


Agenda Item No:	<b>3</b>	
Committee:	<b>LICENSING</b>	
Date:	<b>25 January 2021</b>	
Report Title:	<b>DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE MADE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 – FREDDIE'S CONVENIENCE STORE, MANEA</b>	

### 1 Purpose / Summary

- To consider an application for a new premises licence in respect of Freddie's Convenience Store, 16A High Street, Manea, PE15 0JA

### 2 Key issues

- There has been an application submitted for the New Premises Licence
- It is the responsibility of all premises licence holders to demonstrate that suitable and sufficient measures are undertaken to uphold the four Licensing Objectives of the Licensing Act 2003;
- Relevant representations have been received regarding this application from 'Any other Persons' (Local Residents)
- There is a requirement to hold a hearing to determine the application for a new premises licence.

### 3 Recommendations

- That the committee determines the application, having regard for the evidence presented by the parties to the hearing, the relevant legislation and guidance applicable to this process and the content of this report.

<b>Wards Affected</b>	Manea
<b>Forward Plan Reference</b>	N/A
<b>Portfolio Holder(s)</b>	Councillor Sam Clark, Portfolio Holder with responsibilities for Licensing
<b>Report Originator(s)</b>	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: <a href="mailto:mbishop@fenland.gov.uk">mbishop@fenland.gov.uk</a>

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<b>Background Paper(s)</b>	Licensing Act 2003 Section 182 Guidance to the Licensing Act 2003 The Licensing Act (Hearings) Regulations 2005 Fenland District Council's Statement of Licensing Policy 2021 - 2026

## Report:

### 1 Background / introduction

- 1.1 The applicant Mr Ibrahim Ozan is applying for a new Premises Licence for Freddie's Convenience Stores, 16A High Street, Manea PE15 0JA
- 1.2 Mr Ibrahim Ozan is also the proposed Designated Premises Supervisor responsible for alcohol sales, his Personal Licence No. LBH-PER-N-0194 and has been issued by London Borough of Hackney.
- 1.3 A copy of the application and plan can be seen at APPENDIX B
- 1.4 In December 2020 an application was received, the below table highlights the activities and times as applied for:

Licensable Activity	Application Applied	Licence already granted for Manea Stores
Sale of Alcohol - Off Sales	Monday - Sunday 08:00 - 22:30	Monday - Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
Opening Hours (Please note this is not a licensable activity)	Monday - Sunday 07:00 - 22:30	None prescribed

- 1.5 In accordance with the provisions of the Licensing Act 2003, the applicant has completed the statutory 28-day consultation period by displaying a copy of the notice on blue coloured paper and an advert in the local newspaper.

### 2 Considerations

- 2.1 The application was submitted electronically and therefore it was the responsibility of the Local Authority to serve this application to all the Responsible Authorities.

(a) Cambridgeshire Constabulary	No representation - Conditions agreed during consultation period.
(b) Cambridgeshire Fire & Rescue	No representation
(c) Public Health – CCC	No representation
(d) Environmental Health	No representation
(e) Health & Safety	No representation
(f) Safeguarding & Standards Unit – Children Services	No representation
(g) Development Services - Planning	No representation
(h) Licensing	No representation
(i) Trading Standards	No representation
(j) Any Other Persons	Representations

- 2.2 During the consultation period PC Hawkins on behalf of Cambridgeshire Constabulary liaised with the agent regarding the operating schedule conditions, an agreement was reached for these conditions to be added to licence subject to it being granted.
- 2.3 A copy of these conditions can be found at APPENDIX C
- 2.4 During the consultation period 3 objections were received from 'Any other Persons' (local residents), the main concern raised was in relation to the times in which the sale of alcohol has been applied for.
- 2.5 The Licensing Act 2003 encourages discussion between persons making the applications and those serving objections with the aim of resolving issues of concern, to strike the balance between enabling the applicant to operate his/her premises in a manner that meets his/her business needs/aspirations and the necessary protection of the community.
- 2.6 On receiving these objections, contact was made with the applicant/agent to advise them of the community concerns and if there was any chance of mediation.
- The applicant was happy for the Council to mediate and during this time the applicant offered the below amendments;
- Reduce the sale of alcohol times to finish at 22:00pm which is a 30-minute reduction on what was applied for.
- 2.7 As part of the mediation process, the Licensing Authority made contact with the interested persons logging an objection updating them of the revised application times.
- 2.8 This amendment was not accepted by the persons objecting; however, they were willing to compromise if the sale of alcohol is reduced to a 20:00pm finish.
- 2.9 This offer on behalf of the persons objecting was put forward to the applicant/agent but was rejected.
- 2.10 Therefore, there are still 3 objections received with regards to this application. A copy of the objections can be seen at APPENDIX D.
- 2.11 The objections received fall mainly with the licensing objective of Public Nuisance
- 2.12 We have advised interested parties that where there is mention of approved planning permission or other concerns not relevant to the licensing objectives these comments cannot be taken into account by the panel because legislation does not allow for it to do so.

### **3 Community impact**

- 3.1 The Act gives greater freedom to operators and users of premises, which is balanced by greater responsibilities for licensees and tempered by strengthened protection for the community.
- 3.2 The Licensing Act 2003 seeks to provide public protection by way of the four licensing objectives.

### **4 Conclusions**

- 4.1 In undertaking its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm.

- 4.2 When determining an application for a new premises licence, due regard should be given to the Council's Statement of Licensing Policy and the Secretary of State's Guidance section 182.
- 4.3 The committee in its determination can take one or more of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - a) to grant the application subject to:  
such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the four licensing objectives, and any mandatory conditions which must be included in the licence;
  - b) refuse the application.
- 4.4 The hearing will be conducted in accordance with the approved procedures and can be seen at APPENDIX A to this report.

**Fenland District Council**  
**Licensing Act 2003 Sub-Committee**  
**Virtual Hearings Procedure**

**1. Before the hearing**

- To assist in the conduct of the remote hearing, all parties should submit by email to [Licensing@fenland.gov.uk](mailto:Licensing@fenland.gov.uk) , written submissions no later than 24 hours before the hearing is due to start, summarising the points they wish to make at the hearing and the outstanding issues.
- All parties should notify the Licensing Officer how they will be joining the remote hearing (by video or audio conferencing). All parties should provide to the Licensing Officer no later than 48 hours before the hearing, their telephone number and/or email address. This is to allow for arrangements to be made to enable parties to join the remote hearing.
- All parties should log-in/dial-in to the remote meeting, 15 minutes before the start of the hearing in case of technical difficulties.
- The sub-committee will consider any requests from any of the parties to call witnesses. Any such requests must be submitted to the Licensing Officer at least two working days before the hearing. This is to enable arrangements to be made for witnesses to be able to join the hearing remotely should permission be granted

**2. Virtual Meetings-introductory notes**

- Questions will be asked at the conclusion of each party's submission. On the conclusion of each party's submission, the Chairman will invite each sub-committee member in turn, whether they wish to ask a question/s. If any member of the sub-committee subsequently wishes to ask further questions, they should indicate this wish to the Chairman by using the meeting chat function.
- The hearing will take the form of a discussion led by the Chairman. 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.
- 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.
- The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.
- When not speaking, all members and participants should mute their microphones.

## APPENDIX A

- Any person behaving in a disruptive manner will be removed from the meeting. Such a person may, before the end of the hearing, submit to the authority in writing by email to [licensing@fenland.gov.uk](mailto:licensing@fenland.gov.uk) , any information which they would have been entitled to give had they not been required to leave.
- In the event that the Chairman or Clerk identifies a failure of the remote participation facility, a recess will be announced while the fault is addressed.
- If it is not possible to address the fault, the meeting will be adjourned until such time as it can be reconvened.

### 3. Failure of a party to attend the hearing

- 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.
- 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.
- 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.

### 4. Introduction

- The Chairman will, at the beginning of the meeting, welcome all those present and explain both the reason for the hearing and the procedure to be followed. They will inform attendees of any changes to committee membership (if any) since publication of the Notice of Meeting.
- The Chairman will introduce to all present the members of the committee.
- The Chairman will then introduce and explain the respective roles of
  - the Legal Adviser to the committee
  - the Clerk to the committee
  - the officer representing the Licensing Authority (“the Licensing Manager”).
- The Chairman will invite those present to introduce themselves.

### 5. The Hearing

- The Chairman 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).
- The Chairman will ask the Licensing Officer to outline the case, by presenting the report which refers to the application of the premises licence and the licensable activities, days and hours of operation, specified on the application.
- The Chairman will invite members of the committee to ask relevant questions to clarify the content of the Licensing Officer's report.
- The Chairman invites the applicant (or his/her representative) to put the case in support of the application for a premises licence.
- If applicable the applicant can call any witness(es) to give evidence in support of his/her case.
- Once the applicant has presented his/her case, the Chairman invites questions to the applicant, his/her representative and/or witnesses from:
  - responsible authorities (or their representatives);
  - interested persons (or their representatives);
  - members of the committee.
- The Chairman then invites any interested persons to put forward their case, based on the representation submitted.

### 6. Conclusion

- The Chairman then invites the applicant of the premises licence, responsible authorities and interested persons (or their representatives) to sum up their case. They may comment upon what has been said but no new evidence should be introduced.
- The Chairman seeks confirmation from all parties that they are satisfied that they have said all that they wished to.
- The Chairman will then thank all those who have spoken and invite the committee to retire.



## **APPENDIX A**

- The Live Feed will be closed to allow the sub-committee to consider its decision in private. All attendees apart from the sub-committee members, Council's Legal Officer and Clerk, will be placed into the waiting area of the virtual meeting while the sub-committee considers its decision. The Council's Legal Officer and Clerk may remain in the meeting with the sub-committee members to advise where necessary and take notes of the decision.
- The applicant and interested parties will be asked to remain on the virtual meeting for 15 minutes to allow the sub-committee to return to the virtual meeting to seek any clarifications or ask questions that they have, after this time they may leave the meeting if they wish to.

### **7. Determination**

- Once a determination/decision has been reached, the committee will return to the virtual meeting and the Legal Adviser will announce in public any legal advice that he/she has given in private.
- The Chairman will read out the determination and the reasons for such (unless the committee is unable to reach a determination at conclusion of the hearing). A signed copy of the determination will be emailed to all interested parties.
- If the committee is unable to reach a determination at that time, the Chairman will explain that all interested parties will be notified as soon as possible in writing (but within 5 working days) of the determination and the reasons for such.

### **8. The Decision**

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.

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.

\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

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

Your reference

16 A High Street

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

IBRAHIM

\* Family name

OZAN

\* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="GOKAY"/>
* Family name	<input type="text" value="TOZ"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text"/>
Business name	<input type="text" value="gokdesign"/>
VAT number	<input type="text" value="-"/> <input type="text" value="none"/>
Legal status	<input type="text" value="Sole Trader"/>
Your position in the business	<input type="text" value="director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	103
Street	st josephs road
District	
City or town	edmonton
County or administrative area	london
Postcode	n9 8nu
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	FREDDIE'S CONVENIENCE STORE
Street	16A HIGH STREET
District	MANEA
City or town	MARCH
County or administrative area	CAMBRIDGESHIRE
Postcode	PE15 0JA
Country	United Kingdom

**Further Details**

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

## 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

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

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.

Yes  No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
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?

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.

Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/>
* Nationality	<input type="text" value="BRITISH CITIZEN"/>
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.

New premises license for off-supplies of alcohol.

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

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End



Continued from previous page...

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

Date of birth  /  /   
dd      mm      yyyy

*Continued from previous page...*

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LBH-PER-N-0194"/>
Issuing licensing authority (if known)	<input type="text" value="LONDON BOROUGH OF HACKNEY"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

TUESDAY

Start  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 applicant will accept the follow conditions. The alcohol would only be for sale in operation hours and the alcohol will be consumed OFF the premises. CCTV will be installed to the premises; installed CCTV system will meet the standard in 'UK police requirements for digital CCTV system'. Emergency lighting will be provided. Smoke detector will be installed. The premises operates the "challenge 25" the proof of age scheme. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted hours.

**b) The prevention of crime and disorder**

CCTV will be installed to the premises for safety and crime prevention. Will not serve alcohols who are already drunk. The DPS will undertake routine monitoring of the refusals records and record that this is being done. All staff that makes sales of alcohol receives regular training (induction and refresher). Will not allow the alcohol on the premises only sale of alcohol applies off licence. Installed cctv systems that meet the standard in 'uk police requirements for digital cctv systems' shall operate and record video images at all times that premises are open to the public and any recordings made will be retained for not less than 30 days and made available to a police officer on request. A member of staff on premises at the relevant time will be capable of operating the cctv system.

**c) Public safety**

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours.

**d) The prevention of public nuisance**

For public nuisance premises will not allow any alcohol drink at inside and outside of premises. All occasions when persons have been refused service will be recorded in a refusals book, which shall be kept at the premises for not less than 12 months. Deliveries to the premises shall only be made during normal working hours. Bottles and similar goods shall not be handled outside the premises in the late evening, night or early morning. Bins shall not be emptied outside the premises in the late evening, night or early morning.

**e) The protection of children from harm**

Premises will be very strict to not sell alcohol to children and under age. Any alcohol must be sold by DPS or a person authorised be the DPS at all times. All staff who sells alcohol will be trained in the role by the DPS with regular refresher training. Records of training will be kept and made available for examining officers of the relevant authorities. Where a person appears to be under the age 25, identification in the form of passport, photo driving licence or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused. Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 25" proof of age scheme.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. The fee will depend on the NDR (Non Domestic Rateable) value of the premises. Band A = £100 Band B = £190 Band C = £315 Band D = £450 Band E = £635

\* Fee amount (£)

**DECLARATION**

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership. I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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/fenland/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.

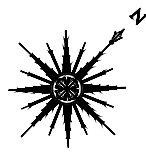
Continued from previous page...

**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**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="16 A High Street"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>



**SITE ADDRESS**














16 A HIGH STREET, MANEA,  
MARCH, CAMBRIDGESHIRE  
PE15 0JA

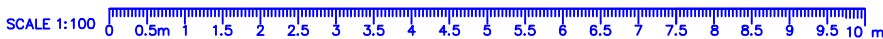
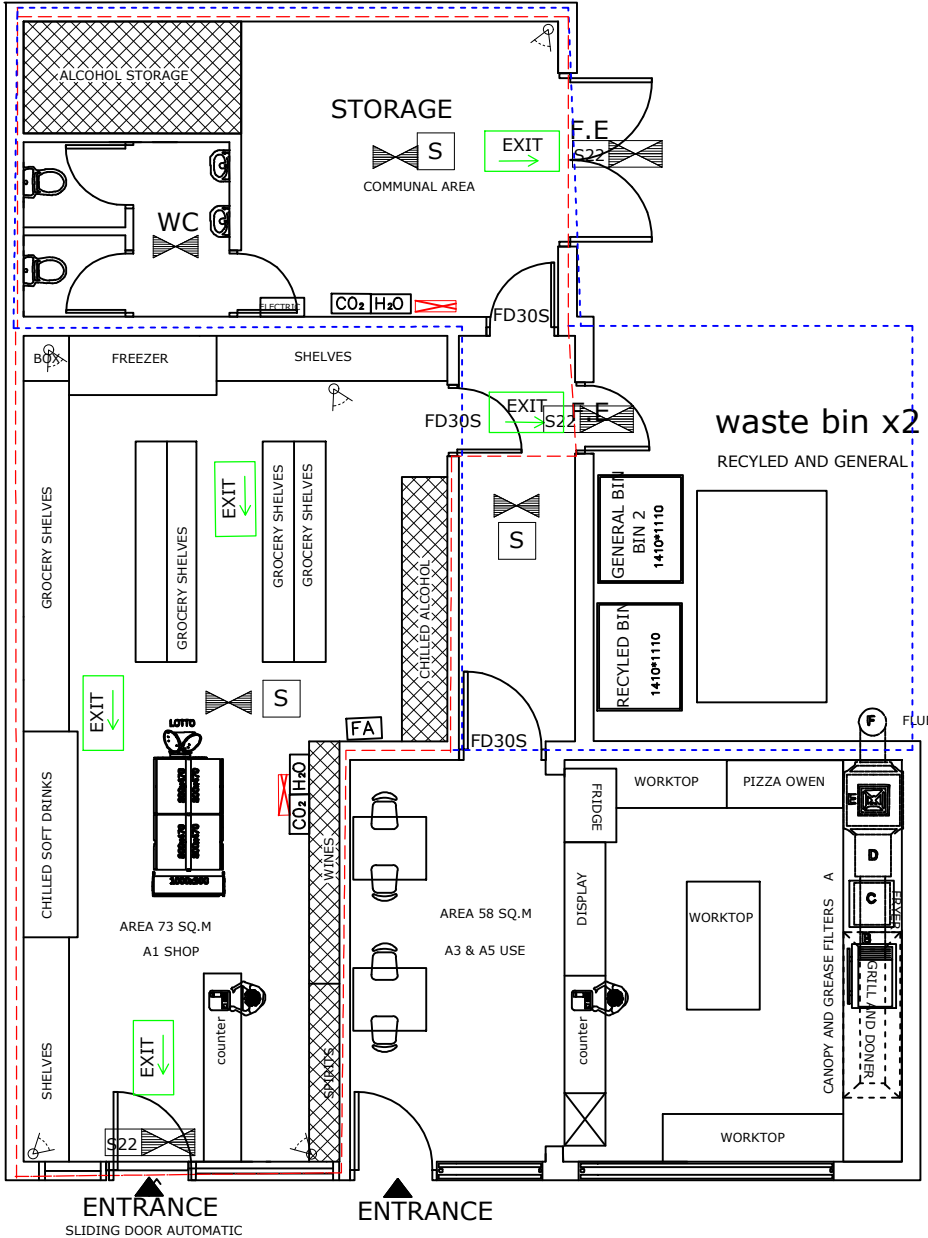
**PROJECT DESCRIPTION**  
**NEW PREMISES LICENCE**

**DRAWING SCALE**

1:100  
A3 PAPER SIZE LANDSCAPE

**LEGEND**

-  LIQUOR SALES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  EXIT
-  CCTV OPERATING SYSTEM
-  COMMUNAL AREA
-  AMBIT OF PREMISES
-  FIRE BLANKET
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
-  FIRE ALARM
-  FD30S 30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)



## APPENDIX C – Cambridgeshire Constabulary – Agreed Conditions

I write in reference to your recent licence application regarding FREDDIE'S CONVENIENCE STORE, 16A High Street, Manea PE15 0JA as you are probably aware the Police are asked to comment on the licence as a Responsible Authority.

Having viewed the application, the only comment I have at this time is in relation to the Conditions on the licence, below are some voluntary Conditions I would like to consider being added, they are mainly what you have already included but listed in what I hope is a clearer manner. They relate to CCTV, Age Restriction and staff training. The last condition relates to SIA (Door staff), Whilst I respect that you have no intention of potentially using them for your day to day business, its asking that you complete a risk assessment to this end and should you put on an event you complete a further risk assessment, to show that you have considered the need and if required you employ them.

### 1. Premises licence holder must ensure that:

- a. CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
- b. The system records clear images permitting the identification of individuals.
- c. The CCTV system must securely retain all recorded footage for a minimum of 30 days.
- d. The CCTV system operates at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation.
- e. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- f. 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 (i.e.. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.
- g. 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](http://www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.

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

3. The premises shall operate a proof of age scheme, such as Challenge 25, whereby the only forms of acceptable identification shall be a photographic driving licence, valid passport, military identification, government approved digital identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the Secretary Of State. The premises licence holder shall risk assess the requirement for the provision of SIA registered door supervisors at the premises 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.

4. All staff shall be trained in : relevant age restrictions in respect of the sale of alcohol, recognising signs of drunkenness, how to refuse service, the premises' duty of care, company policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services, the conditions in force under this licence.

5. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Licensing Authority.

6. Deliveries to the premises shall only be made during normal working hours. Bottles and similar goods shall not be handled outside the premises in the late evening, night or early morning. Bins shall not be emptied outside the premises in the late evening, night or early morning.

7. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises

8. No super-strength beer, lagers or ciders (including perries) of 6.5% ABV (alcohol by volume) or above shall be sold at the premises

9. The licence holder will ensure that all alcoholic products sold will have individual labels/stickers detailing the shops name and address secured on the outer side of the vessel/container. ***This condition only comes into effect if requested by the Police or Responsible Authority the requirement will be for a specified period of the time determined at the time of request. However, it may be extended if deemed necessary, this be documented and recorded by the Responsible Authority requesting.***

10. At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb

edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangement

11. The premises licence holder shall risk assess the requirement for the provision of SIA registered door supervisors at the premises 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.

## **APPENDIX D – Objections received**

### **Objection 1**

I am writing to register my objection for a license to sell alcohol at the business premises at 16a High Street, Manea, Cambridgeshire PE15 0JA.

I believe this business is allowed by the Planning Department to open from 7:00 to 19:00 Monday, Tuesday, Wednesday and Saturday, Thursday and Friday 07:00-21:00 and on Sunday 09:00 to 16:00. These restrictions on opening hours were always in place due to the premises in question being in a residential area. I feel that allowing the sale of alcohol from 08:00 to 22:30 Monday to Sunday is a way to extend these hours without permission from the Planning Department. There are already facilities to purchase alcohol at the One Stop shop on Park Road as well as the Rose and crown and the British Legion Club.

### **Objection 2**

We note the application for a Liquor License in respect of 'Freddie's Convenience Store', 16A High Street, Manea, PE15 0JA and wish to object on the grounds of it being in a residential area and being open every night until 22.30pm would cause noise and disturbance.

We would point out that the hours of business quoted would seem to be those which Mr Ozan proposes rather than the hours that the business it replaces, for which the license was granted.

### **Objection 3**

RE: Application for Alcohol Licence, 16 a High Street, Manea. Reference: 20/1496/LAPRE

I write as owner of both 18 High Street, the residential property adjacent to the above, and also of the land and business behind the above. Both of these are accessed via the drive, owned by myself, but running alongside 16A High Street. I am concerned about the Licencing Application put in by Mr Ibrahim Ozan for 16A High Street, as believe the details included in it may be both incorrect and misleading with regards to both the use of the property and the hours, as covered by planning regulations. As far as I am aware, the property has Planning Approval for use as a café and take-away, although it has not been open for any business for around 18 months. It is not trading as 'Freddie's Convenience Store', which the application is implying. More importantly, the permitted hours when the last business was trading were far less than stated on the Licencing Application. Permitted opening hours were 0800 until 1900, with later nights on Thursday and Friday until 2100. Sunday opening of 0900 to 1600. The application is stating opening hours of 0700 to 2230 which far extends that permitted by Planning approval at present, and, as far as I am aware, have not been applied for.

Manea already has a licenced convenience store, which, although it is well supported is never over-busy. I know many villagers are concerned that a second establishment trying to ply the same trade is not necessary and cause neither to be profitable.