

LICENSING ACT 2003 SUB-COMMITTEE

MONDAY 22 JANUARY 2024

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 - Temptation Taste of Portugal, 1237 Bourges Boulevard, New England, Peterborough, PE1 2AU** 3 - 52

4. **Application for a Premises Licence Review - UK Plus EU, 27 Broadway, Peterborough, PE1 1SQ** 53 - 88



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

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Committee Members:

Councillors: Ray (Chairman), Thulbourn, and Bond (Vice Chairman)

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

LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 3.
22 January 2024		PUBLIC REPORT
Contact Officers:	Maria Crowe, Trainee Regulatory Officer Darren Dolby, Licensing Regulatory Officer	Tel. 453426 Tel. 453540

APPLICATION: NEW PREMISES LICENCE

APPLICANT: Mr Alfredo Correia

REFERENCE NO: 124535

PREMISES: Temptation Taste of Portugal, 1237 Bourges Boulevard, New England, Peterborough, PE1 2AU

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 Temptation Taste of Portugal, 1237 Bourges Boulevard, New England, Peterborough, PE1 2AU 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. This premises has never been licenced as it was formerly a bakery.

2.2 Since 18th 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** which includes a map of the CIA area.

2.3 The premises fall within the ‘Operation Can – Do’ area and is therefore subject to the provisions of the special ‘cumulative impact’ policy.

3. AUTHORISATIONS AND TIMES APPLIED FOR

- **Sale of alcohol for consumption both on and off the premises**

Monday to Sunday 10:00 to 22:00

4. APPLICATION

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

4.2 Representations against the application being granted have been received from Cambridgeshire Constabulary and Peterborough City Councils Public Health team in their

capacity of a 'Responsible Authority', and from Peterborough City Council Safer Community Service, in their capacity of 'other persons'. These representations are attached at **Appendices D, E and F on Page 39, 45 and 51.**

- 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 contribute to anti-social behaviour and crime in the area.
 - The increase in alcohol related hospital admissions.
- 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 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 28 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 at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. 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.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.

The premises licence holder shall ensure, by the completion of a risk assessment, that the provision of 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.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the police
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs, offensive weapons, fraudulent ID or other items
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any faults in the CCTV system, searching equipment or scanning equipment
- (i) any visit by a relevant authority or emergency service
- (j) the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.

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 i.e. challenge 25
- c) Recognising signs of drunkenness, refusing service
- d) Actions to be taken in an emergency/reporting an incident to emergency services
- e) Crime scene management (i.e. spiking/assaults/sexual assaults)
- f) Drugs policy
- g) Safeguarding (children and vulnerable persons)
- h) Spiking
- i) Suspicious packages
- j) VAWG (violence against women and girls) preventative training.

A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Licensing Authority at all times while the premises are open.

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.

The only alcohol permitted to be sold at the premises, for both, on and off sales, will be confined to premium wines and beers.

No beer over 5% ABV will be sold at the premises.

Labels/stickers will be attached to every vessel of alcohol sold, clearly identifying that the alcohol was purchased at Temptation – Taste of Portugal.

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**

Music played at the premises shall be background only. For the purposes of this condition, 'background' means music that is inconspicuous i.e., it is possible to hold a conversation at normal volume with the music playing.

The premises licence holder, or a responsible person nominated by them in writing, shall receive and respond to complaints throughout the duration of all licensable activities. These complaints shall be recorded, and the records made available to the local authority upon request. Such records shall be retained for a minimum of 2 years.

Alcohol consumed outside the premises shall only be consumed by patrons seated at tables.

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 April 2018**

- The Licensing Objectives – Section 2 pages 6 to 12
- Applications for Premises Licences – Section 8 pages 55 to 72
- Determining applications – Section 9 pages 74 to 82
- Conditions Attached to Premises Licences – Section 10 page 83 to 95

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 27 November 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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Peterborough
Application for a premises licence
Licensing Act 2003

For help contact
licensing@peterborough.gov.uk
 Telephone: 01733453491

* required information

Form errors

Some data entered into this form is invalid. Please resolve before continuing.

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

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

Alfredo

* Family name

Correia

* 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.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="Westlake Ave"/>
* Street	<input type="text"/>
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="PE7 8JH"/>
* Country	<input type="text" value="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	<input type="text" value="Temptation Taste of Portugal"/>
Street	<input type="text" value="1237 Bourges Boulevard"/>
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 2AU"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="9,700"/>

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

Alfredo

Family name

Correia

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="Westlake Ave"/>
Street	<input type="text"/>
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="PE7 8JH"/>
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"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>
* Nationality	<input type="text"/>
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.

The premises will be a Portuguese / Mediterranean inspired deli & supermarket with a small coffee shop. The sale of alcohol will consist of wine & beer only in both the deli and the cafe. The wine & beer on display for off sales will take up no more than 5% of the entire floorspace of the premises. The consumption area for the on sales of alcohol will be confined to the cafe seating area as defined on the plan.

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 10:00

End 22:00

Start

End

SATURDAY

Start 10:00

End 22:00

Start

End

SUNDAY

Start 10:00

End 22:00

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

Alfredo

Family name

Correia

Date of birth

aa mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="Westlake Ave"/>
Street	<input type="text"/>
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="PE7 8JH"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="045947"/>
Issuing licensing authority (if known)	<input type="text" value="PCC"/>

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 only alcohol permitted to be sold at the premises, for both on & off sales, will be confined to premium wines & beers.

The area that alcohol will be displayed will not be any more than 5% of the total floor area of the premises.

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 28 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 48 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) regarding installation of CCTV is provided at the premises

The premises licence holder shall ensure, by the completion of a risk assessment, that the provision of 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

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the police
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs, offensive weapons, fraudulent ID or other items
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any faults in the CCTV system, searching equipment or scanning equipment
- (i) any visit by a relevant authority or emergency service
- (j) the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.

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
- d) Actions to be taken in an emergency / Reporting an incident to Emergency Services
- e) Crime scene management (ie. Spiking / Assaults / sexual Assaults)
- f) Drugs Policy
- g) Safeguarding (children & Vulnerable Persons)
- h) Spiking
- i) Suspicious Packages
- j) VAWG (violence against Women & Girls) preventative training

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A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Licensing Authority at all times.

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.

The only alcohol permitted to be sold at the premises, for both on & off sales, will be confined to premium wines & beers.

No beer over 5% ABV will be sold at the premises

Labels / stickers will be attached to every vessel of alcohol sold clearly identifying that the alcohol was purchased at Temptation - Taste of Portugal

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

Music played at the premises shall be background only. For the purposes of this condition, 'background' means music that is inconspicuous i.e. it is possible to hold a conversation at normal volume with the music playing.

The premises licence holder, or a responsible person nominated by them in writing, shall receive and respond to complaints throughout the duration of all licensable activities. These complaints shall be recorded and the records made available to the local authority upon request. Such records shall be retained for a minimum of 2 years

Alcohol consumed within the premises shall only be consumed by patrons seated at tables

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.

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- 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.

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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.

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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.

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- 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

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 you 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)

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

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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.

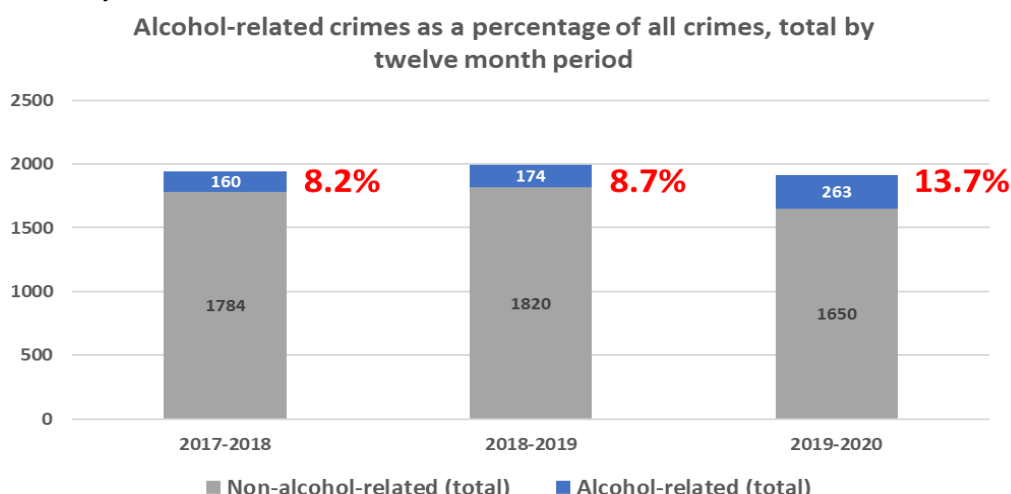
The National Institute for Health and Care Excellence (NICE) public health guideline on the prevention of alcohol-use disorders, concludes that reducing the number of outlets selling alcohol in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm. 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.¹

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.

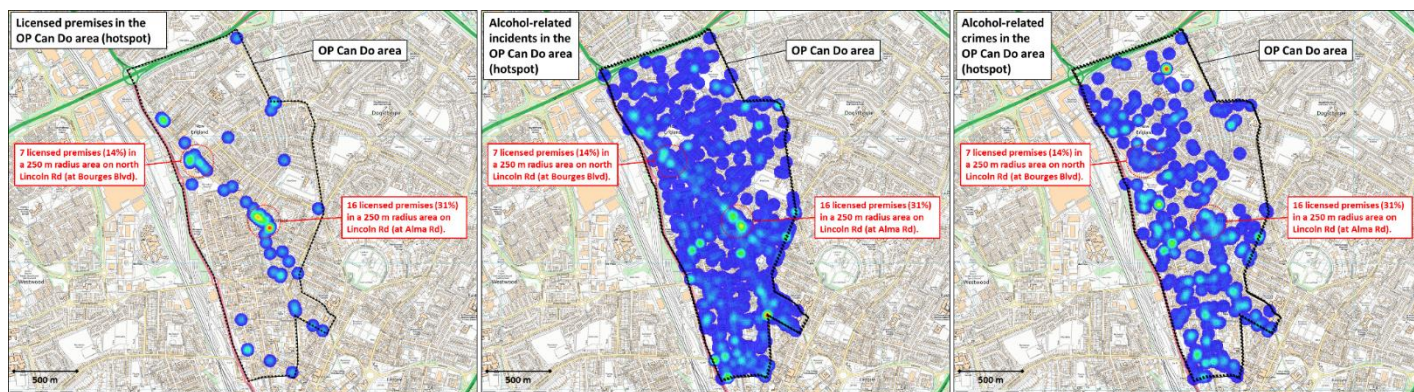


¹ The data provided by the Force Performance Team, covered the period 1 October 2017 to 30 September 2020. Crime data was drawn from CrimeFile for 2017 and part of 2018, and Athena from mid-2018 onward. All incident data was drawn from C&C3

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 16th December 2019 there were 2,344 Fixed Penalty Notices (FPNs) issued for breaches of the Millfield, New England, Eastfield and Embankment order for littering, spitting, urination and defecation and failing to disperse for alcohol and general ASB.

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

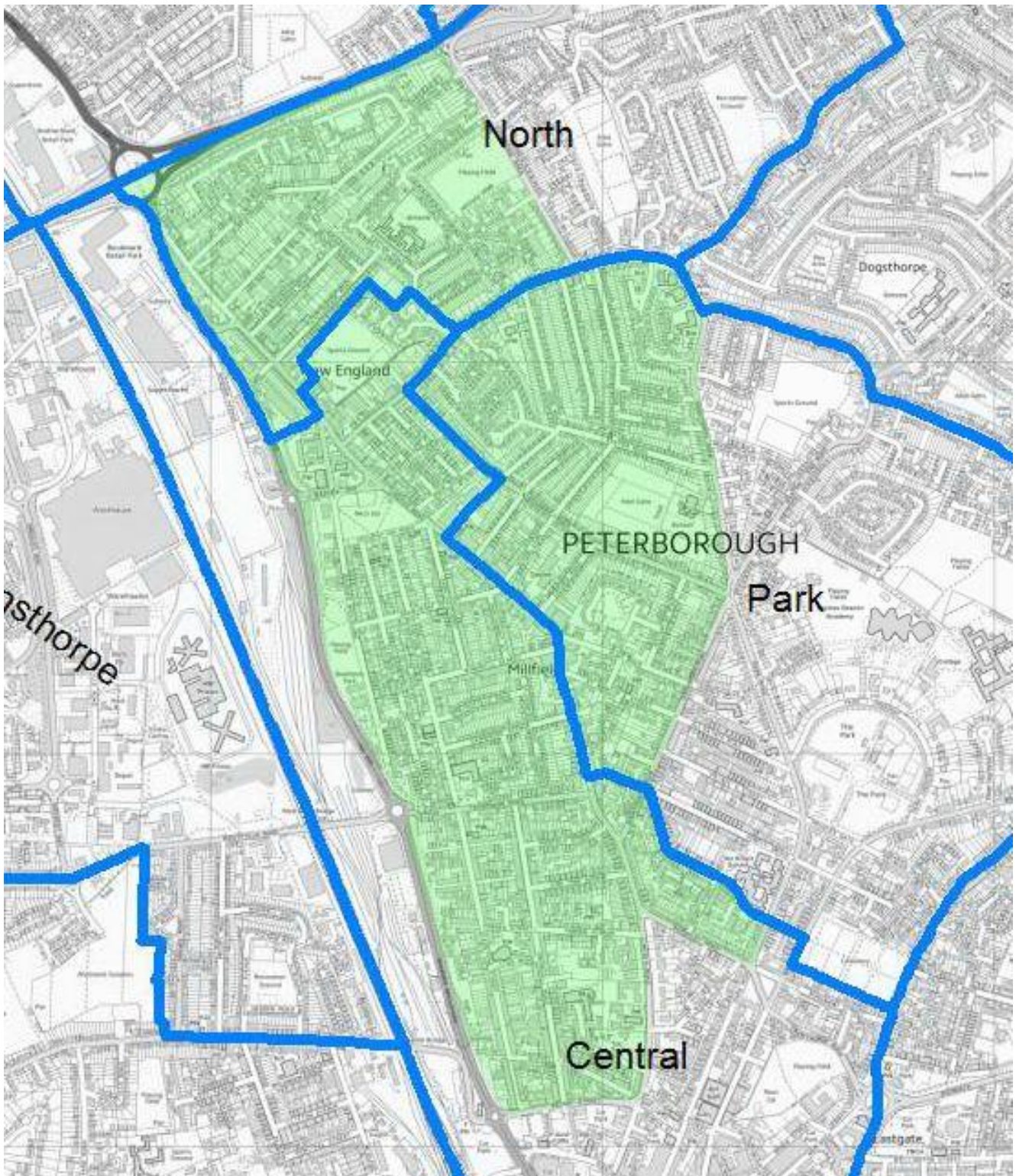


Table of Street Names Within the Current CI Area

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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Creating a safer
Cambridgeshire

Ref: Premises Licence Application -
Temptation Taste of Portugal, 1237
Lincoln Rd, Peterborough, PE1 2AU
(ref: 124535)

Monday 04th December 2023

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

To whom it may Concern,

Re: Premises Licence Application – Temptation Taste of Portugal, 1237 Lincoln Rd, Peterborough, PE1 2AU (ref: 124535)

On 28th November 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 Temptation Taste of Portugal, 1237 Lincoln Rd, Peterborough PE1 2AU – PCC Licensing Application 124535 refers.

The application has been submitted electronically by Mr Alfredo CORREIA, the Application also seeks to make Mr Alfredo CORREIA the Designated Premises Supervisor (DPS).

This application is for a new premises licence Temptation Taste of Portugal, 1237 Lincoln Rd, Peterborough PE1 2AU. It is proposed that the premises will be open, for the supply of alcohol 'ON & Off Premises' between 10:00 and 22:00 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, (Temptation Taste of Portugal, 1237 Lincoln Rd, Peterborough, PE1 2AU), available to comment on, as it is not currently operating. It is however located within the CAN-DO Operational area, within an area known as THE TRIANGLE, an area that is already associated with Anti-

Social Behaviour. 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 that are proportionate and relevant. However, it is noted that a similar application made by Hana Express, Burghley Rd, Peterborough was recently refused by the Licensing Sub Committee and for transparency, Cambridgeshire Constabulary would like this application to be given the same consideration.

If granted, the premises is likely to add to the existing cumulative impact. The premises is situated in an area where there already exist a high number of licensed premises offering "Off Sales" all within a short distance and the area is at saturation point within the CAN-DO area.

For example:

International Food Ltd - 415 Lincoln Road.

Good Food - 489a Lincoln Road.

Julia Polish Shop – 573 – 577 Lincoln Road

A Tasca Restaurant - 583 Lincoln Road.

Premier - 609 Lincoln Road

Millfield Off Licence - 653 Lincoln Road

Little Europe - 715 Lincoln Road

Krautuvely (Lithuanian Food) - 733 Lincoln Road

Alexandra Trading - 735 Lincoln Road

Crown Inn - 749 Lincoln Rd

Bill's Off Licence - 135-137 Harris Street
Post Office Sports & Social Club - Bourges Boulevard
Nectar - 1231 - 1233 Bourges Boulevard
The Triangle - 1253 Bourges Boulevard,
Express Booze - 97 St Pauls Road

The location is also within the area recently adopted for the “CLEAR, HOLD, BUILD” initiative. Which is a multi-agency partnership tactic, designed by the Home Office and endorsed by the Policing Inspectorate, to rescue areas of the country most blighted by organised crime.

Aim

The initiative aimed to:

- tackle organised crime groups (OCGs) acting in the neighbourhood
- build community resilience
- improve confidence and trust in the police
- make the area a safer place to live

This is achieved through three flexibly deployed phases of activity – clear, hold and build (CHB).

Clear

The clear phase involves initial targeted enforcement activity (arrests and relentless disruption) that target OCG members, their networks, business interests, criminality, and spheres of influence. The police use all powers and levers to impact on their ability to operate, creating safer spaces to begin restoring community confidence.

Hold

The hold phase involves consolidating and stabilising the initial clear phase to stop remaining or other OCG members capitalising on the vacuum created.

This phase aims to improve community confidence by ensuring spaces remain safe. Visible neighbourhood policing in hot spot areas is used to provide continuing reassurance.

Build

The build phase involves a whole-system approach to delivering community-empowered interventions that tackle drivers of crime, exploitation of vulnerabilities and hotspots of harm.

This phase aims to build:

- improved engagement with services
- increased confidence within the community
- greater reporting through to police and partnerships through continued neighbourhood policing and partnerships working

[Government announces crackdown against organised criminal gangs - GOV.UK](https://www.gov.uk/government/news/government-announces-crackdown-against-organised-criminal-gangs)
(www.gov.uk)

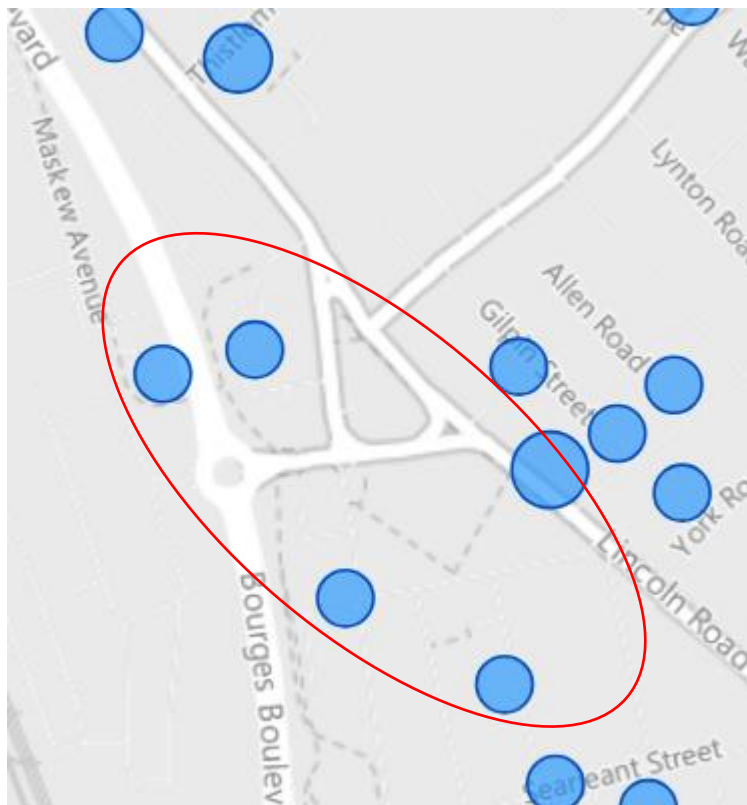
Alcohol related incidents within the application area 01/01/2023 to 23/11/23



Alcohol related Incidents in the area, those within close proximity to the premises are within the **RED** area and below a summary of those incidents.

Incident Type	Quantity
Concern	6
Suspicious Circumstances	1
Road Offence	1
Collapse / ILL	1
Burglary Dwelling	1
Domestic Related	2
Civil Dispute	1

Alcohol related Crimes within the application area 01/01/2023 to 23/11/23



Alcohol related Crimes in the area, those within close proximity to the premises are within the **RED** area and below a summary of those Crimes.

Crime Type	Quantity
Public Order	1
Criminal Damage	1
Violence with Injury	3
Other Sexual Offences	2

In Summary

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 for the Licensing Sub-Committee.

Kind regards & without prejudice

Paul Hawkins

Paul Hawkins
Police Constable 2094
Licensing Officer
Northern District
Cambridgeshire Constabulary

Email: licensingnorth@cambs.police.uk

Telephone: 01223 727993
 Email: Joseph.keegan@cambridgeshire.gov.uk
 Our Reference:



Licensing
 Regulatory Services
 Peterborough City Council

Public Health Directorate
 Peterborough City Council
 Sand Martin House
 Bittern Way
 Peterborough
 PE2 8TY

12 December 2023

Dear Licensing Committee

**Re: Licensing application -
 Temptation Taste of Portugal, 1237 Lincoln Rd, Peterborough, PE1 2AU**

As Director of Public Health, I would like to submit a representation in respect of the above proposed premises **Temptation Taste of Portugal**. The application relates to a new premises located within the Cumulative Impact (CI) area of Peterborough included in the Cumulative Impact Policy (CIP).

The CIP was introduced in recognition of the saturation of premises in the area back in 2013. Just last month (November 2023) the Licensing committee approved a continuation/extension of the policy **following representations being received by myself as Director of Public Health and other responsible authorities locally**. I made a representation, as I remain concerned as this area is characterised by high levels of deprivation, alcohol related hospital admissions, alcohol related anti-social behaviour and related issues of criminality. There are a total of 84 licensed premises already in the Cumulative Impact Zone (CIZ).

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 North Ward which is among the 20% of the most deprived wards in England. Out of the twenty-two wards in Peterborough, North Ward is the 3rd 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:

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

Source: Ward level deprivation calculated by aggregating from LSOA level, provided by the Ministry of Housing, Communities and Local Governments, 2019. [2018 ward boundaries are used].

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

There is extensive research which examines the relationship between Alcohol Outlet Density (AOD) and alcohol-related harms.¹ 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)² guideline on the prevention of alcohol-use disorders and the supporting evidence base³ 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.

Alcohol Related Hospital Admissions

The figures in Table 2 show alcohol specific hospital admissions for the residents of North Ward. In terms of numbers of admissions, North Ward has the second recorded numbers of admissions for

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

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

³ 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 specific conditions of all Peterborough wards for 2022/23. Rates in red as shown for North Ward are significantly above the England and the Peterborough average.

Table 2: Alcohol Specific Admission rates

Area	2022/23		
	Rate	Lower CI	Upper CI
Barnack	628	375	982
Bretton	339	230	483
Central	684	532	864
Dogsthorpe	470	334	643
East	681	524	870
Eye, Thorney and Newborough	285	187	415
Fletton and Stanground	486	355	649
Fletton and Woodston	564	409	756
Glington and Castor	384	242	574
Gunthorpe	177	99	293
Hampton Vale	242	141	383
Hargate and Hempsted	825	521	1,220
North	695	530	894
Orton Longueville	371	258	517
Orton Waterville	418	293	578
Park	536	394	713
Paston and Walton	356	247	496
Ravensthorpe	494	364	655
Stanground South	354	230	519
Werrington	468	346	620
West	325	186	525
Wittering	265	113	525
Peterborough Total	456	425	488

Source: fingertips.phe.org.uk

	Statistically significantly lower than England average
	Statistically similar to the England average
	Statistically significantly higher than England average

This level of hospital admissions is a significant concern and indicates the impact alcohol is having on the local population. Already really close by the following outlets sell alcohol in the nearby area serving the local population seeking to purchase alcohol, no more outlets are needed:

- International Food Ltd - 415 Lincoln Road.
- Good Food - 489a Lincoln Road.
- Julia Polish Shop – 573 – 577 Lincoln Road
- A Tasca Restaurant - 583 Lincoln Road.
- Premier - 609 Lincoln Road
- Millfield Off Licence - 653 Lincoln Road
- Little Europe - 715 Lincoln Road

- Krautuvely (Lithuanian Food) - 733 Lincoln Road
- Alexandra Trading - 735 Lincoln Road
- Crown Inn - 749 Lincoln Rd
- Bill's Off Licence - 135-137 Harris Street
- Post Office Sports & Social Club - Bourges Boulevard
- Nectar - 1231 - 1233 Bourges Boulevard
- The Triangle - 1253 Bourges Boulevard,
- Express Booze - 97 St Pauls Road

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.⁴

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 nearby Central Ward was the ward with the highest rate of anti-social behaviour in Peterborough and is over 2.5x higher than that of next highest ward. North Ward where the premises is situated, has the 5th highest anti-social behaviour rate of all Peterborough's 22 wards.

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

Ward Name	Anti-social behaviour Rate (May-22 - Apr-23)
Central	65.2
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

⁴ 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>

In addition to the data above, a recent public consultation was carried out from 11th July 2023 to 8th August 2023 on proposed public realm improvements in the nearby area of Lincoln Rd, between Sergeant Street and Windmill Street. 183 people were engaged with at public events and 310 surveys were completed. The feedback in relation to general ASB/safety included:

- Concerns around drinking/drug use
- General safety concerns
- Issues raised regarding the perceived prevalence of business alcohol and gambling licenses
- Issues raised regarding ASB and suggestions that a greater police presence is required
- Suggestions that there are too many gambling shops and off-licenses along the road (some commenting these exacerbate ASB issues)
- Suggestions that additional CCTV is required

This illustrates the level of concern there is from local residents.

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
Executive Director: Public Health
Cambridgeshire County Council & Peterborough City Council

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Telephone: 01733 453576
E-Mail: 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

8th December 2023

**Re: Licensing application Temptation Taste of Portugal,
 1237 Bourges Boulevard - 124535**

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

The application relates to a premises located within the Millfield area of Peterborough which 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 at this location and the surrounding area. The Cumulative Impact (CI) policy has been in place since April 2013 and has remained thereafter as the saturation of licensed premises cumulatively, contained to have a negative impact on all four of the licensing objectives. The CI policy was subject to review and consultation again in 2018 and 2020, where it was determined to retain the policy and publish a Cumulative Impact Assessment (CIA) statement, detailing the evidence for its retention. The CIA includes the statement that the licensing authority considers that the number of premises in the defined boundary is such that it is likely that the granting of further licenses would be inconsistent with the authority's duty to promote the licensing objectives.

Whilst it is acknowledged that the CIA does not remove the licensing authority's discretion to grant a licence where it considers it appropriate, there is nothing in the application to suggest that there are compelling reason to depart from this policy. 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 and businesses in the area as evidenced in the CIA statement.

In addition to the CIA, the Local Authority implemented a Public Spaces Protection Order (PSPO) for the Millfield, New England, Eastfield and Embankment area since 2017. The PSPO 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.

This premises is located within an area of Millfield known as 'The Triangle', an area that is already associated with anti-social behaviour. In previous years the historical Clock Tower near the Triangle was boarded up following complaints to ward Councillors, police and the council concerning people congregating and drinking, urinating, defecating within the recesses of the clock tower. There is concern that enabling further availability of alcohol in this area could

contribute further to crime and anti-social behaviour and impact negatively on the those who live and work in the area.

A recent public consultation was carried out from 11th July 2023 to 8th August 2023 on proposed public realm improvements in the nearby area of Lincoln Rd, between Searjeant Street and Windmill Street. 183 people were engaged with at public events and 310 surveys were completed. The feedback in relation to general ASB/safety included:

- Concerns around drinking/drug use
- General safety concerns
- Issues raised regarding the perceived prevalence of business alcohol and gambling licenses
- Issues raised regarding ASB and suggestions that a greater police presence is required
- Suggestions that there are too many gambling shops and off-licenses along the road (some commenting these exacerbate ASB issues)
- Suggestions that additional CCTV is required

The Safer Communities service does not support the premises licence application for sales of alcohol at this premises. The application, if granted would add to the availability of alcohol in an area that is already at saturation point and experiencing high levels of crime and anti-social behaviour.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Clair George', with a stylized flourish at the end.

Clair George
Head of Safer Communities

LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No 4
22 JANUARY 2024		PUBLIC REPORT
Contact Officers:	Jacqui Harvey, Head of Operations Environmental Health, Licensing & Trading Standards	Tel. 453502
	Darren Dolby, Senior Licensing Regulatory Officer	Tel. 453540

APPLICATION: Review of Premises Licence

PREMISES: UK Plus EU – 27 Broadway, Peterborough, PE1 1SQ

REFERENCE NUMBER: MAU: 125014

GLOSSARY OF TERMS: Attached at **Appendix A** on **Page 56**

1. PURPOSE OF REPORT

1.1 To consider and determine an application for the review of a Premises Licence under Section 51 of the Licensing Act 2003 served by Cambridgeshire Constabulary in relation to the above premises. The review was brought under the Prevention of Crime and Disorder objective.

2. BACKGROUND INFORMATION

2.1 Initially an application for a new premises licence made under the Licensing Act 2003 was made by News Etc Peterborough Ltd in October 2011. This application was granted on 22 November 2011. The licence was transferred on several occasions until on 21 November 2022 it was transferred to the current licence holder, Mr Alan Amer. In July 2023 Mr Amer also became the Designated Premises Supervisor.

2.2 A copy of the current licence is attached at **Appendix B Page 59**.

3. APPLICATION

3.1 In accordance with section 51 of the Licensing Act 2003 following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority must hold a hearing.

3.2 A copy of the application to review was received on 5 December 2023, a copy of this application is attached at **Appendix C – Page 69**.

3.3 A statutory ‘Notice’ was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

3.4 A representation in support of the application has been received from Peterborough City Council’s Safer Communities Team in their capacity as ‘other persons’ at **Appendix D - Page 85**. There have been no other representations from any of the other responsible authorities.

4. SUMMARY OF ISSUES RAISED BY RESPONSIBLE AUTHORITIES

- On 13 November 2023 a known shoplifter entered the store in possession of goods which had been stolen from a store in Hereward Cross. The shoplifter left the store and was arrested nearby. Police then entered the store and recovered 2 boxes of stolen chocolate bars from the rear storeroom.
- Based on the above the store is suspected of selling stolen goods.
- Behind the store's main counter Police found a metal pole which appeared to have been adapted to use as a weapon.
- Section 11.28 of Guidance (issued under section 182 of the Licensing Act 2003) recommends that revocation of the licence even in the first instance, should be seriously considered where reviews arise and the licensing authority determines, that the crime prevention objective is being undermined through the premises being used to further crimes.

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 Pages 6 and 7*
- Other Legislation: *section 8 on Page 9*
- Reviews: *section 17 on Page 20*
- Delegation / Decision Making / Administration: *Section 18 page 20 and 21*

5.3 Guidance Issued under Section 182 of the Licensing Act 2003 (Dec 2022)

- Reviews: *Section 11 pages 94 to 100*
- Determining applications: *Section 9 pages 73 to 81*

6. LEGAL OFFICER'S COMMENTS

6.1 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 review of a premises licence following the application by Cambridgeshire Constabulary (Responsible Authority) to review the premises licence made under section 51 of the Licensing Act 2003.

6.2 In this case, the application was received at these offices on 5 December 2023.

6.3 The application before this committee will consider –

- (i) The application to review the licence,
- (ii) Any relevant representations

6.4 The committee will take such of the steps as it considers that action is appropriate for the promotion of the licensing objectives. The steps are –

- (a) to modify the conditions of the premises licence
- (b) to exclude a licensable activity from the scope of the licence
- (c) to remove the designated premises supervisor from the licence
- (d) to suspend the licence for a period not exceeding three months, or
- (e) to revoke the licence

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added

6.5 In addition the guidance issued under section 182 of the Licensing Act 2003 states:

'The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent

a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder. However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach and should take this in to account when considering what further action is appropriate.’

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

PART A**Premises Licence**

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

Premises Licence Number

121357

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

UK Plus EU
27 Broadway

Post Town Peterborough

Post Code PE1 1SQ

Telephone Number

Where the licence is time limited the dates

Start Date N/A
End Date N/A

Licensable activities authorised by the licence

Sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Monday to Sunday Between 07.00hrs and 22.00hrs

The opening hours of the premises

Monday to Sunday Between 05.00hrs and 23.00hrs

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

The supply of alcohol will be for consumption off the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Alan Amer
27 Broadway
Peterborough
PE1 1SQ

Registered number of holder, for example company number, charity number (where applicable)

N/a

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Alan Amer
27 Broadway
Peterborough
PE1 1SQ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number	118609
Issuing Authority	Peterborough City Council

Annex 1 - Mandatory conditions

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

Supply of alcohol (Premises Licence)

This registration authorises the supply of alcohol subject to the following conditions:

1. No supply of alcohol may be made at a time when
 - (a) there is no designated premises supervisor in respect of the premises licence, or
 - (b) when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (i) a holographic mark or
 - (ii) an ultraviolet feature.
4.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence,

or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision (where supervisors are engaged this condition applies)

5. All door supervisors will be Security Industry Authority registered.

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

6. A personal licence holder shall be on the premises at all times they are open for the hours authorised on the premises licence for the sale of alcohol off the premises.
7. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.
8. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the shop and made available to Police, Council and HMRC Officers upon request.
9. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.
10. 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.
11. 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.
12. CCTV recording equipment and associated cameras will be maintained once a week and will record and store digital images for a period not less than 28 days. A record of maintenance is to be kept and made available to an authorised officer upon request. CCTV images shall be produced to an authorised officer upon request.
13. CCTV cameras will be positioned so that they cover the front aspect / entrance of the property in addition to internal public rooms and the customer service area.
14. Notices advising that CCTV has been installed on the premises shall be posted so that they are clearly visible to the public within the licensed premises.
15. An authorised person will be available at all times on the premises to show CCTV images immediately or to an authorised officer on demand.
16. CCTV images will be clear and comprehensible.

Public Safety

17. 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.
18. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
19. Valid public liability insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.
20. All door supervisors will be Security Industry Authority registered.

Public Nuisance

21. The premises license holder shall take all necessary steps to ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises / nearest residential property.
22. Receptacles for waste shall be emptied regularly to minimise nuisance smells.
23. Adequate and suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site.
24. Litter shall be prevented at all times and where identified regularly cleared from the vicinity of the premises.

Protection of Children from Harm

25. Staff training in relation to identifying and preventing sales of alcohol to any person who is, or appears to be drunk should be undertaken on a monthly basis. This training, together with ongoing training to prevent underage sales, such as challenge 21 or challenge 25, should be recorded in a written format and be available to an authorised officer upon demand.
26. Signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 21' / 'Challenge 25' initiative.

Annex 3 - Conditions attached after a hearing by the licensing authority – None

Annex 4 – Plans

PART B

Premises licence summary

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

Premises Licence Number

121357

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

UK Plus EU
27 Broadway

Post Town Peterborough

Post Code PE1 1SQ

Telephone Number 01733 314047

Where the licence is time limited the dates

Start Date N/A
End Date N/A

Licensable activities authorised by the licence

Sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Monday to Sunday Between 07.00hrs and 22.00hrs

The opening hours of the premises

Monday to Sunday Between 05.00hrs and 23.00hrs

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

The supply of alcohol will be for consumption off the premises.

Name, (registered) address of holder of premises licence

Mr Alan Amer
27 Broadway
Peterborough
PE1 1SQ

Registered number of holder, for example company number, charity number (where applicable)

N/a

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Alan Amer

State whether access to the premises by children is restricted or prohibited

Restricted

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

LC1



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

**Application for the review of a premises licence or club premises certificate under
the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I, PC 2094 Paul HAWKINS acting on behalf of The Chief Constable Nick DEAN of Cambridgeshire Constabulary apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
UK PLUS EU 27 BROADWAY	
Post town PETERBOROUGH	Post code (if known) PE1 1SQ

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Name of premises licence holder or club holding club premises certificate (if known)

Mr Alan ALI-AMER

Number of premises licence or club premises certificate (if known)

121357

Part 2 - Applicant details

Please tick yes

I am

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Other
 title

(for example, Rev)

Surname

First names

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

I am 18 years old or over

Please tick yes

Current address

Post Town

Postcode

Daytime contact telephone
number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Cambridgeshire Constabulary
Hinchingsbrooke Park
Huntingdon
Cambridgeshire
PE29 6NP

Telephone number (if any)

E-mail (optional)
LicensingNorth@cambs.police.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder**

Please state the ground(s) for review (please read guidance note1)

This application to review the premises licence

UK Plus EU
27 Broadway
Peterborough
PE1 1SQ

On Monday 13th November 2023, at approximately 10:10 hours a known shoplifter in possession of stolen goods from a store situated on Hereward Cross, enters UK PLUS EU, 27 BROADWAY, PETERBOROUGH, PE1 1SQ and leaves without the stolen items which are subsequently located minutes later in the rear storeroom of UK PLUS EU by attending officers.

Persons involved in the running of UK PLUS EU are suspected of being involved and facilitating in the handling of stolen goods for personal gain.

Consideration has been given to the Licensing Objectives:

- The prevention of crime and disorder;

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Please provide as much information as possible to support the application (please read Guidance

UK PLUS EU, 27 BROADWAY, PETERBOROUGH, PE1 1SQ

The premises is operating as a local convenience store and alcohol off licence operating under premises licence (PL No: 121357) issued by Peterborough City Council (PCC) [REDACTED]. The premises licence holder is listed as Alan ALI-AMER.

The premises licence allows the following:

Premises Opening Times

Monday to Sunday 05:00 to 23:00hrs

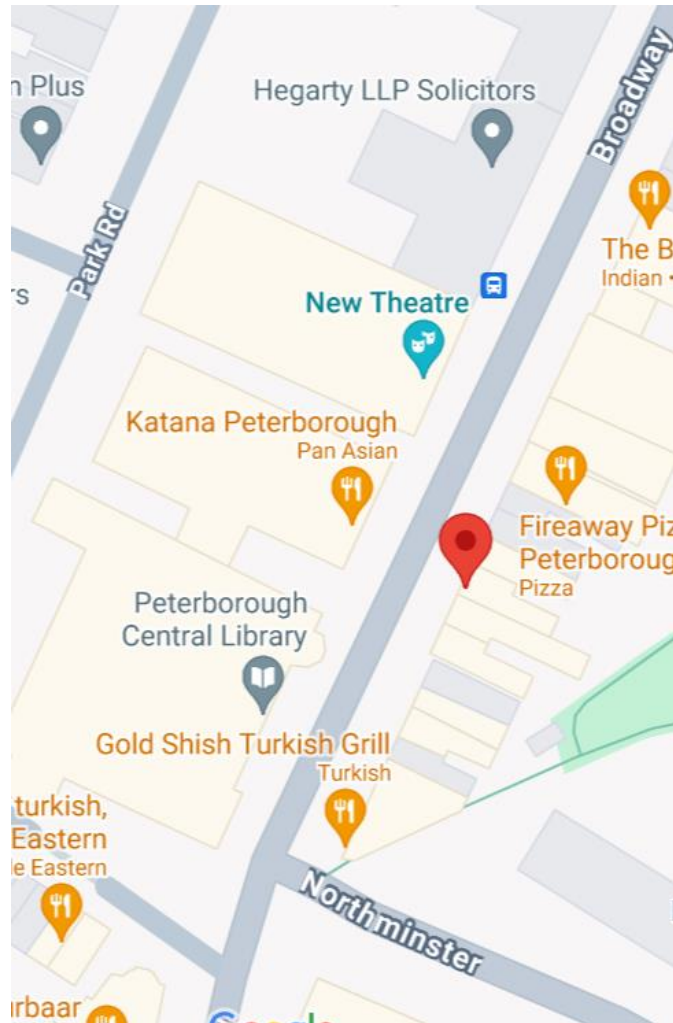
Sale by Retail of Alcohol

Monday to Sunday 07:00 to 22:00hrs

The premise is situated within an area of commercial properties.



APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH PREMISES LICENCE



On Monday 13th November 2023, at approximately 10:00 hours a known MALE SHOPLIFTER stole items from Poundland, Hereward Cross, Peterborough and is captured on Peterborough City Council CCTV to cycle directly to UK PLUS EU, 27 BROADWAY, PETERBOROUGH, props his cycle outside the premises, seen to enter with a heavy bag due to the weight of the stolen items, a few minutes later the same MALE is seen to leave the store with the same bag, although visibly lighter. Two Officers detain the MALE a couple of streets away, in the process the MALE discards £15 in bank notes.

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Other officers attend UK PLUS EU and recover two boxes of stolen galaxy chocolate bars valued at £60 from the rear storeroom, the exact items stolen from Poundland.



CCTV from the UK PLUS EU shows the MALE Shoplifter enter, walk directly to the rear of the shop, [REDACTED] working in the shop at the time, follows the male to the rear, moments later the two reappear from the storeroom, the MALE selects a bottle of water from a basket on the floor and proceeds to the till. [REDACTED] is behind the counter, the MALE places the bottle on the counter whilst eating what appears to be a chocolate bar. [REDACTED] takes the water bottle, appears to have a conversation with the MALE and hands the MALE a small black poly bag.

CCTV montage of the incident will be made available to the Licensing committee and the Licence Holder.

On Tuesday 14th November 2023, PC 2094 HAWKINS and Darren DOLBY (PCC Licensing) attend UK PLUS EU due to the allegation, [REDACTED] is present, and a request is made for of CCTV footage to be provided.

As HAWKINS and DOLBY looked around the shop, it became apparent that some of the stock pricing was strange in the rear right hand corner, next to the entrance to the storeroom. Shelving contained Washing Capsules with sticky notes for pricing and "Yankee Candles", these are items that are commonly stolen by shoplifters, as they easily sell on. The pricing system was clearly different to that of their other household products.

APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH PREMISES LICENCE



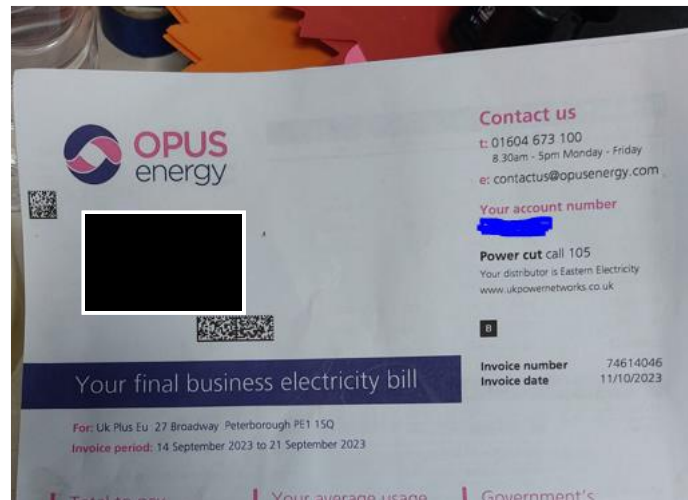
**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Whilst chatting with [REDACTED] a metal pole is seen laying on the floor, behind the counter, it has tape around one end and string attached as if made to be used as an adapted weapon. This item was seized, and [REDACTED] signed the pole over for destruction.



APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH PREMISES LICENCE

██████████ is clearly involved in the running of the business on a day-to-day basis, one of the Officers in attendance on 13th November 23 took a photo of an Energy Bill for UK PLUS EU which is in ██████████ name.



The DPS & Licence Holder, MR AMER was not present at the time of the incident, but the actions taken by the Shoplifter immediately after the initial theft, to cycle directly to the Premises would suggest that this is a known Premises for Handling Stolen Goods and that this was not the first occasion.

For information

This is supported by guidance issued under section 182 of the Licensing Act 2003

11.24 *“...Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority’s role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.”*

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

East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) 2016

In this case, the High Court upheld the Licensing Committee's decision to revoke a premises licence where the licensee had employed an illegal worker.

The significance of the case is that it reaffirms the principle that *Responsible Authorities need not wait for the licensing objectives to actually be undermined.....*

Commenting on the way committees and courts should approach the promotion of the licensing objectives, Mr Justice Jay said:

[T]he prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

The full Judgement is only available from subscription services such as [Westlaw](#) or [Lawtel](#).

R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin)

This case, referred to as 'the Thwaites case', is important because it emphasises the important role that Responsible Authorities have in providing information to decision makers to contextualise the issue before them.

This case is sometimes misconstrued as requiring decisions to be based on 'real evidence', and that conditions cannot be imposed until problems have actually occurred. This is wrong. *The purpose of the Act is to prevent problems from happening. Decisions can and should be based on well-informed common sense*

The Honourable Mrs Justice Black said:

[D]rawing on local knowledge, at least the local knowledge of local licensing authorities, is an important feature of the Act's approach. There can be little doubt that local magistrates are also entitled to take into account their own knowledge but, in my judgment, they must measure their own views against the evidence presented to them. In some cases, the evidence presented will require them to adjust their own impression. This is particularly likely to be so where it is given by a Responsible Authority such as the police.

The approved judgment is available from [Guildford Council](#).

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Theft offences • An offence under any of the following provisions of the Theft Act 1968 —Section 22 (handling stolen goods) is a relevant offence under the Licensing Act 2003.

The evidence of criminal activity associated to UK PLUS EU provided in this application is Clear and Factual, the evidential threshold required by the Licensing Committee is *NOT* that of a Criminal Court. Cambridgeshire Constabularies respectfully requests that consideration be given to revocation of the Premises Licence.

[REDACTED]

[REDACTED]

[REDACTED]

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

[Empty rectangular box for application details]

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities X
and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application X
will be rejected

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

SignaturePaul Hawkins

Date.....05/12/2023

CapacityPC 2094 – Alcohol Licensing Officer, Cambridgeshire Constabulary

**APPLICATION FOR THE REVIEW OF UK PLUS EU, 27 BROADWAY, PETERBOROUGH
PREMISES LICENCE**

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)

PC 2094 Paul Hawkins
Licensing Officer
Thorpe Wood Police Station
Thorpe Wood

Post town

Peterborough

Post code

PE3 6SD

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) LicensingNorth@cambs.police.uk

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Telephone: 01733 453576
E-Mail: 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

8th December 2023

**Re: Request to review premises licence – UK Plus EU, 27
Broadway - 125014**

On behalf of the Safer Communities Service, I write in support of the constabulary's application to review the premises licence ref 125014.

It has been brought to our attention that UK Plus EU has been involved in the illegal activity of purchasing and sales of stolen goods. Shoplifting is a blight on businesses within Peterborough city centre and is often a means to finance offenders' alcohol and substance misuse, which in turn leads to anti-social behaviour and has a detrimental impact on those who live, work and visit the city centre. Shoplifting in Peterborough city centre is to such an extent that in June of this year MP Paul Bristow held a shoplifting summit to tackle this rising issue with local businesses, the Police and council. According to an article in the Peterborough Telegraph dated 21st June 2023, the Office of National Statistics figures show that shoplifting in Peterborough had increased by 54% in the 12 months leading up to June 2023. [Shoplifting summit to be held in Peterborough to deal with rising problems in city centre \(peterboroughtoday.co.uk\)](https://www.peterboroughtoday.co.uk/news/2023/06/21/shoplifting-summit-to-be-held-in-peterborough-to-deal-with-rising-problems-in-city-centre/)

UK Plus EU at 27 Broadway is located in an area of the city which is subject to a Public Spaces Protection Order due to the continued anti-social behaviour and quality of life issues, of which alcohol is a contributing factor. Our service often receives reports of anti-social behaviour associated with street drinking in Broadway near the Central Library and New Theatre - both within close vicinity of the premises - having a detrimental impact on local businesses, workers and members of the public.

Any form of criminal activity cannot be condoned by responsible authorities. Given what we now know about the premises' illegal activities of purchasing and selling stolen goods and being situated in an area that is already experiencing shoplifting and anti-social behaviour associated with alcohol; it is on this basis that the Safer Communities Service supports the Constabulary's application for a review of the premises licence for UK Plus EU. This is in the interest of community safety due to the licence holders not upholding the licensing objectives of 'the prevention of crime and disorder' and 'public safety'.

Yours sincerely

A handwritten signature in black ink, appearing to read "Clair George". The signature is fluid and cursive, with a large initial "C" and "G".

Clair George
Head of Safer Communities



Creating a safer
Cambridgeshire

Licensing Act 2003

Delegation of responsibilities by the Chief Officer of Police

In accordance with the provisions of the Licensing Act 2003 I hereby delegate authority to Cambridgeshire Constabulary Licensing Officers to develop policies and procedures and to exercise all powers vested in the Chief Constable of Cambridgeshire Constabulary. Such delegation to include the power to delegate specific tasks to licensing Constables and support staff.

This delegation shall remain in force unless otherwise notified.

Signed

A handwritten signature in black ink, appearing to read 'Nick Dean', is written over a horizontal line.

Nick Dean
Chief Constable
Cambridgeshire Constabulary
1 October 2018

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