

Ref: 'International Shop' – 32 Dogsthorpe Road / License Application



Wednesday 10<sup>th</sup> October 2018

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

Dear Simon,

Re: Premises License Application - 'International Shop' - 32 Dogsthorpe Road

On 27<sup>th</sup> September 2018 Cambridgeshire Constabulary Licensing Department (Peterborough District) received e-mail notification from Peterborough City Council Licensing Authority of an application for a new Premises License at 32 Dogsthorpe Road, Peterborough, PE1 3AF. The application has been submitted by Licensing Consultant Mr. Paul Byatt of Licensed-Inn-Tuition on behalf of Dins Kolosovskis of 23 College Park, Peterborough, PE1 4AW. The DPS is proposed as Mr. Kolosovskis who is yet to be issued with an alcohol personal license by Peterborough City Council Licensing Authority.

I understand that the applicant wishes to open a new 'Off License' shop and describes it as an International grocery store licensed to sell alcohol. The premises was previously a retail outlet. The hours applied for the sale of alcohol are Monday to Sunday 08:00hrs to 23:00hrs. The supplied plan suggests that at least 30% of the store will be laid over to display alcohol.

This proposed licensed premises is located in a mainly residential area on the central Eastern Edge of the CAN-DO Operational area, on Dogsthorpe Road and ultimately within the Cumulative Impact Area (Special Policy) drawn up and adopted on 18<sup>th</sup> April 2013. It has been positively identified that there is a significant concentration of licensed premises within the CAN-DO area, and there is sufficient evidence of a negative impact on the statutory objectives. Peterborough City Council's 'Statement of Licensing Policy', 'Special Policy on Cumulative Effect' - Paragraph 11.6 states:

*"This special policy creates a rebuttable presumption that applications within the Op Can Do area for new premises or club premises certificates or **variations** that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will*

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*not add to the cumulative impact already being experienced”.*

Para 11.7 states:

*“Applications will need to address the special policy issues in their operating schedules in order to rebut such a presumption”.*

The applicant has recognised the Cumulative Impact Area and I am somewhat satisfied that the offered conditions will go some way to address how the sale of alcohol at this premises will not contribute to the existing negative cumulative impact.

However, I am conscious that this retail premises lies in a residential area and does not form part of a commercial area. I would like to see the applicant seriously reconsider the hours applied for and reduce them to reflect 08:00hrs to 21:00hrs on a daily basis.

Furthermore, I have reviewed the conditions offered by the applicant and for the sake of clarity have amended and added further conditions that will support the licensee in upholding the licensing objectives.

If the timing alteration and amended conditions are accepted by the applicant there will be no further representation from the Constabulary.

Constabulary Proposal:

To amend all licensed hours to reflect:

Monday to Sunday: 08:00hrs to 21:00hrs.

### **Prevention of Crime & Disorder**

1. The premises licence holder will ensure that a HD digital CCTV system is fully compliant with the Information Commissioner’s Office (ICO) guidance document ([www.ico.org.uk](http://www.ico.org.uk)) regarding General Data Protection Regulations (GDPR); and that the relevant Data Controller is registered with the ICO.
2. CCTV will be provided in the form of a recordable system, capable of providing pictures of High definition (HD) evidential quality in all lighting conditions in particular facial recognition. Cameras must cover the entire licensed area including the curtilage of the premises.
3. CCTV equipment must be maintained in good working order, be correctly time and date stamped and must be retained for a minimum period of 28 consecutive days.
4. The premises licence holder must ensure at all times that an appointed member of staff is present when the premises is conducting a licensable activity, who is capable and competent at using the CCTV system and downloading CCTV footage on their own recordable media, and be able to hand this footage over to the Police / Local Authority on request.
5. All images downloaded must be provided in a format that can be viewed on readily available equipment without the need for specialist software.

6. The operator will stock their own downloaded media. The recording equipment and discs/USB pen drives must be kept in a secure environment under the control of the DPS or other responsible named individual.
7. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
8. A 'Refusals Register' will be kept at the premises and maintained by all staff, detailing declined sales to those suspected of being underage or drunk. The register will include the date and time of the potential sale, what product was refused and a brief description of the person and the name and signature of the person who refused the sale. This register will be produced to a Police Officer / Local Authority Officer upon request.
9. All non APLH qualified staff will be trained immediately with regards to the sale of alcohol under the Licensing Act 2003 prior to making any alcohol sales. This training must be ongoing, documented on relevant training records and made available for inspection by the Police / Local Authority on request.
10. There will be no beer, lager or cider over 6.5% Abv offered for sale at the premises.
11. The Premises License holder, designated premises supervisor and any member of staff or other person connected to the store will not purchase, store or sell alcoholic produce that has not been purchased from a registered alcohol wholesalers.
12. No alcoholic beverage will be purchased by the store owner or staff from sellers calling at the store. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the shop and made available to Police Officer / Authorised Officer on request.
13. 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 Trading Standards or HMRC.
14. If the premises is to be used for the sale of cigarettes and tobacco produce the licensee and their staff, or any other person connected to the premises will only store and sell legitimate UK duty paid stock carrying current health warnings. Invoices for tobacco produce will be retained at the premises and made available to a Police Officer / Local Authority Officer upon request.

#### **Promote Public Safety**

15. Adequate and appropriate first aid equipment and materials must be available on the premises.
16. Valid public liability insurance must be kept in force and a copy of the schedule must be available for inspection by a Police Officer / Local Authority Officer.
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.

#### **Prevent Public Nuisance**

18. There will be no window display posters or similar advertising containing reference to alcohol on the premises frontage or the highway abutting the premises.
19. No person will be allowed to enter or leave the premises with an open vessel of alcohol and the licensee will proactively discourage persons from congregating at the front of the store.
20. A clear & legible notice will be displayed in a prominent location at the exit from the shop asking customers to respect local residents and to leave the area quietly.
21. Waste collection contractors will not collect refuse from the premises between 21:00hrs and 07:00hrs. Any litter or waste must be contained within the boundary of the premises (as indicated on the plan) and regularly cleared.
22. Receptacles for waste will be placed at the front of the premises, and the front of the premises will be kept litter free. These receptacles will be emptied on a regular basis to avoid public nuisance through smells or odours and shall be maintained in a clean condition.
23. Trade waste containers will only be left out on the day of collection and will be stored off the public right of way at all times.

#### **Protection of children from harm**

24. The 'Challenge 21' / 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises and signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 21' / 'Challenge 25' initiative.
25. Any person selling or supplying alcoholic drink or other age restricted product must have received appropriate training, act under the authority of a personal license holder (DPS Authorisation), and must ask for photo ID proof of age where they have reason to believe that the individual may be less than 25 years of age.

Kind regards



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