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### **Cambridge City Council**

### LICENSING SUB-COMMITTEE

To: Councillors Benstead, Pippas and Rosenstiel

Date: Monday, 18 June 2012

**Time:** 10.00 am

Venue: Committee Room 1 and 2

Contact: James Goddard Direct Dial: 01223 457015

### **AGENDA**

- 1 APPOINTMENT OF A CHAIR
- 2 DECLARATIONS OF INTEREST
- 3 MEETING PROCEDURE
- 4 CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED: CAMBRIDGE SUPERMARKET, 28 MILL ROAD, CAMBRIDGE, CB1 2AD (Pages 1 40)

### Information for the Public

### Location

The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1. Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

### **Public Participation**

Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

To speak at a Licensing hearing, you must have made a representation during the consultation period on the relevant application and registered your intention to speak with the Licensing department prior to the hearing.

The Licensing department can be 01223 457000 contacted on or licensing@cambridge.gov.uk.

For general advice about speaking at committees please contact Democratic 01223 457013 Services on democratic.services@cambridge.gov.uk.

### Filming, recording and

Filming, recording and photography at council meetings is allowed subject to certain restrictions and prior agreement **photography** from the chair of the meeting.

**QR Codes** (for use with Smart Phones)



Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

The Democratic Services Manager can be contacted on 01223 457013 or democratic.services@cambridge.gov.uk.

### Fire Alarm

In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

### Facilities for disabled people

Access for people with mobility difficulties is via the Peas Hill entrance.

A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Adapted toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request.

For further assistance please contact Democratic Services on 01223 457013 or

democratic.services@cambridge.gov.uk.

### Queries on reports

If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013

democratic.services@cambridge.gov.uk.



### General Information

Information regarding committees, councilors and the democratic process is available at

www.cambridge.gov.uk/democracy.

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### Licensing Act 2003 - Licensing Sub-Committee: Hearings Procedure

### **Preliminary Matters**

- 1. **The Chair** will commence the hearing by introducing him/herself, the other two members of the Sub-Committee and the officers present.
- 2. **The Chair** will ask the applicant(s)/the responsible authorities/the interested parties present, and their representatives (if applicable), to introduce themselves and identify their interest in the proceedings.

### Failure of a party to attend the hearing

- 3. If a party has informed the licensing authority that he/she does not intend to attend or be represented at a hearing, the hearing may proceed in his/her absence.
- 4. If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
- 5. Where the Sub-Committee holds the hearing in the absence of a party, the Sub-Committee will consider at the hearing the application, representations or notice made by that party.
- 6. **The Chair** will explain the procedure to be followed at the hearing and will confirm whether the Sub-Committee must reach its decision at the end of the hearing or within 5 workings days of the hearing, depending on the application being heard.
- 7. The Clerk to the Sub-Committee will indicate whether any party has requested permission for any other person(s) (other than his/her representative) to appear at the hearing to assist the Sub-Committee in relation to the application, representations or notice of the party making the request. The Sub-Committee will decide whether to grant permission to allow any other person(s) to appear at the hearing on behalf of the party; such permission will not be unreasonably withheld.
- 8. The Clerk to the Sub-Committee will ask whether any party is seeking to introduce any document(s) or other information not previously disclosed to all the other parties to the hearing and the licensing authority. If all the other parties consent, the previously undisclosed document(s) or other information can be produced by a party in support of their application, representations or notice (as applicable).
- 9. The hearing will take the form of a discussion led by the Chair of the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers that cross-examination is required to consider the representations, application or notice as the case may require.
- 10. The Sub-Committee will consider any requests to permit cross-examination on

- a case-by-case basis. When permission is given to one party, it will also normally be extended to all other parties.
- **11.**The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.

### The Hearing

- 12. The Licensing Officer will present the report to the Sub-Committee.
- 13. Members may ask any relevant questions of the Licensing Officer.
- 14. The applicant, or the party who has initiated the hearing, will present their case first.
- 15. The party shall be entitled to:
  - (a) give further information in support of their application, representations or notice (as applicable) in response to a specific request by the licensing authority prior to the hearing;
  - (b) question any other party (if permission has been given by the Sub-Committee);
  - (c) address the Sub-Committee.
- 16. If the Police are a party to the hearing, they will present their case. The Police have the rights listed in paragraph 15 (a) (c) above.
- 17.If any other "responsible authority" are a party to the hearing, they will present their case in turn after the Police and have the rights listed in paragraph 15 (a) (c) above.
- 18. Any other interested parties will then present their case in turn and have the rights listed in paragraph 15 (a) (c) above.
- 19. Members of the Sub-Committee may ask questions of the/each party or any other person permitted to appear at the hearing in support of the party.
- 20. **The Chair** will invite the applicant, or the party who has initiated the hearing, and any parties making representations, to briefly summarise their points if they wish.
- 21. **The Chair** will ask the applicant, or the party who has initiated the hearing, and all parties making representations, that they are satisfied that they have said all they wish to.

### The Decision

- 22.In considering any representations or notice made by a party, the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
- 23.In reaching its decision, the Sub-Committee will disregard any information given by a party, or any person who has been permitted to appear at the hearing, which is not relevant to
  - (a) the application, representations or notice (as applicable) or in the case of another person, the application, representations or notice of the party

- requesting their appearance, and
- (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by the Police, the crime prevention objective.
- 24. The Sub-Committee may consider its decision in private and may move into private session where it considers that the public interest in so doing outweighs the public interest in that part of the hearing taking place in public. If the Sub-Committee do move into private session then all the parties and their representatives, any other person permitted to appear at the hearing, officers, the public and the press will be asked to leave the room whilst the decision is made.

**The Chair** will tell those present at the meeting the decision taken by the Sub-Committee and the reasons for the decision.



### Agenda Item 4

Agenda Item

### CAMBRIDGE CITY COUNCIL

REPORT OF: Jas Lally

Head of Refuse and Environment

TO: Licensing Sub-Committee 18/06/2012

WARDS: Petersfield

CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED: CAMBRIDGE SUPERMARKET, 28 MILL ROAD, CAMBRIDGE, CB1 2AD.

### 1 INTRODUCTION

- 1.1 An application under section 17 of the Licensing Act 2003 for a Premises Licence to be granted in respect of Cambridge Supermarket, 28 Mill Road, Cambridge, CB1 2AD has been received from Mr Ali Ilker Avci. The application, which is attached to the report as Appendix A, and a plan of the premises, which is attached to the report as Appendix B, were served on Cambridge City Council (the Licensing Authority) on 11<sup>th</sup> April 2012. A copy of the application was also served on each responsible authority.
- 1.2 The applicant has applied for the Licence to authorise the supply of alcohol for consumption off the premises between the following hours

  Mon Sun

  08:00 to 23:00
- 1.3 The premises will be open to the public between the following hours
  Mon Sun
  00:00 to 00:00
- 1.4 The applicant has indicated in section P of the application form (Appendix A) that the following steps will be taken to promote the four licensing objectives:
  - 1. The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are open for any licensable activity, there are sufficient competent

staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

- 2. Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
- 3. Toilets shall be checked an average of two hourly while the premises are open to the public to deter the use of drugs.
- 4. Details of checks shall be documented and made available to the Police on request.
- 5. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises. The CCTV system shall conform to the following points:
  - Cameras must be sited to observe the entrance and exit doors both inside and outside.
  - Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
  - Cameras viewing till areas must capture frames not less than 50% of screen.
  - Cameras overlooking floor areas should be wide angled to give an overview of the premises.
  - Be capable of visually confirming the nature of the crime committed.
  - Provide a linked record of the date, time and place of any image.
  - Provide good quality images colour during opening times.
  - Operate under existing light levels within and outside the premises.
  - Have the recording device located in a secure area or locked cabinet.
  - Have a monitor to review images and recorded picture quality.
  - Be regularly maintained to ensure continuous quality of image capture retention.
  - Have signage displayed in the customer area to advise that CCTV is in operation.
  - Digital images must be kept for 31 days.
  - Police will have access to images at any reasonable time.
  - The equipment must have a suitable export method e.g. CD/DVD writer so that the Police can make an evidential copy of the data they require. This data should be in the

native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the Police on a standard computer. Copies must be made available to Police on request.

- 6. The premises licence holder will operate a 'behave or be banned' policy and those persons that do not disperse and behave within the vicinity will be banned from the premises. The duration of the ban will be graduated approach to the period of time which person could be banned.
- 7. Ciders, beers and lagers sold on the premises should not be more than %6 alcohol volume.
- 8. There shall be no supply of alcohol for consumption off the premises except in sealed containers.
- 9. Appropriate fire safety procedures are in place including fire extinguishers (foam, H20 and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting. All appliances shall be inspected annually.
- 10. All emergency exits shall be kept free from obstruction at all times.
- 11. A receptacle for litter is to be available outside the premises for use by customers and to be maintained in a useable condition.
- 12. The placing of waste including bottles into receptacles outside the premises and the emptying of premises waste receptacles by waste contractors shall only be permitted to take place between the hours of 07:00 and 23:00 to minimise disturbance to nearby properties.
- 13. Prior to the commencement of licensable activities, full details of the on-site storage facilities for trade waste, including waste for recycling shall be submitted to and approved in writing by the Team Leader Environmental Protection (TLEP). Such details shall identify the specific positions of where wheelie bins, paladins or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the licensable activities hereby permitted and shall be retained thereafter unless arrangements are agreed in writing by the TLEP.
- 14. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.
- 15. The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

- 16. The Challenge 25 logo and posters will be displayed at the premises.
- 17. All staff will be trained in underage sales prevention regularly.
- 18. A register of refused sales shall be kept and maintained on the premises.
- 1.5 If the application is granted, in whole or in part, such that the Licence authorises the supply of alcohol for consumption off the premises, the following mandatory conditions will be attached to Annex 1 of the Licence:
  - 1. No supply of alcohol may be made under the premises Licence -
  - (a) at a time when there is no designated premises supervisor in respect of the premises, or
  - (b) at a time 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.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) 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 a holographic mark.
- 1.6 In accordance with the regulations of the Act, the application was advertised on the premises and in the Cambridge Evening News to invite representations from responsible authorities and other persons. The last date for submitting representations was the 9<sup>th</sup> May 2012.
- 1.7 Representations have been received from Cambridgeshire Constabulary and 220 other persons. The representation from Cambridgeshire Constabulary is attached to the report as Appendix C and the representations from the other persons are attached to the report as Appendix D. No other responsible authority has made a representation.
- 1.8 The application was listed for determination at a hearing on 8<sup>th</sup> June 2012. However, following a formal request for an extension of time from the Police due to Police unavailability, Members agreed to extend the time and adjourn the hearing to the 18<sup>th</sup> June. The timescales set out in the Licensing Act 2003 (Hearings) Regulations 2005 were extended in accordance with Regulation 11(1) as it was

considered necessary in the public interest to do so and adjourned in accordance with Regulation 12 (1) on the basis that it is necessary for consideration of representations. The application is therefore yet to be determined.

### 2. **RECOMMENDATIONS**

2.1 That Members' determine the application on its individual merits having reference to the statutory licensing objectives and Cambridge City Council's Statement of Licensing Policy.

### 3. BACKGROUND

- 3.1 The premises is located within a cumulative impact area. It is therefore subject to a special policy on cumulative impact. The special policy creates a rebuttable presumption that applications within cumulative impact areas for new premises licences 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. The cumulative impact policy has been referred to in the representations received and but it has not been addressed by the applicant.
- 3.2 No application has previously been made under the Licensing Act 2003 for an authorisation (Premises Licence, Club Premises Certificate, Temporary Event Notice) to be granted in respect of the premises
- 3.3 The Council's Statement of Licensing Policy contains information on the cumulative impact.
- 3.4 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and additionally the statutory guidance issued under Section 182 of the Licensing Act 2003. The relevant sections from the Council's Statement of Licensing Policy are:
  - Objectives, section 2
  - Fundamental principles, section 4
  - Cumulative impact, section 5
  - Licensing Hours, section 6
  - Licence Conditions, section 8

### 4. CONSULTATIONS

- 4.1 The Licensing Act 2003 requires applications made under section 17 of the Act to be served on the responsible authorities and also advertised on the premises and in a local newspaper circulating within the vicinity of the premises. During the consultation period, responsible authorities and other persons may make a representation in respect of the application.
- 4.2 Statutory consultation has therefore taken place with responsible authorities and other persons in accordance with the procedures set out in the Licensing Act 2003 and associated regulations made under the Act.

### 5. OPTIONS

- 5.1 Whilst having reference to the information provided by the applicant, the responsible authority, other persons and also Cambridge City Council's Statement of Licensing Policy, the Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:
  - (a) the prevention of crime and disorder;
  - (b) public safety;
  - (c) the prevention of public nuisance; and
  - (d) the protection of children from harm.
- 5.2 Members should take such steps that they consider are necessary for the promotion of the licensing objectives. The Sub-Committee may resolve:
  - (a) to grant the licence subject to the mandatory conditions and those conditions offered by the applicant which may be modified to such extent as the authority considers necessary for the promotion of the licensing objectives,
  - (b) to exclude from the scope of the Licence any of the licensable activities to which the application relates:
  - (c) to refuse to specify a person in the licence as the premises supervisor;
  - (d) to reject the application.

### 6. CONCLUSIONS

6.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing

Authority must also have regard to its Statement of Licensing Policy, and the Statutory Guidance under the Licensing Act 2003 and it is bound by the Human Rights Act 1998. The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge.

### 7. IMPLICATIONS

### a) Financial Implications

Cambridge City Council (the Licensing Authority) has a statutory duty to determine applications made under the Licensing Act 2003. The application fees associated with such applications are set by Central Government and are intended to cover the cost of administering the licensing regime.

There are no specific financial implications associated with this report.

### (b) Staffing Implications

There are no staffing implications associated with this report.

### (c) Equal Opportunities Implications

No Equality Impact Assessment has been conducted as the only consideration in reaching a decision is whether the granting of the application will undermine the statutory licensing objectives.

### (d) Environmental Implications

Any environmental implications that need to be considered must specifically relate to the promotion of the statutory licensing objectives and will be contained in the representations made by the responsible authorities or other persons.

### (e) Community Safety

Cambridge Constabulary, Cambridgeshire Fire & Rescue Service, Cambridge City Council's Food & Occupational Safety Team, Cambridge City Council's Environmental Services, Cambridge City Council's Environment & Planning Department, Cambridgeshire County Council's Child Protection & Review Unit and Cambridgeshire County Council's Trading Standards Department were consulted as part of the application process and could have made representation if

it was considered that the granting of the application would undermine one or more of the statutory licensing objectives.

Those making representations would have raised any relevant community safety implications.

**8. BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

Licensing Act 2003

<u>The Licensing Act 2003 (Premises licences and club premises</u> certificates) Regulations 2005

Guidance issued under section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy

To inspect these documents either view the above hyperlinks or contact Debbie Stoker on extension 7879.

The author and contact officer for queries on the report is Debbie Stoker on extension 7879.

Report file:

Date originated: 07 June 2012 Date of last revision: 07 June 2012

# Application for a premises licence to be granted 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.

### INVe ALI ILKER AVCI

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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.

### Part 1 - Premises Details

Postal addi	Postal address of premises or, if none, ordnance survey map reference or description	ordnance su	rvey map refere	nce or descript
CAMBRIDG	CAMBRIDGE SUPERMARKET			
28 MILL ROAD	AD			
Post town	CAMBRIDGE		Post code	le CB1 2AD
Telephone n	Telephone number at premises (if any)			
Non-domest	Non-domestic rateable value of premises £25000	£25000		
		The state of the s		

### Part 2 - Applicant Details

Pie	ase s	Please state whether you are applying for a premises licence as Please tick y	es licence as Please tick yes	as k yes
a	an	an individual or individuals *		please complete section (A)
9	o O	a person other than an individual *		
		as a limited company		please complete section (B)
	<b>#</b> :	as a partnership		please complete section (B)
	<b>=</b> :	as an unincorporated association or		please complete section (B)
	×.	other (for example a statutory corporation)		please complete section (B)
0	9	a recognised club		please complete section (B)
9	a c	a charity		please complete section (B)

-

I am 18 years old or over	Surname	Mr Mrs 🗆	SECOND INDIVIDUAL APPLICANT (if applicable)	E-mail address (optional)	Daytime contact telephone number	Post Town LONDON	Current postal address if different from premises address	I am 18 years old or over	Surname AVCI	Mr 🛭 Mrs 🗌	(A) INDIVIDUAL APPLICANTS (fill in as applicable)	o statutory o a functio	<ul> <li>I am making the</li> </ul>	<ul> <li>I am carrying on the premises for</li> </ul>	* If you are applying as a person described in (a) or (b) please confirm:	h) the chief officer of p England and Wales	<li>g) a person who is regis Care Standards Act 2 independent hospital</li>	f) a health service body	e) de proprietor or a
ver		Miss	. APPLICANT (if applic		hone number		30 EMSWORTH CLOSE ST. MARY'S ROAD	ver		Miss	ICANTS (fill in as appli	statutory function or a function discharged by virtue of Her Majesty's prerogative	am making the application pursuant to a	l am carrying on or proposing to carry or the premises for licensable activities; or	a person described in	the chief officer of police of a police force in England and Wales	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital	ody	me proprietor or all educational establishment
	First names	Ms C	able)				LOSE		First names ALI ILKER	Ms C	cable)	of Her Majest	0	on a business	(a) or (b) plea:	, š	of the □		ment
☐ Please tick yes	es.	Other Title (for example, Rev)				Postcode N9 8NW		Please tick yes	8	Other Title (for example, Rev)		y's prerogative		lam carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or	07 (75	please complete section (B)	please complete section (B)	please complete section (B)	please complete section (B)
														$\boxtimes$	Please tick ves	n (B)	n (B)	n (B)	n (B)

E-mail address (optional)	Daytime cont	Post Town	Current postal address if different from premises address
88	Daytime contact telephone number		al ferent
		Postcode	

### (B) OTHER APPLICANTS

concerned. Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When
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want the
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prem
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licence
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start?

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Year	0	0
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If you wish the licence to be valid only for a limited period, when do you want it to end?

금은	Please give a general description of the premises (please read guidance note1) The premises is a tradition shop consisting of a ground floor, located on a major road.
0	Please refer to the enclosed plan.
one	If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.
₹	What licensable activities do you intend to carry on from the premises?
는 유	(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)
Pro	Provision of regulated entertainment
<u>a</u>	plays (if ticking yes, fill in box A)
9	films (if ticking yes, fill in box B)
0	indoor sporting events (if ticking yes, fill in box C)
9	boxing or wrestling entertainment (if ticking yes, fill in box D)
<u>e</u>	live music (if ticking yes, fill in box E)
ئ	recorded music (if ticking yes, fill in box F)
9	performances of dance (if ticking yes, fill in box G)
3	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)
Pro	Provision of entertainment facilities:
	making music (if ticking yes, fill in box I)
J	dancing (if ticking yes, fill in box J)
2	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)
Proj	Provision of late night refreshment (if ticking yes, fill in box L)
oup oup	Supply of alcohol (if ticking yes, fill in box M)
3	n all cases complete boxes N, O and P

			Sun
			Sat
Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			5.
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State any seasonal variations for performing plays (please read guidance note 4)			Wed
			Tue
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will the performance of a play take place indoors or outdoors or both - please tick (please read quidance note 2)	Flays Standard days and timings (please read	ard day s (pleas	Standa

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							rt Finish	Indoor sporting events Standard days and timings (please read guidance note 6)
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entertainments Standard days and timings (please read guidance note 6)	and read	take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors [
timings (please guidance note (	read 3)		outdoors [
Day Start	Finish		Both [
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		entertainment (please read guidance note 4)	ing Q
Thur			
Fn		Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to the	he premises
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timings guidanc Day  Non Tue Thur Fri Fri	timings (please read guidance note 6)  Day Start Finish  Mon  Tue  Thur  Thur  Sat	(please read guidance note 2)  Outdoors  Both  Please give further details here (please read guidance note 3)  State any seasonal variations for the performance of live music (please read guidance note 4)  Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)
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Recorded music Standard days and timings (please read	nusic ys and se read	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
guidance note 6)	te 6)		Outdoors	
Day Start	rt Finish		Both	
Mon		Please give further details here (please read guidance note 3)	dance note 3)	
Tue				
Wed		State any seasonal variations for the playing of recorded music (please read guidance note 4)	recorded m	usic
Thur				
Fri		Non standard timings. Where you intend to use the premises	the premise	16
		listed in the column on the left, please list (please read guidance	mes to those se read quida	<b>8</b>
Sat		note 5)	1	
Sun				

Sat		Wed State any seasonal variation (please read guidance note 4)	Tue Please give further de	Start Finish	Ω.	Performances of  dance  dance  indoors or outdoors or both - please tick  (please read quidance note 2)
	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read quidance note 5)	State any seasonal variations for the performance of dance (please read guidance note 4)	Please give further details here (please read guidance note 3)	Both	Outdoors	dance take place outh - please tick Indoors

 and the same of th	The second secon							The same of the sa
Sun	Sat	Fi.	Thur	Wed	Tue	Mon	Day	Anythir descrip falling (g) (g) Standar timings guidance
							Start	Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)
							Finish	imilar hat ), (f) or nd ead
	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		Please give further details here (please read guidance note 3)	guidance note 2)  Both	Will this entertainment take place indoors or Indoors	Please give a description of the type of entertainment you will be providing

Sun	Sat	3.	Thur _	Wed	Twe	Mon	Day		timings (please read guidance note 6)	Provision of facilities for dancing
							Start		note 6)	n of fac
	8.4						Finish		ead	es iii
	list (please read guidance note 5)	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please		State any seasonal variations for providing dancing facilities (please read guidance note 4)		Please give further details here (please read guidance note 3)		Please give a description of the facilities for dancing you will be providing		Will the facilities for dancing be indoors or outdoors or both - please tick (see guidance note 2)
		the premises ainment at the left, please		cing facilities		dance note 3)		ncing you will be	Outdoors  Both	Indoors

			<u> </u>					-	-		-	7	-
Sun		Sat		Fri	Š	7	Wed	- Lue	4	Mon	Day	similar that fa Standa timings guidand	for ent
											Start	similar description to that falling within i or j Standard days and timings (please read guidance note 6)	Provision of facilities for entertainment of a
											Finish	tion to in i or j ind read	cilities ent of a
	note 5)	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or i at different times to these			entertainment of a similar description to that falling within i or j (please read guidance note 4)			Please give further details here (please read guidance note 3)	Both	guidance note 2) Outdoors	Will the entertainment facility be indoors or indoors		Please give a description of the type of entertainment facility you will be providing

night refres dard days ar gs (please re ance note 6) Start	Finish	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)  Please give further details here (please read guidance note 3)  State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Thur		State any seasonal variations for the provision refreshment (please read guidance note 4)
Fri		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read
Sat		guidance note 5)
Sun		

Sun 08:00 23:00	Sat 08:00 23:00	08:00 23:00	Thur 08:00 23:00 N	Wed 08:00 23:00	Tue 08:00 23:00	Mon 08:00 23:00 S	Day Start Finish		Supply of alcohol Standard days and timings (please read
		NA	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)			State any seasonal variations for the supply of alcohol (please read guidance note 4)			Will the supply of alcohol be for consumption (Please tick box) (please read quidance note 7)
			e the premise ose listed in unce note 5)			alcohol (plea	Both	Off the premises	On the premises
						lse		×	

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

	Address	Name ALI ILKER AVCI

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None.

O

Sun 00:00	Sat 00:00	Fri 00:00	Thur 00:00	Wed 00:00	Tue 00:00	Mon 00:00	Day Start	Hours premises are open to the public Standard days and timings (please read guidance note 6)
00:00	00:00	00:00	0 00:00	0 00:00	0 00:00	00:00	t Finish	ises are public ys and se read te 6)
			open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)	Non standard timings. Where you intend the manifest to be				State any seasonal variations (please read guidance note 4) The premises shall be open for non-licensable activities without limit.

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

# a) General - all four licensing objectives (b,c,d,e) (please read guidance note 9)

drunkenness and underage persons. Records will be kept of training and refresher training. and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence that all times when the premises are for any licensable activity, there are sufficient competent The Licensee, that is the person in whose name the premises licence is issued, shall ensure training in their responsibilities in relation to the sale of alcohol, particularly with regard to

# PLEASE FIND ENLOSED CONTINUATION SHEET

# b) The prevention of crime and disorder

deter the use of drugs. Details of checks shall be documented and made available to Police on Toilets shall be checked an average of two hourly while the premises are open to the public to Any incidents of a criminal nature that may occur on the premises will be reported to the Police

maintained at the premises. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and

The CCTV system shall conform to the following points:

- Cameras must be sited to observe the entrance and exit doors both inside and outside
- all people entering the premises i.e. capable of identification. Cameras on the entrances must capture full frame shots of the heads and shoulders of
- Cameras viewing till areas must capture frames not less than 50% of screen
- premises. Cameras overlooking floor areas should be wide angled to give an overview of the
- Be capable of visually confirming the nature of the crime committed
- Provide a linked record of the date, time and place of any image.
- Provide good quality images -colour during opening times.
- Operate under existing light levels within and outside the premises
- 30 Have a monitor to review images and recorded picture quality. Have the recording device located in a secure area or locked cabinet
- な Have signage displayed in the customer area to advise that CCTV is in operation Be regularly maintained to ensure continuous quality of image capture retention.
- w
- 4 Digital images must be kept for 31 days.
- Police will have access to images at any reasonable time.
- computer. Copies must be made available to Police on request standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard file format, to ensure that no image quality is lost when making the copy, if this format is nonpolice can make an evidential copy of the data they require. The equipment must have a suitable export method, e. G. CD/DVD writer so that the This data should be in the native

PLEASE FIND ENLOSED CONTINUATION SHEET

### c) Public safety

emergency lighting (see enclosed plan for details of locations). All appliances are inspected CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and Appropriate fire safety procedures are in place including fire extinguishers (foam, H20 and

All emergency exits shall be kept free from obstruction at all times

PLEASE FIND ENLOSED CONTINUATION SHEET

### d) The prevention of public nuisance

All customers will be asked to leave quietly.

have regard to our neighbours Clear and legible notices will be prominently displayed to remind customers to leave quietly and

PLEASE FIND ENLOSED CONTINUATION SHEET

# e) The protection of children from harm

the photograph and date of birth of bearer. licence or passport, an official identity card issued by HM Forces or by an EU country, bearing ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving The licensee and staff will ask persons who appear to be under the age of 25 for photographic

The Challenge 25 logo and posters will be displayed at the premises

All staff will be trained for UNDERAGE SALES PREVENTION regularly.

A register of refused sales shall be kept and maintained on the premises

# PLEASE FIND ENLOSED CONTINUATION SHEET

I have sent copies of this application and the plan to responsible authorities and I have enclosed the plan of the premises I have made or enclosed payment of the fee others where applicable Please tick yes X X X

0

0 0

9 0 I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable

. I understand that if I do not comply with the above requirements my application will I understand that I must now advertise my application be rejected

X

 $\boxtimes$ 

 $\boxtimes$ 

### Annex 1 - Mandatory conditions

- No supply of alcohol may be made under this premises licence:
- At any time when there is no designated premises supervisor in respect of the premises licence or
- At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under this premises licence must be made when a person who holds a personal licence, is present at the premises.

## Annex 2 – Conditions consistent with Operating Schedule

- Ψ be graduated approach to the period of time which person could be banned. The premises licence holder will operate a "behave or be banned policy and those persons that do not disperse and behave within the vicinity will be banned from the premises. The duration of the ban will
- Ciders, beers and lagers sold on the premises should not be more than %6 alcohol volume.
- ဟု There shall be no supply of alcohol for consumption off the premises except in sealed containers
- 9 regard to our neighbours. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have
- 7maintained in a usable condition. A receptacle for litter is to be available outside the premises for use by customers and to be
- 00 hours of 07:00 and 23:00 to minimise disturbance to nearby properties. premises waste receptacles by waste contractors shall only be permitted to take place between the The placing of waste including bottles into receptacles outside the premises and the emptying of
- 9 hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in bins, paladins or any other means of storage will be stationed and the arrangements for the disposal of Environmental Protection (TLEP). Such details shall identify the specific positions of where wheelie waste, including waste for recycling shall be submitted to and approved in writing by the Team Leader Prior to the commencement of licensable activities, full details of the on-site storage facilities for trade The approved facilities shall be provided prior to the commencement of the licensable activities

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 4 - Signatures (please read guidance note 10)

guidance note 11). If signing on behalf of the applicant please state in what capacity. Signature of applicant or applicant's solicitor or other duly authorised agent (See

Capacity Ag	Date 10	Signature
Agent for the Applicant	10 APRIL 2012	7. 2

authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity. For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other

Capacity	Date	Signature

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			NOCINO	Post town
		AD	ADA GROUP 167 STOKE NEWINGTON ROAD	ADA GROUP 167 STOKE N
spondence	associated with this application (please read guidance note 13)  Jun Simon	ion (please read	with this applicat	associated Jun Simon

# Consent of individual to being specified as premises supervisor

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full name of prospective premises supervi	
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[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

APPLICATION FOR A PREMISES LICENCE

[type of application]

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ILKER AVCI

[name of applicant]

NA

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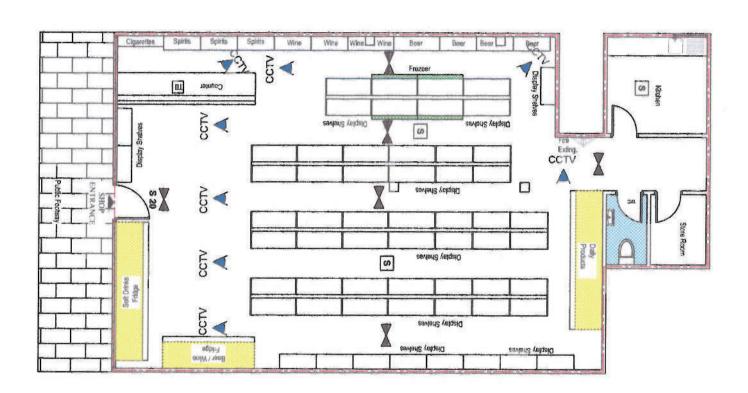
relating to a premises licence

[number of existing licence, if any]

CAMBRIDGE SUPERMARKET
28 MILL ROAD
CAMBRIDGE
CB1 2AD

[name and address of premises to which the application relates]

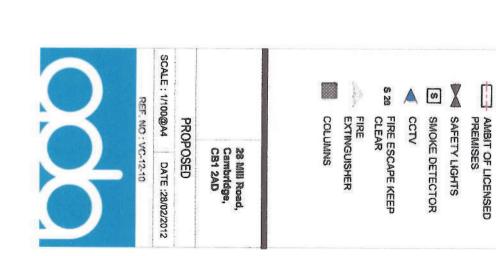
Date	Name (please print)	Signed			I also confirm that I an licence, details of which	Iname and address of prem	CB1 ZAD	CAMBRIDGE	28 MILL ROAD	CAMBRIDGE SUPERMARKET	concerning the supply of alcohol at	[name of applicant]	ALI ILKER AVCI	and any premises lice by
10/04/2012	ALI ILKER AVCI		personal licence issuing authority, if any]		I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.	[name and address of premises to which application relates]				RMARKET	of alcohol at			and any premises licence to be granted or varied in respect of this application made by



FRIDGES

WC AREA

LEGEND



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Mr. Ali Ilker Avci 30 Emsworth Close, St. Marys Road London N9 8NW



08/05/2012

Dear Sir

SUBJECT: Cambridge Supermarket 28 Mill Road Cambridge CB1 2AD

P. Luclain

Please find attached Police representation in regard to the application for a grant of a premises licence for the above. The premises are situated in a cumulative impact area and these representations are in regard to licensing objectives for Prevention Of Crime and Disorder, Public nuisance, Public Safety & the Protection of Children from harm under Licensing Act 2003.

Yours Sincerely

Pc60 Peter Sinclair Divisional Licensing Officer Southern Division Parkside Police Station.

### THE LICENSING ACT 2003 REPRESENTATION FORM FOR "RESPONSIBLE AUTHORITY"

Please delete as applicable: **POLICE** 

Your name	PC60 Peter Sinclair
Job Title	Licensing Officer, Southern Division
Postal Address (inc post code)	Police Station Parkside Cambridge CB1 1JG
Contact telephone number:	01223 823397
Mobile Number:	07738348577
Email address:	Peter.sinclair@cambs.pnn.police.uk

Name of Premises you are making a representation about:	Cambridge Supermarket
Address of the premises you are making a representation about:	28 Mill Road Cambridge CB1 2AD

This section is about your representation/s. They must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation, (under the relevant headings) and the reason for your representation/s. It is important that you detail all matters that you wish to be considered. (Use additional sheets if necessary). Regulations provide that in considering representations the authority may take into account documentary or other information produced by the party either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Please see below
The prevention of crime and disorder	Public safety
See Below	See below
The prevention of public nuisance	Protection Of Children from Harm
See Below	See below

### Prevention Of Crime & Disorder / Public Nuisance / Public Safety / Protection Of Children from Harm

Mill Road has been adopted by the City Council as a Cumulative impact zone within Cambridge.

This remains an area which still suffers from anti social behaviour. This is despite a drop in incidents of alcohol related violent crime which we consider has come about mainly due to robust policing in the area and the fact that licensing controls through the use of the CIZ are having the desired effect Should the applicant require details of the evidence presented in relation to those areas this can be viewed on pages 16 onwards by clicking on the following link or by copying and pasting the link into web address bar

http://www.cambridge.gov.uk/public/docs/statement-of-licensing-policy.pdf

It is also a major thoroughfare for patrons leaving the city centre and any additional outlets for the sale and consumption of alcohol on the premises will only add to and exacerbate the pre-existing issues.

Furthermore a recent East Area Committee meeting the following Police concerns were raised:

- (v) Greater emphasis on licensing agreement terms to prevent the sale of alcohol to people who were already intoxicated. Licence holders should feel supported that they can refuse to sell alcohol when it would be inappropriate to do so, and that they have a responsibility not to do so under licensing law eg when someone is intoxicated.
- (vi) Rising levels of ASB in Petersfield and Romsey.
- (vii) The need to address ASB through joined up multi-agency action. For example, provision of support and facilities for the street life community, as well as the option for Police and Licensing Officers to take enforcement action. Greater focus on education, encouragement and support.

The following priority was agreed unanimously by the committee:

(i) Alcohol and drug related street anti-social behaviour in the east, targeting known hotspots and focusing on education and enforcement to address licensed premises selling alcohol to the intoxicated.

Extract from City East Update 2012 Final

### **Petersfield Ward**

- Total crime in Petersfield Ward has decreased compared to the previous period (325 offences vs. 355 offences) but increased compared to the same period last year (310 offences).
- Violent crime offence levels have decreased compared to the previous period (37 offences vs. 40 offences) but remained stable compared to the same period last year (also 37 offences). In 19 of these offences an offender has been arrested and charged.
- Criminal Damage offences have increased with 41 offences in this period compared to 22 in the previous period and 25 in the same period last year. 27 Offences were criminal damage to a vehicle whereby windows had been smashed in majority of offences.
- ASB incidents have increased compared to both the previous period (186 incidents vs. 169 incidents) and compared to the same period last year (135 incidents). Incidents included street drinking (53 incidents were complaints about street-life being abusive and being intimidating to members of the public), youths congregating and being abusive to members of the public and abandoned vehicles. Common locations for ASB were Mill Road (51), St Matthews Gardens (12) East Road (11) and Norfolk Street (10).

### **Environmental Services Data**

Between November 2011 and February 2012, 29 needles were reported compared with 393 during the same period the previous year. 24 were removed from Mill Road. During the previous reporting period 183 needles were removed from Mill Road, 130 needles were removed from St Matthews Street.

The problems associated with the area particularly in relation to anti-social behaviour, alcohol misuse and public nuisance are well documented. It is also continues to be an area that attracts groups of individuals who live a Street life existence. These vulnerable adults with drink and drugs problems lead a chaotic life style. They would no doubt be susceptible to the draw of an additional alcohol outlet particularly where they would not be known to the proprietors. They can be very intimidating to staff and are often ready to offer violence when challenged.

As for measure in place which will effectively deal with the resultant issues of the grant of an alcohol licence it is difficult to see how there is any way that any degree control can be exercised over customers that effectively walk away with the alcohol. Once having left the premises they are at liberty to do whatever they wish without any possible intervention from the licensee to negate the risk of adding to the negative impact.

An additional outlet selling alcohol in Mill Road is not only unnecessary but a most unhelpful addition in an area already suffering. The Police object in the strongest terms to any grant of an alcohol licence with or without additional controls/conditions applied for the reasons given.

Furthermore the police consider that we would be failing in our obligation under Section 17 of The Crime and Disorder Act 1998 as amended when exercising functions to give due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably can to prevent, crime, disorder anti-social and other behaviour adversely affecting the local environment, including the misuse of drugs, alcohol and other substances in its area.

Evidence adduced in support of such representations may comprise of, although not exclusively, firsthand knowledge of officers involved in policing the area, statistical analysis of crime, disorder & incidents of anti social behaviour, as well as police records from the Command and control logs, police crime files, statements and/or CCTV footage.

The committee will also be aware of the recent amendments contained within the Police Reform & Social Responsibility Act in that the evidential burden when determining an application and their decisions to promote the licensing objectives changes from 'Necessary'. to 'Appropriate', therefore giving increased powers to Licensing Authorities as this is a lower threshold.

In regard to Cumulative impact areas the guidance issued under Section 182 of the Licensing Act 2003 states:

### Effect of Special Policies

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for a new premises licence or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Signed P. Liclai Date 8/5/2012



### 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 Divisional Commanders and to Divisional Superintendents 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

Simon Parr Chief Constable Cambridgeshire Constabulary

Dated 7/9/10

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