

LC1**PETERBOROUGH**

Environmental Services

**Peterborough City Council, Licensing Section, Bridge House,
Town Bridge, Peterborough, PE1 1HU**

**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 Chief Constable Julie Spence on behalf 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 News N Booze 95 Eastfield Road	
Post town PETERBOROUGH.	Post code (if known) PE1 4AS

Name of premises licence holder or club holding club premises certificate (if known) Shaid Majid
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Number of premises licence or club premises certificate (if known) 044725

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 Ms Other title

(for example, Rev)

Surname
Spence

First names
Julie

Please tick ✓ yes

I am 18 years old or over

Current address
c/o LICENSING OFFICE
Bridge Street Police Station.

Post Town Peterborough. **Postcode** PE1 1EH

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Cambridgeshire Police Headquarters Hinchbrook Park, Huntingdon, Cambridgeshire
Telephone number (if any) [REDACTED]
E-mail (optional)

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

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

I would like to apply for a review of the premises licence with regard to the following objectives of the Licensing Act 2003:

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

This premises has a history of failing test purchasing operations and has been continually recommended for test purchasing operations by Officers who had intelligence to believe that underage sales were taking place to young people in the community.

On the evening of 30th September 2005 a multi-agency team conducted a test purchase operation in the city. A number of premises were targeted after intelligence was received from local officers which stated that the premises were believed to be selling alcohol to underage customers.

Underage volunteers were sent into News N Booze, 95 Eastfield Road and purchased alcohol which was then seized by officers working on the operation.

Furthermore, on the evening of 4th July 2007 a subsequent operation was conducted due to intelligence received from the Neighbourhood Policing Team and members of the public which indicated that underage customers were being sold alcohol at the premises.

On the 4th July 2007 volunteers purchased alcohol twice at the premises. After the alcohol had been purchased it was seized by officers working on the operation.

A further test purchasing operation was conducted at the premises on Friday 22nd January 2010 after intelligence was received to indicate that underage sales were taking place.

At 19:26hrs on Friday 22nd January 2010 volunteers purchased four cans of lager from the premises. The purchase was witnessed by officers from the Police and Peterborough City Council who were taking part in the operation.

Please provide as much information as possible to support the application (please read guidance note 2)

Therefore, following another test purchase failure, the police have serious concerns regarding the ability of staff at this premise to uphold the objectives of the Licensing Act 2003. Furthermore, the police have serious concerns regarding the measures in place at the premises to prevent underage sales which have been proved, through test purchasing operations, to be totally inadequate and ineffective.

The Police also have serious concerns regarding the impact of licensed premises in this area of the community. The current Neighbourhood Policing Panel priorities for this area state that the Neighbourhood Council and Neighbourhood Policing Team must

“ensure businesses comply with licensing laws and promote responsible trading and behaviour in the Eastfield Road area”

The results of test purchasing operations, including the most recent on 22nd January 2010, reveal that this premise is not complying with the Licensing Act 2003 or promoting responsible trading and behaviour by selling alcohol to children. The panel priority was raised on 30th January, shortly after the underage sale on the test purchasing operation, and the police believe that the operation of this licensed premise has contributed to it being raised as a serious community concern.

Crime and disorder incidents for this area also reveal the impact of licensed premises, including News N Booze, on the local community. A number of incidents specifically refer to News N Booze in relation to violence, disorder and street drinking. Street drinking has been raised by the local community as a previous panel priority and is an ongoing community concern in this area.

A summary of recorded rowdy/nuisance, violent and street drinking incidents from 09/02/09-09/02/10 for the Eastfield Road area surrounding the premises can be found below. The incident search was conducted using the postcode of the premises and postcodes in the vicinity of the shop to provide data for both sides of Eastfield Road

- CC-20072009-0592. Local resident reported a group of 10-12 males causing a disturbance in the street at 20:51hrs. Resident reported that local residents experience a lot of problems with the local shops.
- CC-27022009-0683. Local resident reported that a group were causing a disturbance outside the local shops at 22:20hrs.
- CC-27012010-0508. Ambulance crew reporting that a male had been found drunk and incapable at 23:05hrs and was causing a nuisance.
- CC-26122009-0034. Local resident reporting that a drunk male is outside their premises at 02:27hrs.
- CC-10102009-0489. Local councillor reporting a group of 6 individuals aged 16-20yrs drinking on Eastfield Road. Officers attended and dispersed the group.
- CC-17092009-0550. A drunk individual was reported causing a disturbance outside News N Booze Eastfield Road.

- CC-05042009-0637. A fight was reported at 22:51hrs outside the shop
- CC-21112009-0233. A local resident reported 3 street drinkers causing a disturbance and drinking in the area.
- CC-01122009-0461. A local business owner reported a drunk male in the street causing a disturbance.
- CC-06052009-0096. A local resident reported a group of 8 males standing on the street drinking and causing a disturbance.
- CC-09062009-0644. A local resident reported a group of males causing a disturbance in the street at 22:50hrs. The resident reported that they were near to a licensed premise.
- CC-03052009-0607. A local resident reported that a group of youths were causing a disturbance in the street and fighting at 21:59hrs. The resident reported that the group were drinking.
- CC-29072009-0423. A fight was reported inside News N Booze, Eastfield Road.
- CC-20082009-0677. An ambulance crew reported that a male had been assaulted in the street and was drunk.
- CC-11082009-0289. A local resident reported a group of four males street drinking and urinating in the street.
- CC-10082009-0226. A local resident reported a group of people drinking and urinating in the street.

These incidents demonstrate that local residents experience ongoing alcohol related crime, disorder and anti-social behaviour in the vicinity of News N Booze Eastfield Road. Whilst it cannot be demonstrated that it is only News N Booze which is contributing to this problem (as other licensed premises can also be found on this section of Eastfield Road), the failure of staff at the premises to prevent underage sales highlights their failure to uphold the objectives of the Licensing Act. Other premises have also been selected for test purchasing operations in this area and have not sold alcohol to underage customers. News N Booze has consistently failed test purchasing operations and sold alcohol to underage customers. The Police Licensing team believe that insufficient measures are in place to uphold the licensing objectives at the premises which has led to underage sales but could also lead to other problems such as sales of alcohol to intoxicated individuals. This act could cause problems currently experienced on Eastfield Road such as street drinking,

collapse and injury to intoxicated individuals which has been highlighted in the incidents listed above by ambulance crew reporting. It is felt by the Police Licensing Team that inadequate measures are in place at News N Booze to sell alcohol legally or responsibly. Furthermore, the incidents listed above demonstrate that alcohol sales in this area are causing significant problems for this community. This is supported by concerns raised by the local community through the panel priority process which has highlighted licensed premises several times as being one of the top problems in this area. The incidents reveal that many of these problems are experienced late at night and the Police Licensing team feel that the late night sale of alcohol has a negative impact on the local community. The Police Licensing team believe that the impact of incidents on the community is also greater late at night when most people are at home in the area and do not wish to be disturbed.

Therefore, with regards to the evidence outlined above. The Police Licensing Team would like to make the following recommendations in relation to this premise licence:

In order to prevent the sale of alcohol to underage customers:

- A Personal License Holder to be present at 95 Eastfield Road at all times during the hours of opening. A minimum of 3 Personal License Holders (excluding the DPS) required at 95 Eastfield Road to ensure full cover during the hours of opening.
- A bespoke training package to be introduced at 95 Eastfield Road to include the following:
 - i) Staff to receive training and supervision to ensure that they fully understand their responsibilities in relation to age restricted products, in particular to the sale of alcohol so as to prevent sales to persons under the age of 18 years - (Training Records to be made available to any Authorised Officer upon request)

ii) The requirement that sales staff will not undertake sales on the till before they have signed a due diligence sheet indicating that they have understood the various legal provisions – (Training Records to be made available to any Authorised Officer upon request)

The Police Licensing team would like to recommend that in order for these measures to be implemented at the shop the premises licence should be suspended for a period of three months. This period will allow staff at the shop to undertake the recommended training in order to uphold the objectives of the Licensing Act 2003. After this three month period, and following a meeting with the Police Licensing team to demonstrate that the works have been undertaken, it may be suitable for the premises to recommence the sale of alcohol.

In order to prevent alcohol related crime and disorder in this area and the negative impact that it has on the local community (particularly late at night):

- The hours for the sale of alcohol at the premises to be reduced to finish at 22:00hrs.

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

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities 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 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.**

Signature *Maddox K Sp.*

Date *11 Feb 2010*

Capacity *LICENSING OFFICER.*

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Pc. Ifor Maddox Licensing Office Bridge Street Police Station Bridge Street	
Post town Peterborough	Post code PE1 1EH
Telephone number (if any) [REDACTED]	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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.