



Leicester
City Council

SECOND DESPATCH

MEETING OF THE LICENSING (HEARINGS) SUB-COMMITTEE

FRIDAY, 1 FEBRUARY 2019

Further to the agenda for the above meeting which has already been circulated, please find attached the following:-

**APPLICATION FOR A NEW PREMISES LICENCE, LP1153
40 GREEN LANE ROAD, LEICESTER, LE5 3TH**

Please find attached additional information submitted by the applicant in response to the comments from the Police.

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Premises Licence - Application Number 111768 - LP 1153

Statement of Mr David Braithwaite, Deputy Licensing Manager for Leicestershire Police.

Mr Braithwaite raises four key points which he considers pertinent to the granting of the licence.

Following consideration of these points I will address them in order:

1) I will segregate my customers and consumers by adding a rope and post barrier to run parallel to the breakfast bar. This will ensure that any consumers would need to pass the front of the shop counter where they pay for the goods, to access and sit in the drinking area.

2) As we have very few visitors to the shop who are under the legal age to consume alcohol, I would not consider it a problem to place a sign on the outside of the shop door advising that no customers under the age of 18 years of age can access the shop after the hours of 7pm. Following a customer consultation in store, we established that our busiest periods for in-house consumption of alcohol would be between the hours of 5pm and 10:30pm.

3) We own a private space to the front of the shop that can be cordoned off and used as a smoking area approximately 10 feet in depth by 18 feet in length. Cigarette bins will be placed at the front of the shop for cigarette ends and a litter bin is also currently in situ at this location. The cinema next door uses their front space for customer smoking. This has evidently been accepted by the Police as they do not appear to have challenged the cinema with regards to this aspect of public nuisance.

The cinema has been in operation since approximately 2000 and there has never been an issue raised over outdoor smoking or public nuisance. The cinema is granted licence to show films, regularly finishing as late as midnight, with customers spilling out on to the streets which would cause far more nuisance than up to 10 elderly Asian males, who would be my target clientele.

4) The steps I have taken to prevent crime and disorder are as follows:

- a) I have multi camera high definition CCTV footage covering both inside and outside of the shop.
- b) I have a register of any persons refused alcohol for whatever reason.
- c) I have a strict Challenge 25 policy in place to refuse sale of alcohol to underage drinkers.
- d) I have almost 20 years of experience as a door supervisor within the city of Leicester and the surrounding areas. I am a very well equipped to deal with the majority of incidents and I have in-depth experience and knowledge of security industry. I would never say I am well equipped to deal with every situation, as I don't believe that any security professional in the UK could make such a bold statement. However, I always put my conflict management training in to practice when dealing conflict, proactively using tactical communication to deescalate any situation.

I am often described as a 'gentle giant' however, as you can see from my build, I am often seen as an intimidating figure when I work the doors in the town and this would act as a deterrent to most potential trouble-makers.

As a licenced door supervisor and CCTV operator I can demonstrate a high level of training and experience as well as a positive attitude of trying to conduct myself and my business in a manner of extreme professionalism by applying for the relevant licences in all areas of business.

Whilst Mr Braithwaite mentions protecting the public and preventing crime and disorder, he is extremely vague on what he means by this.

- Challenge 25.
- Refusal register.
- Sign on door – No under 18's allowed in the shop after 7pm
- Cordoned smoking area outside
- Cordoned drinking area inside

- Smoking and litter bins outside to reduce pollution
- Signs requesting customers to leave quietly and respect the neighbours. (Already displaced in the store).
- Sign to advise that no open drinking vessels are to be taken outside the premises, including no drinks in the smoking area to reduce general public seeing street drinking.
- Indoor WC
- Recycling cans/bottles – Environmentally friendly.

Mr Braithwaite identifies that the majority of issues addressed in our discussions would be reactive rather than proactive. However, I would like to advise the committee that it is extremely difficult to be proactive in respect of this application when I would need to invest financially and would not want to do so unless the application is approved, as I'm sure you can understand and appreciate from a business perspective. If the application is granted, I would pay to remove a display unit running the full length of the shop and replace this with a breakfast bar and seating area. All of the points I have mentioned in this statement, addressing the points raised by Mr Braithwaite clearly indicate the levels of proactivity I would go to in order for a licence to be granted to me.

Mr Braithwaite mentions that I have no way of controlling what happens outside of my premises.

Whilst I have proposed a cordoned smoking area with litter and cigarette bins, I have already mentioned the quality of high definition CCTV in situ at the shop front and outside of these measures, I do not know or understand what additional measures Mr Braithwaite would expect to see outside of a licenced premises. I have more control over the front of my store than the local public house situated on our street, who do not have any cordoned areas outside of their premises, nor do they have any working CCTV footage covering the front of their premises.

However, I would be more than happy to meet with Mr Braithwaite at the store in order for a further inspection and recommendations to

be identified and addressed to improve the opportunity of a licence being granted.

Finally, with all due respect to Mr Braithwaite, who I can appreciate, has a very sensitive job with a very serious element of community safeguarding and concern involved in it, I feel that he does not fully understand the community aspect of our location and the reason for our licence application.

Whilst we have applied for this licence to sell alcohol products for consumption on site, it is mainly for elderly members of our community who have shown an interest in wanting to sit and drink for no more than an hour or so at a time with some company. These people feel safe in the presence of our staff and often come in just to see and speak to us, often without making any purchases at all, just to see a friendly face and to say hello. When they do purchase alcohol, they often suggest that their partners cannot see them with it, so this ultimately has knock-on effects of potential street drinking and possibly binge drinking on the journey between our shop and their home address. However, this is conjecture as I cannot be sure where they go to consume their purchase.

By granting a licence for customers to consume their purchase in store we would be adding an element of control and safeguarding in place to protect these people and the public from drinking on the street.

I feel that I have worked hard in complying with all 4 of the licencing objectives and I feel that I can create a friendly environment for locals to enjoy a drink. I do not envisage our establishment being used for binge drinking or lengthy drinking sessions, but merely for the locals to enjoy 1 or 2 drinks with some pleasant company before heading home to their loved ones.

**Statement of PC 4660 Claire Jackson, Neighbourhood Officer,
Leicestershire Police.**

The officer clearly indicates that Anti-social behaviour and crime is increasing in this area.

However, please consider that I am not applying for a licence to sell alcohol, I already have this, so I can serve anybody alcohol who is of a legal age and in a responsible state to be sold it.

The issue in question is whether I can allow people to drink inside my store.

PC Jackson makes mention of how small the shop is. However, you can clearly see from the shop plans I have included in this application that the council have already approved planning for a display until to be removed and replaced by a seating area. This was something which the council have given due consideration to and accepted is a plausible amendment to the premises.

If the store is granted a licence to serve consumable alcohol on site then the store would no longer serve confectionary items suitable for young children, thereby negating the issue of young, unaccompanied children entering the store to buy sweets. However, as previously stated, I cannot recall the last time a school aged child attended our store.

PC Jackson makes mention of the fact that she regularly observes anti-social behaviour by way of seeing groups of males street drinking on Green Lane Road. My proposal to allow customers to consume alcohol on site would help to reduce street drinking as the alcohol would be consumed in a licenced premises which would be heavily regulated under the licencing act and covered by CCTV, thereby reducing the risk of anti-social behaviour in the street.

PC Jackson also makes mention of groups setting fires to keep warm and urinating in the street. Again, I have a WC on site so my customers would be unlikely to urinate in the street and I have a warm, friendly, well lit establishment for them to keep warm and

drink indoors, again helping to achieve the Policing aim of reducing the number of anti-social behaviour incidents within the Green Lane Road area.

PC Jackson mentions that males are urinating down alleyways and discarding bottles of urine in areas frequented by children. Again, I already have a licence to sell alcohol and cannot stop the customers from street drinking if they do not have a safe environment in which to drink. However, I can offer them such an establishment, which would negate any alleyway disturbances or disorderly conduct. PC Jackson also makes mention of the littering problem with discarded beer cans. However, I would invite customers to consume my products on site, leaving all discarded drinking vessels in the bins situated within the store, which are all recycled responsibly.

I have shown due consideration of the Police statistics for anti-social behaviour and alcohol related issues in the area of our store and can provide the aforementioned evidence in support of why it would be beneficial for the wider community and the local Police to support my application, namely that I would not be increasing or reducing my alcohol sales, it would just be a means of creating a safe, warm, well monitored and controlled environment for the customers to consume their alcohol, rather than drinking on the street, urinating on the street, being outside and creating noise disturbances to the neighbours and also that all drinking vessels would be left on site, binned and recycled accordingly.

I feel that PC Jackson is holding me personally accountable for an area expanding over a quarter of a mile radius, which I feel is unfair and only causes an issue due to the lack of licenced premises in the area.

As a result, I am proposing to support the licencing objectives by reducing the amount of street drinking, anti-social behaviour and public nuisance incidents by allowing the consumption of alcohol and use of toilet facilities on site.