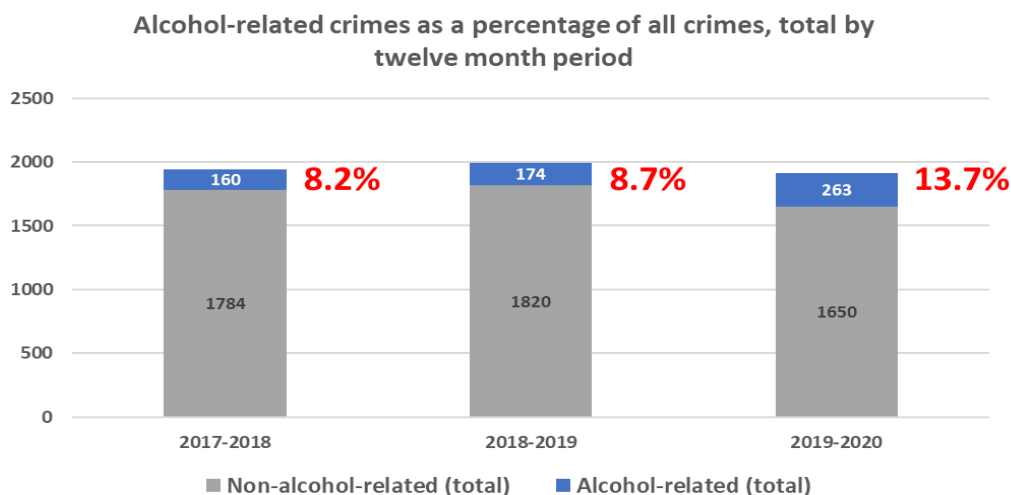
The National Institute for Health and Care Excellence (NICE) public health guideline on the prevention of alcohol-use disorders, concludes that reducing the number of outlets selling alcohol in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm. 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.

### Cambridgeshire Police evidence

The Northern Area Commander for Cambridgeshire Police provided an analytical data report. The report provided quantitative data on the prevalence of alcohol related crimes and incidents and whether or not they correlated to the presence of licensed premises within the CIP boundary.<sup>1</sup>

The available data shows that the percentage of alcohol related incidents, (in comparison to non-alcohol related incidents) have decreased slightly over the past 3 years (7.5% in 17/18, 7.1% in 18/19, and 6.6% in 19/20). Whilst the number of reported incidents overall has increased over the past 3 years. (5,404 in 17/18, 5,914 in 18/19 and 5,959 in 19/20).

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 in 19/20. Alcohol related crimes rose most dramatically in the timeframe 19/20 (up 89, to 263 from 174) a significant 51%, making it over 13% of all reported crime within the boundary. See below.



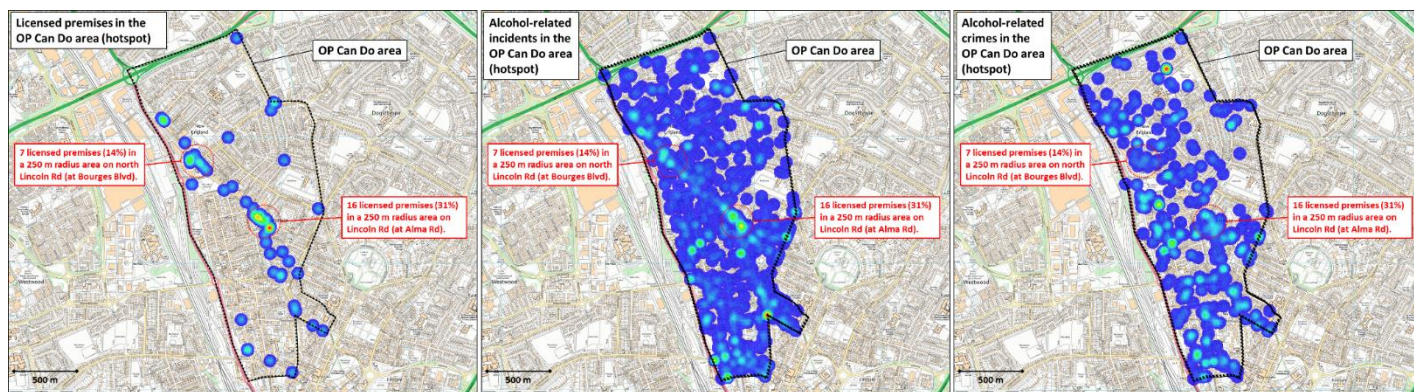
<sup>1</sup> The data provided by the Force Performance Team, covered the period 1 October 2017 to 30 September 2020. Crime data was drawn from CrimeFile for 2017 and part of 2018, and Athena from mid-2018 onward. All incident data was drawn from C&C3

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.



The drop in overall crime in 19/20, may be attributable to the 'Covid lockdown' effect, during this time, crime in general declined, as people stayed at home. The Institute for Alcohol Studies (IAS) indicates that sales of alcohol increased during this period, with greater consumption taking place in the home. Alcohol drove crimes higher in 2020, especially during the pandemic response, but it was less of a factor in incidents during the same period. This correlation suggests that alcohol fuelled more violence in the home and at private residences and areas, versus at public venues that were closed.

The choropleth maps below show 'hotspots' based on concentrations of event or premises location within a 50 meter radius circle. Licensed premises concentration (left map), alcohol related incidents (middle map) and alcohol related crimes (right map)



Licensed premises in the 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.

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.

Further analysis by postcode was undertaken, 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 'On' licensed premises help to drive alcohol related incidents and crime in this area.

The greatest concentrations of alcohol-related and non-alcohol-related incidents by postcode, occur elsewhere in the Can-Do area and not necessarily within close proximity to a licensed location.

Alcohol-related crimes by postcode, 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. 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 Can-Do area, and it has the highest number of licensed premises)

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 Can-Do area, especially within homes.

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.



## **Peterborough City Council - Prevention and Enforcement Service (PES) evidence**

The area of Millfield and New England has been prone to suffer 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.

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.

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.

From August 2017 to 16<sup>th</sup> 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.

The frequency of cleansing for streets and open spaces in the CIP 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.

A 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

There are particular 'hot spot' locations, notably, the 'Triangle', Century Square and Alma Road, Gladstone Park, and Fulbridge Road recreation area, where calls for service are regularly received from ward Councillors, operators of businesses, residents, and community organisations

The PSPO expired in August 2020. 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.

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

### **Other evidence considered**

A total of 36 responses including a petition containing nearly 170 signatures were received and considered, as well as existing evidence.

Community Groups representing residents and businesses, detail how members of the community continue to be negatively affected by the large concentration of 'Off' licences. They describe the daily problems and

associated anti-social behaviour the number of 'Off' licensed premises in the Can-Do area is causing to their community and businesses, including the wider detrimental effect on their families. They report incidents of persons 'toileting' in their gardens, outside business premises and in 'green' areas, an increase in street drinking, particularly in groups, which is intimidating to residents. Residents have organised litter picks to remove the alcohol related debris left behind.

They attribute a majority of the problems experienced to the increase of street drinking caused by the ease of access to the purchase of 'Off' sales of alcohol, often sold at a low price in order to attract customers or to be competitive. The community can no longer make use of green spaces and other public equipment, due to this issue.

Community groups 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.

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, so support the retention of the CIP.

Noise disturbance such as rowdy behaviour, shouting and fighting are regularly witnessed and reported to ward councillors and community groups. Such issues can seriously affect children's general wellbeing, sleep and sense of security.

Ward Councillors representing businesses and residents in the area, indicate that the density of outlets selling 'Off' sales of 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.

This information is reinforced by the individual resident and business responses, who report their own experiences of living in the Can-Do area and the detrimental impact, the number of 'Off' licensed premises affects them, and therefore the licensing objectives. Residents and business owners would like the area to offer a range of different premises, that the number of premises offering 'Off' sales of alcohol, is an attractive nuisance for alcoholics and street drinkers and their associated problems.

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.

## **Summary**

The licensing authority cannot take need or commercial demand into account when considering an application, as this is for market forces to determine. However, the number, type and density of licensed premises, in a given area, are proper matters for consideration by the licensing authority, if there is potential impact on the licensing objectives.

The licensing authority have reviewed all the available evidence obtained and provided, and conclude that 'On' licensed premises and those not selling alcohol are not seen to contribute to the problems identified. The available evidence leads the licensing authority to believe that 'Off' sales are the main contributing factor to the problems identified. That the granting of further 'Off' licenses would be inconsistent with the duty to promote the objectives

There remains a high density of licensed premises within the defined boundary. The licensing authority is aware that large numbers of 'Off' licensed premises in close proximity to each other and residential properties, has had a negative impact on the licensing objectives, particularly if they are targeted towards high volume

cheap sales of alcohol. This can result in crime and disorder within a wider area than that associated with one premises.

The licensing authority is mindful of the need to safeguard users of the late night economy, in relation to crime and disorder, but also from alcohol harm. It recognises its responsibility to protect children from harm and to promote public safety. The concentration of licensed premises, whose primary function is the 'Off' sale of alcohol can increase the vulnerability of people and result in alcohol harm.

The cumulative impact of people dispersing from an area can also disturb nearby residents. As Lincoln Road is a main arterial route, with many premises offering 'Off' sales of alcohol, this is seen to attract late night customers, wider than those who reside in the area. 'Off' sales contribute to problems of street drinking, proxy purchasing, dispersal issues, excessive drinking and 'pre-loading' and related disorder.

The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. As such this assessment of the cumulative impact of 'Off' licensed premises, imposes restrictions only to the extent that they are justified by the available evidence having particular regard to Section 182 guidance, issued by the Secretary of State.

If the authority determines that an application will be refused, it will do so on the basis that the grant of the application would undermine the promotion of one or more of the licensing objectives and that conditions would be ineffective in preventing the problems involved, and this will be shown in the decision.

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.

The Can-Do area has been prone to suffer from the effects of alcohol related anti-social behaviour for many years. The reintroduction of a PSPO for the area, will include proposed conditions which will increase Police and authorised Council officer's ability to address street drinking and ASB.

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 with specific appropriate conditions attached.

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 'Off' licensed premises remains one of those challenges. It is recognised that the impact of longer hours can be a factor as well as the density of the premises, and this issue will be given material consideration in any decision.

The licensing authority recognises that a special policy is not absolute and any application will still need to be considered on its relative merits. Consideration will be given to the content of the applicants operating schedule, the continuing relevance of evidence in support of the CIA, relevant representations and whether the imposition of appropriate individually tailored conditions would be effective in preventing problems and addressing concerns.

The licensing authority is satisfied that there is an appropriate evidence base to support the need for the cumulative impact policy and that other mechanisms do not themselves adequately address the issues identified in the evidence base.

Signed by: Councillor Peter Hiller  
Chair of the Licensing Committee

Date: 24 December 2020

Map Showing Current CI Policy Area in Green

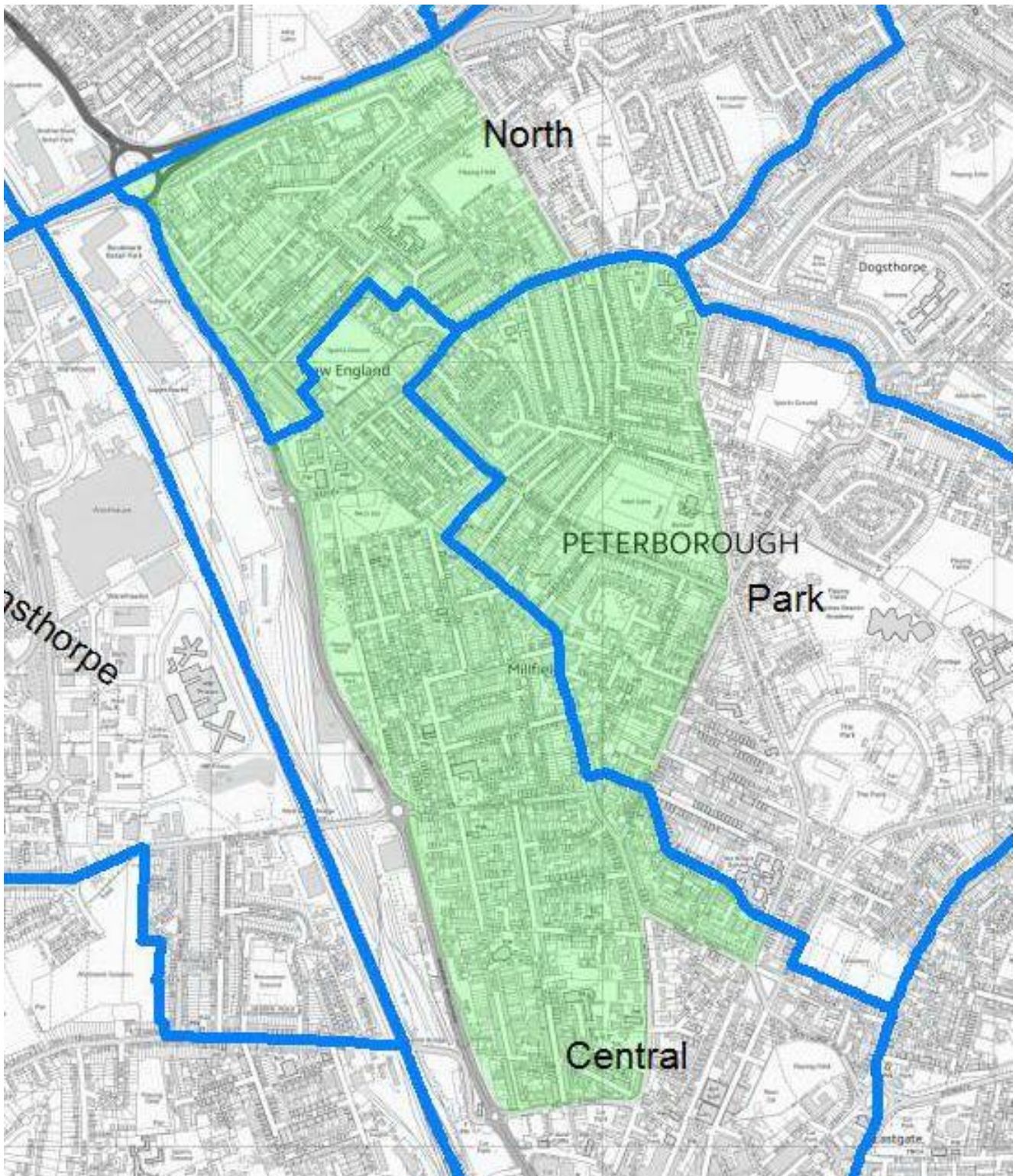
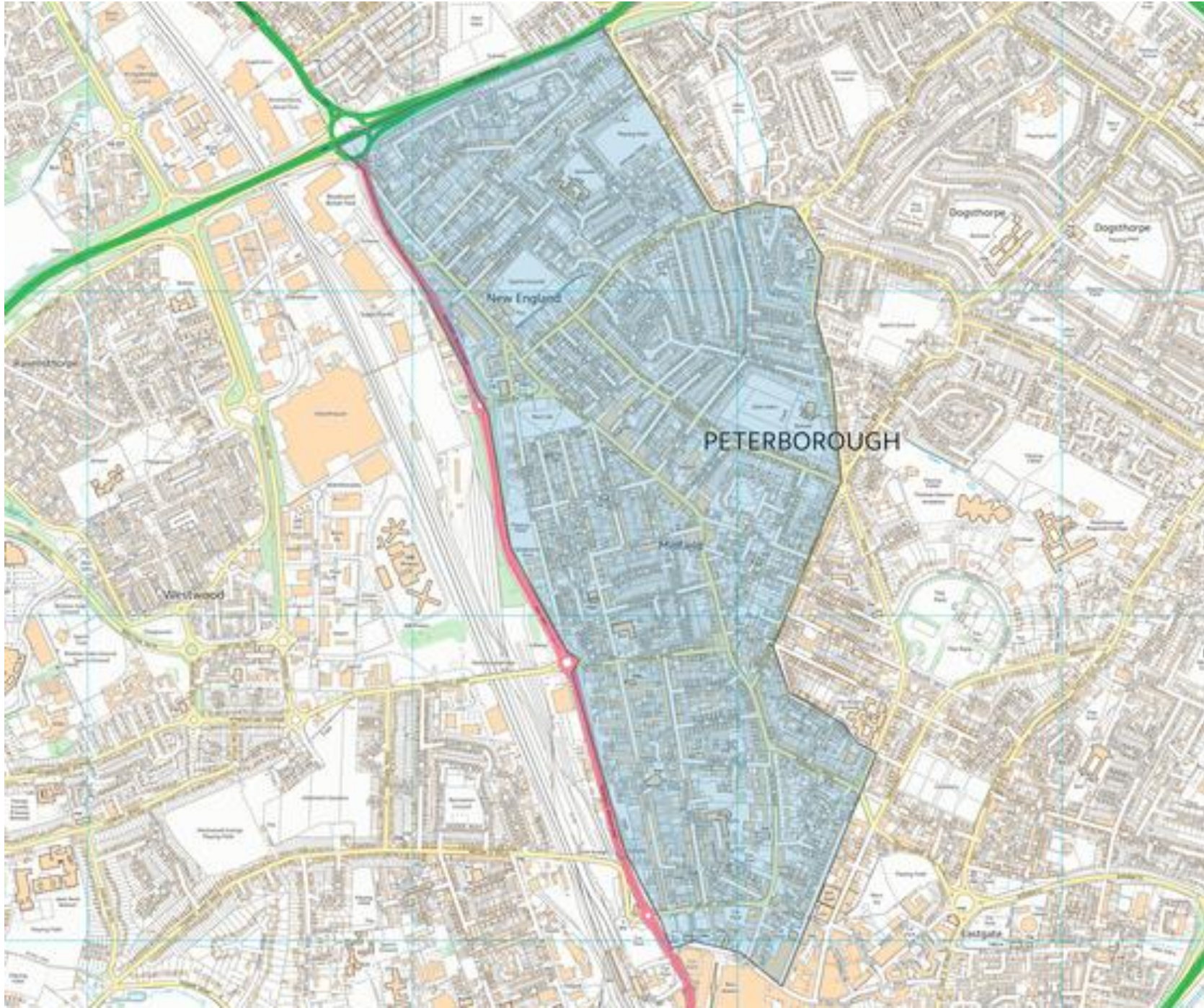


Table of Street Names Within the Current CI Area

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	

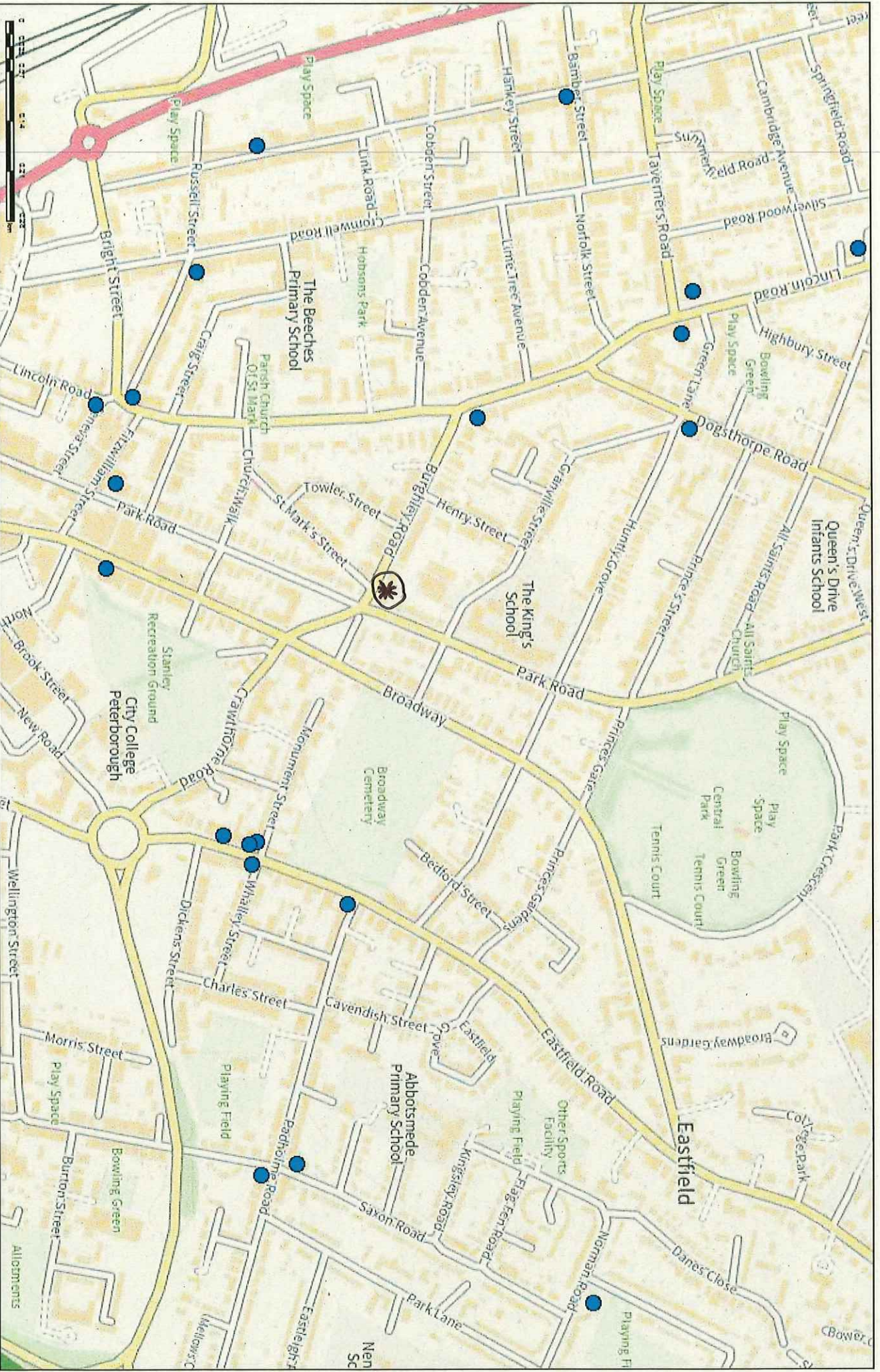
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= HANA EXPRESS

Print Map



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# LICENSING ACT 2003 - REPRESENTATION IN RESPECT OF PREMISES LICENCE



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

<b>Section A: Details of person or body making representation</b>	
Your Name:	Clr Mohammed Jamil
Your Address:	12 Limetree Avenue Peterborough PE1 2NS

<b>Section B: Details of premises representation is about</b>	
Name of Premises:	Hana Express Stores
Address of premises:	2 Burghkey Road, Peterborough, PE1
Application No. (if known)	122364

<b>Section C: Licensing objectives</b>	
Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

**Section D: Your concerns**

Please summarise your concerns about this application:

I, along with my fellow ward councillors object to any licence being granted to sell alcohol from these premises. Our ward is saturated with shops that sell alcohol. There is no point in having a Cumulative Impact Policy (CIP) if we are then going to grant licences. Granting a licence for this establishment would defeat the object of the CIP.

I believe that if a Licence is granted to this shop then this would lead to further **Crime & Disorder** to this part of the city. We are already struggling to stamp out the problems with Prostitution, Drugs and Anti-Social Behaviour in and around Burghley Road. The sale of any alcohol would add to an already ticking bomb. As a ward councillor we are regularly contacted by residents of Burghley Road, Towler Street, Henry Street and Park Road.

Residents often tell us that people who frequent the area often use residents front gardens to defecate or urinate. There is no respect for people's private property. Passers by are often asked if they are "working girls" and the sale of alcohol will only bring in more undesirable elements to this area.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

I am aware that most of the people living in the surrounding roads already have to deal with Prostitution and ASB and I believe that would exacerbate their problems further.

Residents are afraid to go out of their house at certain times of the day and night. We need to stop this licence being granted in order to prevent a public nuisance adding to the existing problems. The area is often strewn with drug paraphernalia, bottles, cans, condoms and excrement. We do not need anything further adding to the problem. This part of the city is often used as a through way from one part of the city to the other. We do not need a further off licence to show that this city has become a city of "Off Licences, betting shops or gambling arcades.

As ward councillors we have worked closely with council officers and the police to try and limit the problems that go on in that part of the city. This establishment will not help us achieve our goals.

Therefore, in conclusion, I would like to strongly request that the application for a licence is refused in order to prevent further crime and disorder as well protecting the residents from a public nuisance.

## **How to make a representation**

The statutory representation period begins the day after a valid application is received by the licensing authority and lasts for 28 consecutive days. During this time there must be at least one public notice in a local paper and a blue A4 public notice displayed on site for 28 consecutive days. The application will also appear on the public register.

Any representations must relate to one of the four licensing objectives below:

### **Prevention of crime and disorder**

This relates to any crime, disorder or anti-social behavior in connection with the management of the premises. The licence holder cannot be responsible for the conduct of individuals once they leave the premises.

### **Public safety**

This relates to the safety of the public on the premises - such as fire safety, lighting and first aid.

### **The prevention of public nuisance**

This can relate to hours of operation, noise and vibration, noxious smells, light pollution and litter.

### **The protection of children from harm**

This relates to protecting children from the activities carried out on the premises whilst they are on the premises. The law already provides special protections for children, such as making it illegal for children under 18 to buy alcohol. We recommend that if you wish to object to an application for a premises licence, you use the representation form.

**Representations (objections) may not be made anonymously. Any representations that are received will be included in a report to the hearings panel. This report will be a public document and will be circulated to the parties involved prior to the hearing.**

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Creating a safer  
**Cambridgeshire**

**Ref:** Premises Licence Application -  
Hana Express, 2 Burghley Road,  
Peterborough PE1 2QB (ref: 122364)

Monday, 12<sup>th</sup> June 2023

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

To whom it may Concern,

**Re: Premises Licence Application – Hana Express, 2 Burghley Road, Peterborough (ref: 122364)**

On 25<sup>th</sup> May 2023, Cambridgeshire Constabulary Licensing Department (Northern District) received e-mail notification from Peterborough City Council Licensing Authority of an application for a new Premises Licence at Hana Express, 2 Burghley Road, Peterborough PE1 2QB – PCC Licensing Application 122364 refers.

The application has been submitted electronically by Ms Nijole Mikareviciute, the Application also seeks to make Ms Nijole Mikareviciute the Designated Premises Supervisor (DPS).

This application is for a new premises licence at Hana Express, 2 Burghley Road, Peterborough PE1 2QB. It is proposed that the premises will be open, for the supply of alcohol 'Off Premises' between 07:00 and 00:00 hours Monday to Sunday. No other licensable activity has been applied for.

On 18 April 2013, the Licensing Authority adopted a special policy relating to cumulative impact in respect to all licensed premises for the 'Can-Do' area. This was subsequently reviewed and published on 7 January 2016. Following a change in legislation, on 18 October 2018, the licensing committee resolved the retention of the special policy (approved by full council on 12 December 2018) and published a Cumulative Impact Assessment (CIA) setting out the evidence for its decision. Evidence received from responses to the 2020 consultation revealed that the cumulative impact policy required retention with modification to the types of application which would be affected by the special policy. As of 7 January 2021, any application which requests 'Off sale' of alcohol will be subject to the cumulative impact policy. The evidence basis for this decision is detailed in the Cumulative Impact Assessment (CIA).

There is no existing information or intelligence in relation to this premises, Hana Express, 2 Burghley Road, Peterborough, available to me to comment on, as it is not currently operating. It is however located within the CAN-DO Operational area, on Burghley Road,

an area that is already associated with Anti-Social Behaviour and prostitution. There is concern that enabling the availability of alcohol in such close proximity, to these activities will cause a rise in calls to service for police.

Evidence does still exist of a negative impact on the statutory objectives and the local community, caused by alcohol within the CAN-DO area. This is supported by the data submitted by the Cambridgeshire Constabulary in Oct 2020 for the 2020 review which is include within pages 3 & 4 of the CIA Statement (<https://www.peterborough.gov.uk/asset-library/CIA-statement.pdf>) and the decision by members to continue with the CIA Policy.

Peterborough City Council's 'Statement of Licensing Policy', also advises the following:

Paragraph 12.4 states:

*"A CIP (Cumulative Impact Policy) creates a rebuttable presumption that relevant applications within the 'Can-Do' area for new premises or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced"*.

Para 12.11 states:

*"Applicants will need to address the CIA in their operating schedules in order to rebut such a presumption."*

The formal application – Section 18 states:

*"Describe the steps you intend to take to promote the four licensing objectives"*.

It is noted that the applicant has offered substantial conditions, extremely similar to those that were attached to the applicant's previous premises of Euro Store, 10A Dogsthorpe Road, Peterborough (also within the CIZ). Consideration should however be given to the current Licensable Hours applied for 07:00 to 00:00 hours an **alternative to these could be 09:00 to 21:00 hours** should the Licensing Committee decide to grant the licence.

It is also noted that News & Booze, 109 Lincoln Road, Peterborough, junction with Burghley Road is at the opposite end to the applicant and currently offers the availability of alcohol from 08:00 to 02:00 hours.

I have previously encountered the Applicant Ms Nijole Mikareviciute whilst she was operating her previous premises Euro Store, 10A Dogsthorpe Rd, Peterborough. This was during a licensing inspection on 24/11/22 with Darren DOLBY of PCC Licensing department, a number of breaches were discovered.

1. 7% alcohol on sale - limited to 5.5% abv
2. Not all alcohol behind the counter.
3. Alcohol not labelled
4. More than 10% of shop selling area
5. No staff training in place
6. No SIA on duty



Ms Nijole Mikareviciute explained that she was not aware of all the conditions, of the licence and they had been agreed on her behalf by her consultant. DOLBY and I put this down to naivety and explained the importance of the conditions and the need to comply. Immediately, she stopped selling alcohol until all the conditions were met. After this the applicant complied fully with the conditions and there were no incidents of concern reported to Police.

Alcohol is often applied for, as an enabler to boost and maximise profits, which maybe at the expense of the licensing objectives. Alcohol is commonly reported as having a negative social impact on the community, resulting in Street based Violent crime, Anti-Social Behaviour, Street Drinking and Domestic Related incidents. Cambridgeshire Constabulary does not support this application and appeals to the Licensing sub-committee to seriously consider the Special Policy and reject the application. Ultimately the decision on granting the licence is a decision for the Licensing Sub-Committee. However, I ask the Licensing Sub-Committee considers the risk and significant additional impact, this Off Sales Alcohol licence will have on the local and wider community. Should the committee decide to grant the application, I ask that they consider all the voluntary conditions be imposed on the licence and that the licensable hours are reduced.

Kind regards & without prejudice

Paul Hawkins

Paul Hawkins  
Police Constable 2094  
Licensing Officer  
Northern District  
Cambridgeshire Constabulary

Email: [licensingnorth@cambs.police.uk](mailto:licensingnorth@cambs.police.uk)

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**Ref:** Premises Licence Application -  
Hana Express, 2 Burghley Road,  
Peterborough PE1 2QB (ref: 122364)

Wednesday, 21st June 2023

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



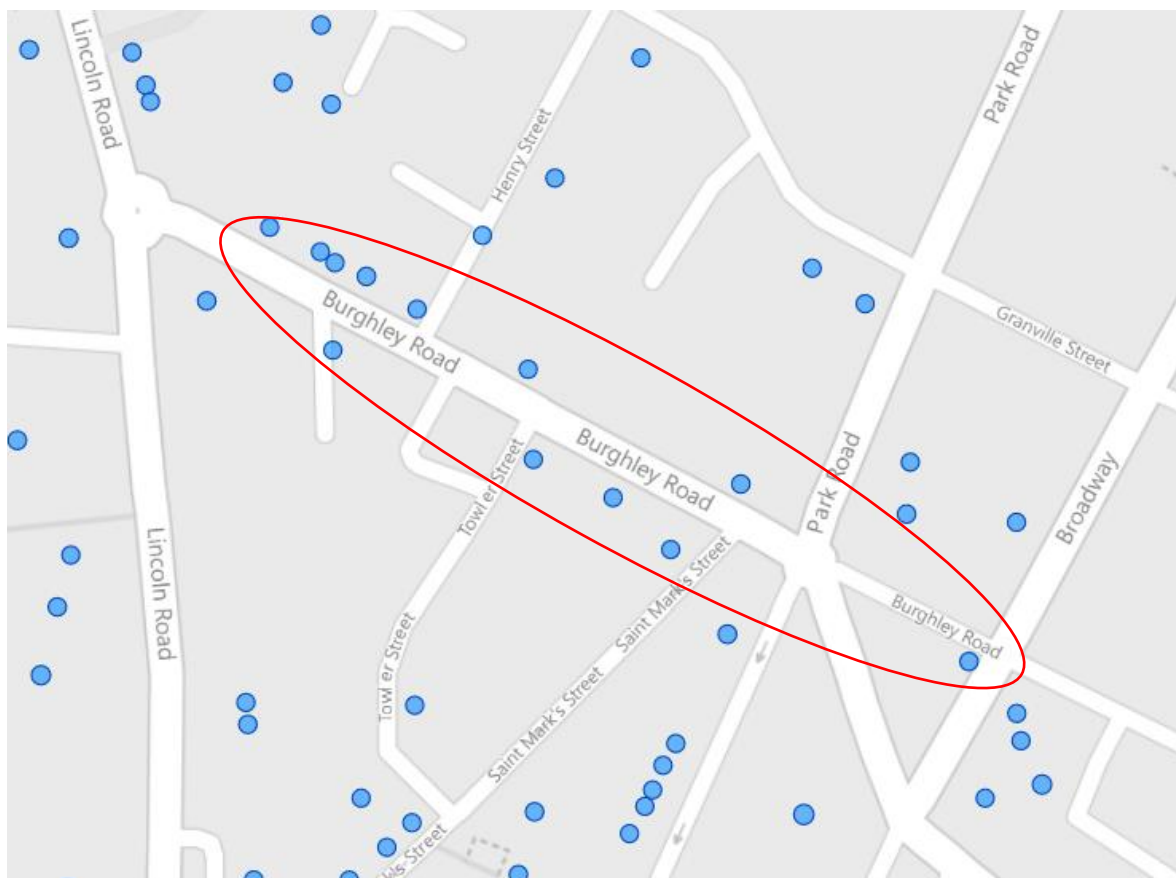
Creating a safer  
**Cambridgeshire**

To whom it may Concern,

**Re: Premises Licence Application – Hana Express, 2 Burghley Road, Peterborough (ref: 122364)**

In addition to the Objection Letter dated 12<sup>th</sup> June 2023 which the application for a new Premises Licence at Hana Express, 2 Burghley Road, Peterborough PE1 2QB – PCC Licensing Application 122364, please find below addition data relating to Crimes and Incidents recorded within the vicinity of Burghley Road, Peterborough for the period of 01/01/2023 to 20/06/2023.

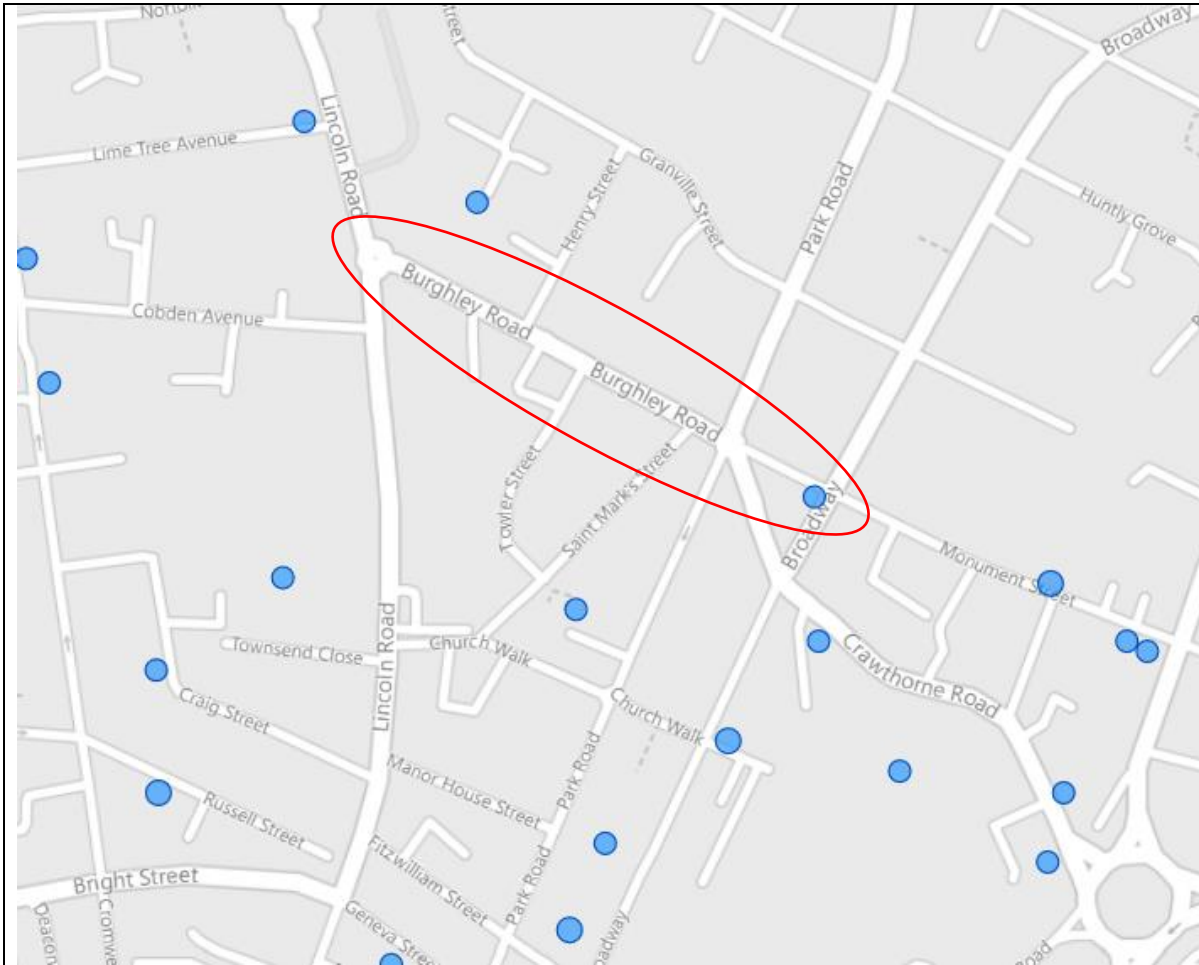
Crimes reported within the vicinity of Burghley Road, Peterborough between 01/01/23 & 20/06/23



Of those crimes reported the RED area indicates Burghley Road and below a summary of those reported crimes

<b>Crime Type</b>	<b>Crime Number</b>
Stalking	1
Violence with Injury	1
Violence without Injury	4
Theft of Vehicle	1
Criminal Damage	1
Burglary	2
Shoplifting	1
Other Sexual Offences	1
Criminal Damage	2

Crimes reported within the vicinity of Burghley Road with Alcohol Marker, Peterborough between 01/01/23 & 20/06/23



Of those Alcohol related Crime reported the RED area indicates Burghley Road and below a summary of those reported crimes.

Crime Type	Crime Number
Violence without Injury	1

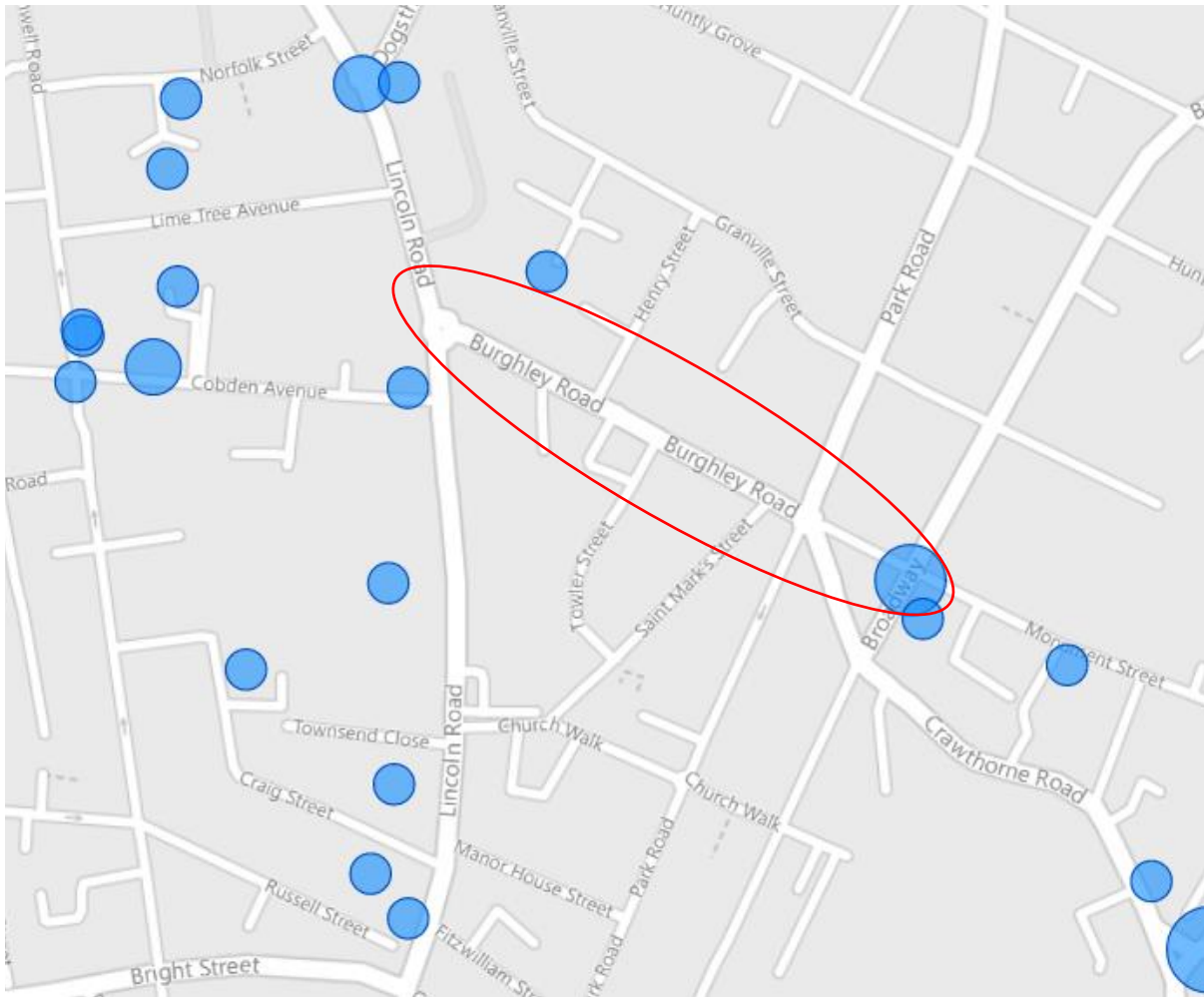
Incidents reported within the vicinity of Burghley Road, Peterborough between 01/01/23 & 20/06/23.



Of those incidents reported the RED area indicates Burghley Road and below a summary of those reported crimes

Crime Type	Crime Number
Police General	8
Silent 999	3
Violence	4
Stolen Motor Vehicle	1
Concern	4
Sus Circs	14
Prostitution	13
Rowdy Nuisance	3
Offensive Weapon	1
RTC	3
Highways	1
Compliant	1
Robbery	1
Theft Other	1
Domestic Abuse	1

Incidents reported within the vicinity of Burghley Road with Alcohol Marker, Peterborough between 01/01/23 & 20/06/23



Of those Alcohol related incidents reported the RED area indicates Burghley Road and below a summary of those reported incidents

Crime Type	Crime Number
Violence	1
Concern	1
RTC	1

Kind regards & without prejudice

Paul Hawkins

Paul Hawkins  
 Police Constable 2094  
 Licensing Officer  
 Northern District  
 Cambridgeshire Constabulary  
 Email: [licensingnorth@cambs.police.uk](mailto:licensingnorth@cambs.police.uk)





**Telephone:** 01733 453576  
**E-Mail:** [clair.george@peterborough.gov.uk](mailto:clair.george@peterborough.gov.uk)  
**Please ask for:** Clair George

## Safer Communities

### Place & Economy

#### Sand Martin House

#### Bittern Way

#### Fletton Quays

#### Peterborough

#### PE2 8TY

**Telephone: (01733) 747474**

Licensing  
 Regulatory Services  
 Peterborough City Council  
 Sand Martin House

Dear Licensing Team

15<sup>th</sup> June 2023

### **Re: Licensing application, 2, Burghley Rd - 122364**

The Safer Communities Service would like to formally comment on the above premises licence application in relation to the sales of alcohol to be consumed off site.

The application relates to a premises located within the Central ward area of Peterborough and falls within the Cumulative Impact Policy area in relation to sales of alcohol. For a number of years it has been recognised that there is a problem with street drinking and associated anti-social behaviour along with other community safety concerns relating to drug dealing, drug use and street sexual exploitation within the Burghley Road and surrounding area.

The Local Authority implemented Public Spaces Protection Order (PSPO) for the Millfield, New England, Eastfield and Embankment area since 2017 which comprises conditions to enable Police and authorised council officers to disperse people from the order area for consumption of alcohol or being in possession of open containers of alcohol and for committing anti-social behaviour. Burghley Road is within this PSPO area. Since 2021 there have also been meetings between senior officers within the Police, council and the local MP and councillors with the community who have sought support from agencies in tackling the crime and community safety issues in this area which are having a detrimental impact on residents' daily lives.

In addition to the PSPO, the area of Burghley Rd and surrounding streets of Towler Street and Henry Street have been prioritised for investment by the Safer Peterborough Partnership through the Home Office's Safer Streets funding. Substantial investment has been made in this area to implement two CCTV cameras, removal of shrubs to increase natural surveillance and other designing out crime measures such as fencing and gating to prevent street drinking, drug use and sexual activity and the associated noise, disorder and anti-social behaviour which has had a significant detrimental impact on the lives of the residents that live and work in this area. This area is a community safety priority area for Peterborough City Council, Police and the Safer Peterborough Partnership in tackling crime, anti-social behaviour and those who are sexually exploiting vulnerable adults and has resulted in a dedicated partnership operation – Operation Glacier.

According to Police.uk, Burghley Road and the surrounding areas of Granville Street, Henry Street, Nursery Close, part of Park Road, Towler Street and St Mark's Street had 212 crimes reported from May 2022 to April 2023. These crimes included criminal damage, public order, anti-social behaviour (ASB), violence and sexual offences, drugs and other crimes. ASB incidents can

include but is not limited to: causing harassment, alarm and distress, urination and defecation, littering and noise. Excessive consumption of alcohol can also be contributing factors to criminal damage and public order offences.

Our service has received telephone and email contact from six concerned residents in response to this premises licence application, reporting that they have significant concerns that additional sales of alcohol for consumption off the premises will contribute further to the current levels of crime and anti-social behaviour in this residential area. Given the seriousness of some of the criminality in this area, they are also fearful of reprisals from publicly declaring their objections to this licence application and have asked if our service can refer to their comments within this formal response.

Responses from residents which relate to the licensing objectives include:

*Resident A - "Burghley Road has been the centre of Anti-Social Behaviour linked to Sex-working. The ASB will be exacerbated by increasing access to alcohol from 0700-0000. Females are often extremely loud and shout at all of hours of the night and often wake up residents throughout the night. They are vulnerable women who have drug and alcohol dependency. Having alcohol on sale until midnight seven days a week is unhelpful to them. When under the influence of alcohol and or drugs, they can get aggressive and very loud. The Hana Express Store being open from 0700-0000 will only exacerbate the serious issues residents encounter daily. It will increase footfall of men who can be regularly seen with alcohol in hands passing along Burghley Road. A shop selling alcohol will fuel the sex-workers' alcohol dependency. All of this will add to crime and disorder, further reduce public safety and increase nuisance. The Kings' School is a near neighbour. There is a potential to increase harm for children. The neighbourhood has been through years of stress due to the proliferation of sex-working and having alcohol on sale will only increase the ASB mentioned here. I also do not believe consideration should only be made to what occurs on the premises when granting a licence. Surely the wider community and the impact on it also needs to be considered when granting the licence. Particularly when you consider the unique nature of the issues that negatively effect the area of Burghley Road."*

*Resident B - "I am very concerned and disturbed to hear that an application for an alcohol license has been submitted to the council for consideration on Burghley Road. I am aware of the tremendous amount of work which has been done to improve the situation in Burghley Road, which has been documented in the press and discussed at length between the council and residents. It has been an arduous task to try and find ways to curtail the incidents of antisocial behaviour in the area, it has taken years to achieve even the slightest improvement. Residents own money has been used to install cameras and physical deterrents - to say nothing of the amount of energy and commitment from the community. I have witnessed and felt threatened at times by the sheer magnitude of the problems - sex workers soliciting clients outside the front doors continually. Alcoholics and drug users lying in the street, vomiting, urinating and defecating in the street and porches. Terrible screaming at night, people arguing and shouting abuse. I do not want to see anything jeopardise the improvements which have been made by the joint actions and costs which the tenants, council and police have incurred. Another alcohol license is not what this area needs."*

*Resident C - "Burghley Road is home to many valued and important members of Peterborough's diverse community (school's teachers, nurses, business owners and families), as residents our household object to another alcohol license on Burghley Road. The residents have spent years reporting, campaigning and logging incidents, trying to improve the street/area and reduce the anti-social behaviour, (late night shouting/arguing, urinating and fighting from the sex workers, pimps, drug addicts and alcoholics). The*

*myriad of beer cans, condoms and drug paraphernalia that litter our streets, we have to collect all of this from our hedges, gardens and the pavements in front of our properties). I fear 'another' shop selling alcohol in this area is only going to draw more of the alcoholics and drug addicts from the library and Broadway theatre and Lincoln Road. and add to problems that our resident sex workers, customers and pimps already bring. In these past few months, the street has slowly been improving with all the combined work from the residents, police and council workers. One step forward and two steps back would be the only outcome of another shop selling cheap alcohol on our street. Regards from a concerned resident who wants to enjoy living in this area and not be chased away from the home that they love."*

Other concerns raised by residents include:

- Once a licence has been granted, that the shop may apply to extend to sell alcohol for 24 hours, exacerbating the anti-social behaviour and impact the community further. Hana Express Stores has installed a sign at 2 Burghley Rd stating open 24 hours, however this has since been amended.
- The increase in footfall in the area as a result of opening hours, cash machine, sales of alcohol, etc could lead to more ASB/disturbance associated with males being approached for sexual services – more customers, more sex working and associated ASB in the evenings.
- More street drinking and associated noise, ASB and litter on residents' properties and on footpaths.

It is also our understanding that the applicant previously held a licence to sell alcohol at Euro Shop, 10a Dogsthorpe Rd, but that this was subsequently withdrawn by the licence holder. The withdrawal of the licence followed alcohol being available for sale in a manner which was in breach of their licence conditions and was evidenced by Cambridgeshire Constabulary's Licensing Officer, PC Hawkins. This demonstrates that the applicant has previously not adhered to their agreed licence conditions.

The Safer Communities service does not support this application for sales of alcohol. The application, if granted would add to the availability of off sales of alcohol and exacerbate the negative impact on all the licensing objectives, particularly the prevention of crime and disorder and public nuisance, directly affecting the health and wellbeing of residents, businesses and visitors in the area.

Yours sincerely



Clair George  
Head of Safer Communities

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15<sup>th</sup> of June 2023

Telephone: 07795 302 390  
E-Mail: [joseph.keegan@cambridgehire.gov.uk](mailto:joseph.keegan@cambridgehire.gov.uk)  
Please ask for: Joe Keegan

Public Health  
Peterborough City Council  
Sand Martin House  
Bittern Way

Public Health Directorate  
Peterborough  
PE2 8TY  
Fletton Quays

Licensing  
Regulatory Services  
Peterborough City Council

Dear Licensing Committee,

Re: Licensing application, – New Premises Application, Hana Express Store, PE1 2QB Formal Response from the Director of Public Health.

As Director of Public Health, I would like to submit a representation in respect of the above Hana Store premises licence application. The application relates to a new premises located within the Cumulative Impact (CI) area of Peterborough included in the Cumulative Impact Policy (CIP) adopted in 2020.

It is of concern that the representation makes limited reference to the shop being in the Cumulative Impact Zone (CIP) area. Adding another store would add to the density of alcohol retail outlets and could potentially impact on the poor health and community safety outcomes in the area.

The CIP was introduced in recognition of the saturation of premises in the area. When the policy was agreed in 2020 there were a total of 85 licensed premises in the area. Thirty of these were off sales only and a further nineteen were on and off sales.

In addition, the area is also characterised by high levels of deprivation, alcohol related hospital admissions, alcohol related anti-social behaviour and related issues of criminality.

My key concerns set out below reflect these factors.

- Levels of deprivation in the area and the impact of Outlet Density.

The proposed location for the premises is in Central Ward which is among the 20% of the most deprived wards in England. Out of the twenty-two wards in Peterborough, Central Ward is the fifth most deprived and nearby Dogsthorpe Ward is the most deprived ward in Peterborough. See Table 1 overleaf for rankings on the Index of Multiple Deprivation:

Table 1: Index of Multiple Deprivation ranking for Peterborough wards.

Ward Name	IMD score (National)	IMD decile (National)	20/80 Deprivation Split
Dogsthorpe	42.6	1	Most Deprived 20%
Orton Longueville	42.1	1	Most Deprived 20%
North	41.0	1	Most Deprived 20%
Bretton	40.1	1	Most Deprived 20%
<b>Central</b>	<b>39.4</b>	<b>1</b>	<b>Most Deprived 20%</b>
Paston and Walton	35.9	1	Most Deprived 20%
East	34.9	2	Most Deprived 20%
Ravensthorpe	34.1	2	Most Deprived 20%
Fletton and Stanground	25.3	3	Least Deprived 80%
Park	24.5	3	Least Deprived 80%
Stanground South	24.5	3	Least Deprived 80%
Eye, Thorney and Newborough	21.7	4	Least Deprived 80%
West	19.8	4	Least Deprived 80%
Fletton and Woodston	19.6	4	Least Deprived 80%
Orton Waterville	19.6	4	Least Deprived 80%
Hampton Vale	17.7	5	Least Deprived 80%
Gunthorpe	16.9	5	Least Deprived 80%
Werrington	16.5	5	Least Deprived 80%
Hargate and Hempsted	14.3	6	Least Deprived 80%
Barnack	11.7	8	Least Deprived 80%
Wittering	11.2	8	Least Deprived 80%
Ginton and Castor	10.3	8	Least Deprived 80%

There is extensive research which examines the relationship between Alcohol Outlet Density (AOD) and alcohol-related harms.<sup>1</sup> The research shows that areas with more deprivation tend to have greater AOD.

Regulating the local availability of alcohol has the potential to address harms. The relationship between AOD and alcohol consumption and harm is complex but 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, neglect, and suicide. The CIP was set up in recognition of the impact of alcohol misuse in the local area.

In addition, the National Institute for Health and Care Excellence (NICE)<sup>2</sup> guideline on the prevention of alcohol-use disorders and the supporting evidence base<sup>3</sup> concludes that reducing the number of outlets in an 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 CIP should be used where an area is saturated to help protect the health and well-being of the population but also it contributes to the achievement of the key licensing objectives.

<sup>1</sup> Public Health England, 2018. The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies – an evidence review.

<sup>2</sup> National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: Prevention (Update checked in 2019)

<sup>3</sup> National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24.

- Alcohol Related Hospital Admissions

The figures in Table 2 show alcohol specific hospital admissions for the residents of central ward. In terms of numbers of admissions, Central Ward has the highest recorded numbers of admissions for alcohol specific conditions of all Peterborough wards for 2020/21 and 2021/22. There were 206 alcohol specific admissions to hospital for Central Ward residents during this 2-year period.

Rates per 100,000 for alcohol specific hospital admissions for Peterborough were below the England average for both years. However, in Central Ward the rates are significantly higher than the Peterborough average in both years. This is a concerning public health issue and demonstrates the impact of alcohol misuse and importantly highlights why having an Impact Area in Central Ward is so important.

**Table 2: Alcohol Related Admission rates**

Area	2020/21			2021/22		
	Rate	Lower CI	Upper CI	Rate	Lower CI	Upper CI
Central Ward	1,031	852	1,234	639	495	811
Peterborough	481	450	513	466	435	499
England	587	585	589	626	624	628

Rate - DSR per 100,000

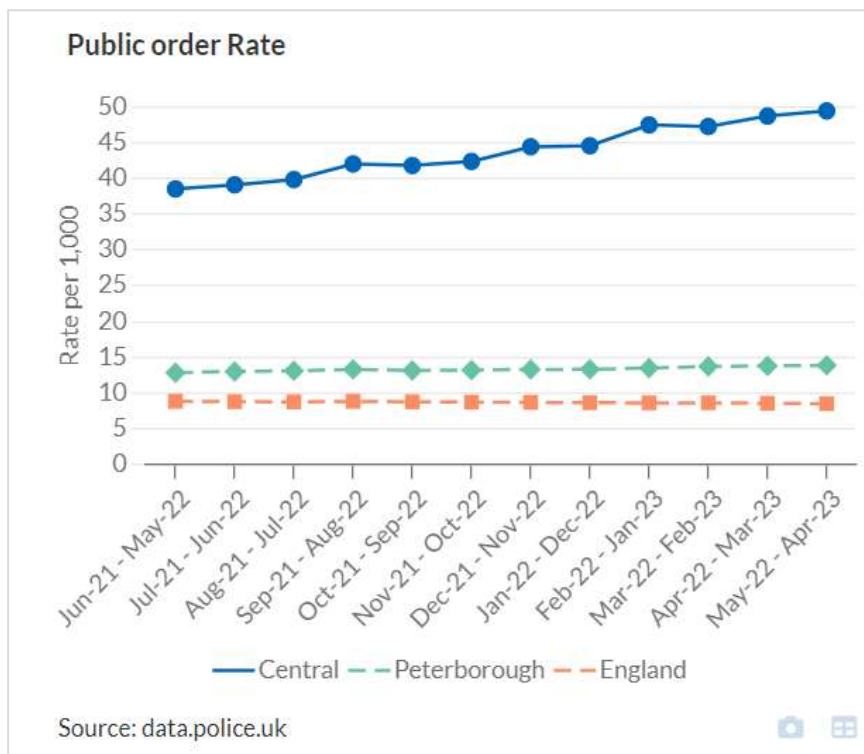
- Alcohol Related Anti-Social Behaviour

In 2020, there were an estimated 525,000 incidents of violent crime in England & Wales where the victim believed the offender(s) to be under the influence of alcohol. This accounted for 42% of all violent incidents.<sup>4</sup>

Since June 2022 the public order crime rate has steadily increased in Peterborough's Central Ward. Compared to Peterborough as a whole, and to England the rate of public order crimes in Central Ward are five times higher than national levels and over three times that of the Peterborough average for May 22- Apr 23.

<sup>4</sup> Drinkaware, 2020, Consequences of Alcohol Consumption in the UK, <https://www.drinkaware.co.uk/research/alcohol-facts-and-data/consequences-of-alcohol-consumption-in-the-uk#crime>

Chart 1: Public order crime rate – Central Ward, Peterborough



The figures in table 3 relate to the rate of crimes classed as anti-social behaviour in Peterborough at a ward level between May 2022 and April 2023. During this time-period Central Ward is the ward with the highest rate of anti-social behaviour in Peterborough and is over 2.5x higher than that of next highest ward.

Table 3: Anti-social behaviour rate – Ward level, Peterborough

Ward Name	Anti-social behaviour Rate (May-22 - Apr-23)
<b>Central</b>	<b>65.2</b>
East	25.1
Bretton	23.7
Ravensthorpe	19.6
North	18.9
Paston and Walton	16.9
Orton Longueville	16.8
Fletton and Stanground	16.4
Dogsthorpe	15.8
Hampton Vale	15.7
Orton Waterville	15.7
Fletton and Woodston	15.2
Werrington	14.3
Eye, Thorney and Newborough	13.1
Stanground South	12.9
Park	11.6
Wittering	11.4
Gunthorpe	11.1
West	9.8
Hargate and Hempsted	9.6
Glinton and Castor	9.3
Barnack	6.6



The specific location of Burleigh Road is an area of concern in particular for sex working. The addition of a shop selling alcohol will bring an increase in people the area and potentially street drinking causing more alarm and distress to the local population.

As Director of Public Health, I would recommend that the Licence is not granted on the basis on the impact of the negative impact on the health and wellbeing and impacting on the 4 licencing objectives below.

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Yours sincerely,

Jyoti Atri  
Director of Public Health.  
Peterborough City Council

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**LICENSING ACT 2003 - REPRESENTATION  
IN RESPECT OF PREMISES LICENCE**



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

PETERBOROUGH CITY COUNCIL

02 JUN 2023

LICENSING

Section A: Details of person or body making representation	
Your Name:	MR + MRS D.J. CURLING
Your Address:	██████████ BURGHLEY ROAD PETERBOROUGH PE1 2QB

Section B: Details of premises representation is about	
Name of Premises:	HANA EXPRESS STORE
Address of premises:	2 BURGHLEY ROAD PETERBOROUGH PE1 2QB
Application No. (if known)	

Section C: Licensing objectives	
Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input type="checkbox"/>
Public Safety	<input type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

## Section D: Your concerns

Please summarise your concerns about this application:

WE FEEL THAT ONE OFF LICENCE ON BURGLEY ROAD IS ENOUGH. NEWS-N-BOOZE THERE ARE ALSO SEVERAL OTHER OFF LICENCES CLOSE BY PARK ROAD, LINCOLN ROAD, DOGSTHORPE ROAD. TESCO THERE IS ALSO A PUBLIC HOUSE OPPOSITE, THE BURGLEY CLUB.

DO WE REALLY NEED ANY MORE OFF LICENCES IN THIS RESIDENTIAL AREA?

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

07.00 - 24.00 OPENING TIME IS EXCESSIVE  
08.00 - 22.00 WOULD BE BETTER.

THERE IS ALREADY PROBLEMS WITH STREET DRINKING, LITTERING + ANTI SOCIAL BEHAVIOUR IN BURGLEY ROAD AND THE SURROUNDING AREAS.

PEOPLE CONGRATULATING ON DONALD'S FORECOURT AND DRINKING AND CAUSING A DISTURBANCE FOR THE RESIDENTS OF BURGLEY ROAD. THIS COULD BE MADE WORSE BY ANOTHER ESTABLISHMENT SELLING ALCOHOL.

DAILY BOTTLES + CANS ARE LEFT ON WALLS AND DISCARDED IN THE STREET.