

## LICENSING ACT 2003 SUB-COMMITTEE

FRIDAY 20 OCTOBER 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 - Hungry Boy, Eastfield Off Licence, 298 Eastfield Road, Peterborough, PE1 4RA** 3 - 30

4. **Application for Premises Licence Review - Mr Alan Price** 31 - 36



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

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

#### Emergency Evacuation Procedure – Outside Normal Office Hours

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

#### Recording of Council Meetings

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

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

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

Committee Members:

Councillors: Allen, Thulbourn and Bond (Vice Chairman)

Substitutes: Councillors: Hogg, Iqbal, Warren and C Harper

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>20 OCTOBER 2023</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Maria Crowe, Trainee Regulatory Officer Darren Dolby, Licensing Regulatory Officer	Tel. 01733 453426 Tel. 01733 453540

**APPLICATION: NEW PREMISES LICENCE**

**APPLICANT:** Mr Mehdi Amani

**REFERENCE NO:** 123049

**PREMISES:** Eastfield Off Licence, 298 Eastfield Road, Eastfield, Peterborough, PE1 4RA

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

**1. PURPOSE OF REPORT**

1.1 To consider and determine this application for a new premises licence for Eastfield Off Licence, 298 Eastfield Road, Eastfield, Peterborough, PE1 4RA taking into account the representation against the application that has been received.

**2. BACKGROUND INFORMATION**

2.1 This is a new application for a premises licence. There has not been any previous premises licence granted at this property.

**3. AUTHORISATIONS AND TIMES APPLIED FOR (Amended after mediation)**

- **Sale of alcohol on the premises**

Monday to Sunday 09:00 to 23:00

**4. APPLICATION**

4.1 Please refer to the application attached at **Appendix B – Page 11**

4.2 Representations against the application being granted have been received from 1 local resident on behalf of the Broadway Residents Association in their capacity of ‘other persons’. This representation is attached at **Appendix C on Page 29**.

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.

- 4.5 No representations have been received from any of the Responsible Authorities; Cambridgeshire Constabulary, 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, Public Health or Children's Services.
- 4.6 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 representation against the application being granted:
- The granting of the licence would increase late night noise in the vicinity of the premises to the detriment of local residents.
  - The granting of the licence would increase anti-social behaviour in the vicinity of Eastfield Road.
  - It is inappropriate to sell alcohol very close to an educational establishment (Peterborough College).
- 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 No mediation took place.

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

### **7.1 Crime and disorder**

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises when they are open to the public and must be able to produce/download/ burn CCTV images upon reasonable & lawful request by a police officer or an authorised officer of the licensing authority or, if not present, the conversant member of staff shall produce the footage as described within 24 hours of a reasonable & lawful request. Any footage must 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 (i.e.. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.

The premises licence holder will ensure that a 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 is provided at the premises.

The premises licence holder shall ensure, by the completion of a written risk assessment, that the provision of SIA door supervisors at the premises is appropriate to ensure the safe control of the premises, and shall review this on a regular basis and upon request from the Police and/or the Licensing Authority.

A record (Including name, SIA Badge number, Contact details) of the SIA Door Supervisors employed shall be kept for a period of 12 months and be made immediately available upon request of a Responsible Authority.

Documented written / online records of training shall be completed and kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Licensing Authority. Training shall include (but not exclusively):

- a) Responsibilities under the Licensing Act 2003
- b) Relevant Age restriction in respect of alcohol sales ie. Challenge 25,
- c) Recognising signs of drunkenness, refusing service

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol ('DPS Authorisation List' or similar). The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the notice.

A refusals record will be kept at the premises which details all refusals to sell alcohol. This record will include the date and time of the incident, a description of the customer, the name of the staff member or volunteer who refused the sale, and the reason the sale was refused. All entries will be made within 24 hours of the refusal. The record will be made available for inspection upon request by an officer of a Responsible Authority.

An incident Record will be kept at the premises which details all incidents of concern that occur on the premises. This record will include the date and time of the incident, a description of the incident & customer, the name of the staff member or volunteer dealt with the matter, Police reference Number if reported. All entries will be made within 24 hours of the incident. The record will be made available for inspection upon request by an officer of a Responsible Authority.

The premises licence holder and/or designated premises supervisor shall ensure that any outside area included in the licence will be controlled in a safe and effective manner to the same standard operated within the premises building and will pay special attention to the impact that the use of the outside area has on the surrounding community

No super-strength beer, lagers, ciders, perry's or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises

There shall be no availability / sell of miniature spirits, or individual vessels / containers of Beers/lager/cider/perry's.

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

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.

## 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

Valid public liability insurance shall be kept in force and a copy of the schedule will be displayed at the venue and made available for inspection by an authorised Local Authority or Police Officer on request

### 7.3 **Prevention of Public Nuisance**

The holder of the premises licence shall ensure that noise caused by persons using, arriving at or departing from the premises shall not cause nuisance or unreasonable disturbance to the occupiers of residential properties.

The holder of the premises licence shall ensure that no music or amplified speech originating from the premises shall be audible inside any residential property at any time. Note: For the purposes of this condition noise may be considered inaudible when it is at a low enough level that it is not recognisable as emanating from the source in question and/or it does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

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

No deliveries may be made to the premises between 21.00 and 06.00 hours

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.

## 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 30 August 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

This page is intentionally left blank

\* 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

Not Currently In Use

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

Your reference

DD

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

Mehdi

\* Family name

Amani

\* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

- 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.

EASTFIELD OFF LICENCE

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

* Building number or name	Varity House
* Street	Vicarage Farm Road
District	
* City or town	Peterborough
County or administrative area	Cambs
* Postcode	PE1 5GW
* Country	United Kingdom

**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	Hungry Boys
Street	298 Eastfield Road
District	
City or town	Peterborough
County or administrative area	Cambs
Postcode	PE1 4RA
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	13,500

**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 His 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

Family name

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="Variety House"/>
Street	<input type="text" value="Vicarage Farm 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 5GW"/>
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" value="[REDACTED]"/>
Other telephone number	<input type="text"/>
* 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 with off licence

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

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Family name

Date of birth

/  /   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	TBC
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	United Kingdom
Personal Licence number (if known)	
Issuing licensing authority (if known)	

**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.

None

**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	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises when they are open to the public and must be able to produce/download/ burn CCTV images upon reasonable & lawful request by a police officer or an authorised officer of the licensing authority or, if not present, the conversant member of staff shall produce the footage as described within 24 hours of a reasonable & lawful request. Any footage must 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 a 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 is provided at the premises.

The premises licence holder shall ensure, by the completion of a written risk assessment, that the provision of SIA door supervisors at the premises is appropriate to ensure the safe control of the premises, and shall review this on a regular basis and upon request from the Police and/or the Licensing Authority.

A record (including name, SIA Badge number, Contact details) of the SIA Door Supervisors employed shall be kept for a period of 12 months and be made immediately available upon request of a Responsible Authority.

Documented written / online records of training shall be completed and kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Licensing Authority. Training shall include (but not exclusively):

- a) Responsibilities under the Licensing Act 2003
- b) Relevant Age restriction in respect of alcohol sales ie. Challenge 25,
- c) Recognising signs of drunkenness, refusing service

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol ('DPS Authorisation List' or similar). The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the notice.

*Continued from previous page...*

A refusals record will be kept at the premises which details all refusals to sell alcohol. This record will include the date and time of the incident, a description of the customer, the name of the staff member or volunteer who refused the sale, and the reason the sale was refused. All entries will be made within 24 hours of the refusal. The record will be made available for inspection upon request by an officer of a Responsible Authority.

An incident Record will be kept at the premises which details all incidents of concern that occur on the premises. This record will include the date and time of the incident, a description of the incident & customer, the name of the staff member or volunteer dealt with the matter, Police reference Number if reported. All entries will be made within 24 hours of the incident. The record will be made available for inspection upon request by an officer of a Responsible Authority.

The premises licence holder and/or designated premises supervisor shall ensure that any outside area included in the licence will be controlled in a safe and effective manner to the same standard operated within the premises building and will pay special attention to the impact that the use of the outside area has on the surrounding community

No super-strength beer, lagers, ciders, perry's or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises

There shall be no availability / sell of miniature spirits, or individual vessels / containers of Beers/larger/cider/perry's.

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

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.

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

Valid public liability insurance shall be kept in force and a copy of the schedule will be displayed at the venue and made available for inspection by an authorised Local Authority or Police Officer on request

d) The prevention of public nuisance

The holder of the premises licence shall ensure that noise caused by persons using, arriving at or departing from the premises shall not cause nuisance or unreasonable disturbance to the occupiers of residential properties

The holder of the premises licence shall ensure that no music or amplified speech originating from the premises shall be audible inside any residential property at any time. Note: For the purposes of this condition noise may be considered

*Continued from previous page...*

Inaudible when it is at a low enough level that it is not recognisable as emanating from the source in question and/or it does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

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

No deliveries may be made to the premises between 21.00 and 06.00 hours

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.

**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 EHIC 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.



**Continued from previous page...**

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

Continued from previous page...

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)

*Mehdi Amani*

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**

**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

Section A: Details of person or body making representation	
Your Name:	Dr Derek Brown, Chair Broadway Residents Assn.
Your Address:	████████ Broadway Peterborough PE1 4DT

Section B: Details of premises representation is about	
Name of Premises:	Hungry Boys café (current name: Application gives name as "Eastfield Off Licence")
Address of premises:	298 Eastfield Rd Peterborough PE1 4RA
Application No. (if known)	123049

Section C: Licensing objectives	
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 checked="" type="checkbox"/>

**Section D: Your Concerns**

Please summarise your concerns about this application:

There are already multiple off licences in the Eastfield Road area and another would add to the alcohol-related crime, disorder and public nuisance that is associated with these establishments. It is also inappropriate to promote alcohol sales very close to local educational establishments.

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

**Prevention of Crime and Disorder**

Alcohol-related crime and disorder are common in the Eastfield Road area with street drinking, abuse and threatening behaviour towards pedestrians and residents, and vandalism to private and public property by individuals under the influence of alcohol. Much of the alcohol is purchased from the multitude of existing off licences in the area. We do not need another to add to the problems.

**Prevention of public nuisance**

The area around 298 Eastfield Road is primarily residential and an off licence selling alcohol between 09.00 and 23.00, seven days a week, will attract drinkers who will generate noise and more alcohol fuelled disturbance throughout the day and late into the evening. They will also add to current litter problems in the area from discarded alcoholic drink containers.

**The protection of children from harm**

The premises is very close to the entrance to the Peterborough College which has many teenage students under the legal age for purchase of alcohol. It would be inappropriate to allow an establishment to promote alcohol use at the entrance to such an educational establishment.

<b>LICENSING ACT 2003 SUB COMMITTEE</b>		AGENDA ITEM No. 4
<b>20 OCTOBER 2023</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Liz Adamson, Food and Safety Manager Darren Dolby, Licensing Regulatory Officer	Tel: 07984 647157 Tel. 453491

<b>APPLICATION:</b>	<b>REVIEW OF PERSONAL LICENCE</b>
---------------------	-----------------------------------

<b>APPLICANT:</b>	Cambridgeshire Constabulary
-------------------	-----------------------------

<b>REFERENCE NO:</b>	123487
----------------------	--------

<b>LICENCE HOLDER :</b>	Alan Price
-------------------------	------------

<b>GLOSSARY OF TERMS:</b> Attached at <b>Appendix A</b> on <b>Page 33</b>
---

## 1. PURPOSE OF REPORT

- 1.1 To consider and determine this application for a review of the personal licence for Alan Price whose home address is given as 54 Shirley Road, Southampton, SO15 3EX taking into account the information that has been received.

## 2. BACKGROUND INFORMATION

- 2.1 Mr Price applied for a personal licence in March 2017 in the name of Raymond Alan Rayner. The documents supplied with the personal licence application included a criminal record subject access report. This report, dated 7<sup>th</sup> February 2007 indicated that there was no information held on the Police National Computer relating to Mr Price. In February 2009 there was a request for a change of name by deed poll to Alan Wilkinson. In September a change of name by deed poll was requested by Alan Wilkinson to change his name to George Coulson. In March 2014 a request was received to revert back to Raymond Rayner before in May 2017 a request of a change of name to Alan Price was received. Alan Price is the current name of the licence holder.
- 2.2 On 31 August 2023 a request was received from Cambridgeshire Constabulary for the review of Mr Prices's personal licence. This request was made as a result of Mr Prices's conviction at Southampton Crown Court on 25 August 2023 for the offence of Sexual Assault – Intentionally touch female – No penetration contrary to Section 3 of the Sexual Offences Act 2003 and is a relevant offence in relation to the Licensing Act 2003. Cambridgeshire Constabulary's letter to review Mr Price's personal licence can be found at **Appendix B, Page 35**
- 2.3 Mr Price received a suspended 3 month custodial sentence wholly suspended for 15 months for the offence.
- 2.4 Mr Price did not notify the Licensing Authority of his conviction.

2.5 The Police have requested that the Committee consider suspending or revoking Mr A Prices's personal licence.

### **3. APPLICATION**

3.1 Please refer to Cambridgeshire Constabulary's letter dated 28 August 2023. This is an application to review Mr Price's personal licence.

### **4. MEDIATION**

4.1 No mediation has been attempted

### **5. POLICY & GUIDANCE IMPLICATIONS**

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

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

- Objectives, Section 4 on Page 6
- Fundamental Principles, Section 6 on Page 8
- Reviews, Section 17 page 20
- 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 13
- Applications for Personal Licenses – Section 4 pages 21 to 37
- Determining applications – Section 9 pages 73 to 81
- Reviews – Section 11 page 94 to 100

### **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 28 August 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 – December 2022.

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:

- Revoke or suspend the personal licence
- Allow Mr Price to keep his personal licence



## 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

Ref: Personal Licence Holder Mr Alan PRICE



Creating a safer  
**Cambridgeshire**

Thursday 31<sup>st</sup> August 2023

Licensing Authority  
Peterborough City Council  
Sand Martin House,  
Bittern Way,  
Peterborough  
PE2 8TY.

Licensing Officer,

Re: Personal Licence 049687- Mr Alan PRICE (16/06/1963)

Mr Alan PRICE who holds a Alcohol Personal Licence 049687 (copy attached) with Peterborough City Council, recently attended Southampton Crown Court in relation to allegation of SEXUAL ASSAULT -INTENTIONALLY TOUCH FEMALE - NO PENETRATION. The incident occurred on 07/07/22 on Licensed Premises namely WATERLOO ARMS, 101 Waterloo Rd, Southampton.

After checking relevant police systems, I can confirm that Mr Alan PRICE was convicted at Southampton Crown Court on 25/08/2023 (Court Ref: 22/1304/69684E), receiving a suspended imprisonment of 3 months wholly suspended for 15 months.

Sexual Assault by touching, contrary to section 3 of the Sexual Offences Act 2003, is a relevant offence under the Licensing Act 2003. Unfortunately, the courts did not deal with his Alcohol Personal Licence at the time.

Section 138 of the Policing and Crime Act 2017 amended the Licensing Act 2003 and gave licensing authorities the power to revoke or suspend personal licenses with effect from 6th April 2017. Cambridgeshire Constabulary respectfully requests that the licensing authorities consider the use of this power, and the process to revoke a personal licence as set out at section 132A of the Licensing Act 2003.

Yours faithfully,

*Paul Hawkins*

PC2094 Paul Hawkins  
Police Licensing Officer  
Partnership & Operational Support  
Thorpewood Police Station  
Cambridgeshire Constabulary  
Peterborough  
PE3 6SD  
Email: [licensingnorth@cambs.police.uk](mailto:licensingnorth@cambs.police.uk)