

OBJECTION TO A PREMISES LICENCE APPLICATION



**South Derbyshire Council
New Premises Licence Application
Hearing**

Monday 16th July 2012

**UPO's Fish Bar
42 High Street, Woodville, Swadlincote,
Derbyshire, DE11 7EA**

UPO's Fish Bar, 42 High Street, Woodville, Swadlincote, DE11 7EA

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**Derbyshire
Constabulary**

I, Michael Francis Creedon, Chief Constable of Derbyshire Constabulary, hereby confirm that the powers given to me by the Licensing Act 2003 are delegated to the following officers and police staff to carry out for and on behalf of the Derbyshire Constabulary in respect of 'D' Division.

Inspector 1606 Stephen FAIRBROTHER
Sergeant 2864 Mark LOMAS
Constable 2766 Richard MORLEY
Constable 2013 Mark DUNN
Constable 2465 Philip DAY
Constable 2815 Stephen PHILLIPS
Mr Ian COLEMAN (6902)

Mike Gee M. Creedon
CHIEF CONSTABLE OF DERBYSHIRE

2nd December 2011
DATE

From: Morley, Richard, 2766
Sent: 15 June 2012 20:14
To: 'licensing2@south-derbys.gov.uk'
Subject: UPO's Fish Bar
Dear Licensing,

I have been in consultation with the applicants solicitor for the above premises licence application, and to date we have been unable to agree a suitable way forward regarding the support of the licensing objectives. I have also liaised with the local SNT sergeant and section Inspector with regards to the above. I have emailed the applicants solicitor with a schedule of conditions in a final attempt to reach an agreement with regards to the application with a view to supporting the licensing objective. At this point in time I have not received a response.

Please could you therefore accept this email as formal notification of a representation to the Premises Licence Application for the above. Should I receive a suitable response from the applicants solicitor I shall rescind the representation. I shall inform you of the reply at my earliest opportunity.

Regards,

Rich Morley

Police Constable 2766
Licensing Enforcement Officer

Derbyshire Constabulary
'D' Division Licensing Team

Prime Parkway

Chester Green

DERBY

DE1 3AB

Tel: 01332 613036 (Internal 760 3036)

E-mail: richard.morley.2766@derbyshire.pnn.police.uk

Ext. E-mail: derby.licensing@derbyshire.pnn.police.uk

Int. Group E-mail: D.Licensing

Web: <http://www.derbyshire.police.uk>

Witness Statement

Criminal Procedure Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B

URN 30

Statement of: Richard Ian MORLEY

Age if under 18: Over 18..... (if over 18 insert 'over 18') Occupation: Police Constable 2766

This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: Date: 04/07/2012.....

Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Licensing Enforcement Officer for Derbyshire Constabulary and I am stationed at 'D' Divisional Head Quarters, St Marys Wharf Police Station, Derby. I work within a licensing team consisting of four Licensing officers and a Licensing Sergeant that cover an area known as 'D' Division, this area is split into a further six geographic boroughs.

These boroughs are highlighted as Derby North, Derby East, Derby South, Peartree, Ilkeston and Long Eaton. I currently operate within the Derby South division with a view to assisting, advising and supporting licensees in both the on and off licensed trade regarding best practice whilst assisting them in supporting and upholding the four licensing objectives, Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and Protection of Children from Harm.

Prior to joining the Police Service I was a manager for eight years with a national brewery. I hold several qualifications within the licensing sector such as *BIIAB level 2 National Certificate for personal licence holders* and *BIIAB level 2 national Certificate for Licensing practitioners*. I have over ten years experience within the Police service and have served within several areas such as general reactive duties, Beat officer within Derby City centre and now Licensing.

I first became aware of the Premises Licence application for UPO's Fish Bar, 42 High Street, Woodville, Swadlincote, Derbyshire on Tuesday 22nd May 2012 that was submitted by Personal Licence Training on behalf of their client, this was our office date of receipt. The content of the application coupled with my working knowledge of the local area highlighted that the premises were trading as a traditional 'chip shop' that opened within timings as per the application.

Having read through the application submitted by the applicant's solicitor, I noted that the hours offered for the supply by retail of alcohol were identical to the hours the premises were open to the public. These hours are Monday to Sunday 1130hrs to 2200hrs.

The area of Woodville is a small mixed use borough of Swadlincote that comprises a mixture of public and private accommodation with a scattering of industrialised units throughout the locality and is also accompanied by a couple of schools, a garage and smaller 'main stream' convenience stores. It is serviced by a main road, leading to Burton and the City of Derby.

Signature Signature witnessed by

Continuation of Statement of: Richard Ian MORLEY

I have liaised with the local Police Inspector, Sergeant and Beat Officers to seek the opinion of the Local Beat Team regarding the Premises Licence Application with a view to discussing a suitable way of dealing with the application by assisting the applicants to support the Licensing Objectives regarding any localised issues. The local officers were able to advise me of the neighbourhood levels of nuisance behaviour and violence within the area and what the core neighbourhood priorities were within the Woodville area. With this information in hand I felt it appropriate to discuss the application with the solicitor representing the applicant.

I have researched a radial area of 1000m surrounding 42, High Street, Woodville for incidents that have been generated by members of the public contacting the Police. The information was recovered from Police systems known as command and control and Guardian. (Appendix 'B') Both of these systems are searchable. I have researched all of the reported incidents and have found the following;

Incidents between 1000hrs to 0200hrs within a three month period (05/05/2012 – 05/07/2012) total 345. A total of 71 incidents that required Police attendance related to Drink related Violence, Anti social behaviour, or Drink Driving.

A total of 37 of the incidents above related to Adults (over 18yrs) with 17 incidents involving drink related violence or Anti social behaviour, which has resulted in 8 crimes being recorded, 3 of which were drink fuelled Domestic violence cases.

This is borne out by the current figures of 409 reported crimes within the period of December 2011 to June 2012 in the vicinity of 42 High Street, Woodville and 753 reported incidents of Anti – social behaviour within the same locality.

(Please note that 465 of these calls for service related to rowdy nuisance behaviour).

I have reduced the search criteria to a 50m radius within 42 High Street within the last twelve months and the breakdown of recorded incident and the nature of the incident is as follows;

Anti-social behaviour – 7 (4 of which were linked to an off licence next door)

Theft – 3 (2 of which relate to the theft of alcohol)

Assault – 1 (This also relates to a local off licence)

Abusive Drunk – 1 (within UPO's)

Suspected Drink driver – 1 (was reported to the Police via staff as they attempted to purchase alcohol)

I have also noted on a system called Guardian, a system used for the recording of crime by Derbyshire Police, that within the past the premises and its staff have been subject to crime being recorded at the premises, again this breakdown is as follows;

Racially aggravated Public order by a drunken male towards staff (2008)

Theft by member of public (2009)

Drunken abusive customer removed by Police (2012)

With this in mind my concern is by adding the sale of alcohol as an added incentive to a premises that has already experienced Alcohol related confrontation between its staff and customers, there is a greater likelihood that the Licensing Objectives would be undermined thereby subjecting the staff to the increased risk of further incidents occurring, whilst seeking to take on the onerous task of promoting and upholding not only the Licensing Objectives, but the operating policies needed to ensure responsible retailing.

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Continuation of Statement of: Richard Ian MORLEY

When I further researched the incidents that related to children that also required Police attendance, I noted that a total of 34 incidents were reported relating to Drink related Violence, Anti social behaviour. These incidents resulted in 2 crimes being recorded.

It is my belief that when you are afforded the responsibility of holding a premises licence you have both a duty of care to support and uphold the Licensing Objectives and also the community which you serve and trade. This is a responsibility that should not be taken lightly and a great deal of consideration should be focused on the offering to the community.

I have concerns that having yet another premise that supplies alcohol for sale by retail will not be serving the community that clearly has presented the local officers with incidents that require a robust approach. May I draw your attention to the analysis that covers a period of six months from December 2011 to May 2012? The total figure for Anti social behaviour within 1000m of High Street is 169; the total number of crimes relating to the same area is 101.

I also have concerns regarding the delivery of Alcohol (home deliveries) and the operating practices that may be considered when delivering the intended goods to an address. It was proposed by the applicant to offer delivery within a five mile radius of the premises, I again have concerns with the issues of not only ensuring that the alcohol is not intended for a person that is intoxicated or has been ordered on behalf of a child, for collection at the door step. Please note that I have provided further analysis regarding a two mile radius from the premises and the total figure for Anti social behaviour increases to a figure of 753 (inclusive of the 169) and the total number of crimes relating to the same area experiences and increase to 409 (inclusive of the 101).

This causes me issue over the methods of corroborating the relevant ages of the person that has both ordered the alcohol and the intended recipient. How do you check the identification of someone over the telephone?

As highlighted within the Licensing Act 2003, a premises licence holder or applicant for a premises licence should take steps to uphold, promote and support the Licensing Objectives. The steps to which the applicant states they will achieve the promotion of the licensing objectives are located in section 'P' of the premises licence application.

The premise would allow and through its offering, encourage more young persons to congregate in and around the premises during the hours of trading, especially within the evening. This could give rise to further calls for service regarding Public Nuisance, Protection of Children from Harm and Anti-social behaviour as has been witnessed at the external areas of other fast food outlets.

Due to the increase in footfall it may also be concluded that with the added attraction of adult customers and passing members of the public, they may be approached to purchase alcohol on behalf of a child whilst ordering food within the premises. This could also be the case for home deliveries. These provisions will more than likely increase the consumption of alcohol on the street.

The locality of the Premises to a local family park immediately to the rear of the row of retail units, which already has an issue with Anti-social behaviour and drinks fuelled violence and also features within the beat strategy of the Local officers, is clearly another area of concern that requires consideration of the applicant. Police are called to that area on almost a nightly basis to deal with either children that are putting themselves at risk through levels of intoxication, criminal acts of vandalism or anti-social behaviour.

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Signature witnessed by

Continuation of Statement of: Richard Ian MORLEY

Likewise the increase in transient custom will inevitably place a higher burden on the tidy up process within the immediate vicinity through the disposal of fast food wrappings. This in itself is a 'Public Nuisance' and could give rise to the decline in the image of a popular local convenience shopping area.

In an article within The Guardian news paper dated 29th March 2011, a survey was conducted that resulted in highlighting the fact that several branded 'Fast Food' retailers featured within the TOP 10 for brands of litter on the streets, along with a further 5% of the litter being unbranded fish and chips, kebab and pizza wrappers.

By applying for this licence I believe that it would lead to an increase in; litter, persons loitering and congregating in and around the this area with an increase in alcohol consumption within this residential and business area thereby giving cause for concern with regards to the support of the four Licensing Objectives;

Prevention of Crime and Disorder.

Prevention of Public nuisance,

Public safety and

Protection of children from harm,

It is my opinion that within the locality of the premise there is the likelihood of an increase in the potential for Anti-social Behaviour and other crime that could be attributed to alcohol consumption, therefore undermining all of the licensing objectives. These concerns are echoed within the report from PC MAGEE. (Appendix 'A')

The premise is also situated very close to late night bus stops that provide a link with the customers that will visit the Night Time Economy, both in Burton and Derby. These premises will clearly be open at the time people will be going into the City and could be seen to encourage visitors to pre-load with alcohol prior to continuing their night out.

The behaviour of certain individuals when under the influence of alcohol is widely recognised and documented as being one of the main factors in encouraging their anti-social behaviour and violence through the level of intoxication. My concern is that Adults and Children residing within the local area or attending the local educational establishments would be needlessly subjected to this unacceptable behaviour.

On Thursday 24th May 2012 I contacted the applicant's solicitor with a view to discussing the methodology behind the application and discussed the issues within the local area regarding Anti – social behaviour and drink fuelled violence. I highlighted that this application may undermine both the licensing objectives and the community work that had been completed by the local beat team,

I further commented that should a suitable agreement be reached, the policies would need to be strong enough to support the Premises Licence Holder and the community. I stated that at this point in time it may be beneficial to the area that the application was rescinded, unless they could offer a suitable regime to ensure that the Licensing Objectives would be supported and upheld. The Licensing Consultant, Jo TAYLOR stated that she would discuss my issues with the applicant and draft some proposals to allay any concerns.

Signature

Signature witnessed by

Continuation of Statement of: Richard Ian MORLEY

On Friday 25th May 2012 I received a call from Jo TAYLOR stating that the applicant wished to continue with the application and suggested that the fears of increased calls for service within the area by local officers and I could be quelled by the volunteering of a schedule of conditions aimed at being supportive to the local community and the Licensing Objectives. It was agreed that a 'draft' of proposed conditions should be produced with the agreement of both the applicant and the Licensing Team.

After receiving an initial draft of conditions on Friday 1st June 2012 from the applicants solicitor I again spoke with, and discussed the longevity and workability of the proposals and commented that due to the fact that the premises were seeking to provide 'home deliveries' I would seek to provide a more robust approach in both supporting the good work of the local officers and the Licensing Objectives whilst seeking to assist the applicant to understand the individuality of the area they were proposing to operate within whilst protecting the Premises Licence, should it be granted.

On Thursday 14th June 2012 I emailed a schedule of the 'Proposed Police Conditions' for the premises to the applicant's solicitor. (Appendix 'C'). These were a combination of conditions that were offered by the applicant's solicitor and ones from me in my capacity as Licensing Enforcement Officer. I believed these conditions to be achievable, proportionate, appropriate and enforceable, to the offering within the application. Within this email I indicated that these should be considered with a view to progressing of the application, unless any further representations were received by South Derbyshire District Council Licensing Team. On Monday 18th June 2012 I again contacted the solicitors confirming safe receipt whilst reiterating the timeliness in replying confirming acceptance.

On Monday 18th June at 1645hrs I held a telephone conversation with the applicant's representative, Jo TAYLOR regarding the lack of communication of her client to either confirm agreement of the conditions or for some of them to be re-worded. I again expressed a willingness to work with the applicant to progress the application and stated that I should now have no alternative but to submit a formal representation to South Derbyshire Council Licensing Team, as a way forward appeared not to be forthcoming. I stated that although a representation would be submitted on Monday 18th June (last representation date) the application could still be approved, thus negating the requirement for a hearing should her client confirm agreement with the proposed conditions. At 2014hrs on Monday 18th June I emailed the Council Licensing Department with my formal representation to the application for UPO's Fish Bar.

On Thursday 21st June 2012 I again contacted the applicant's agent, Jo TAYLOR with a view to bringing this application to a close. I again stated that even though I had provided conditions containing points that were initially volunteered by the applicant regarding the application combined with an individually tailored list of conditions from me totalling Thirty Eight (38), she had still not received any form of instruction from her client.

This caused me some concern as, if this was the kind of response I was to expect from the applicant regarding a proposed Premises Licence Application, what would be the timescale of any response I could expect from the Premises Licence Holder, should I have cause for concern or require to discuss any issues that may occur with the venue should a premises licence be granted.

I stated that the application would be scheduled for a Licensing Sub Committee Hearing at South Derbyshire Council Offices should I not hear anything from her regarding the conditions that were sent to her for the consideration of her client.

Signature

Signature witnessed by

Continuation of Statement of: Richard Ian MORLEY

As a final effort to ratify any of the points set out above and to quantify if her client would be in a position to accept the conditions, I contacted the applicants solicitor on Tuesday 26th June 2012 and left a message for Jo TAYLOR, the applicants solicitor to return my call as I wanted to clarify if the applicant was willing to proceed with the application and agree to the conditions, if they wanted to discuss the content of the proposed conditions or if they alternatively wished to rescind the application. To date I have received no such call.

It is in my opinion that the applicant has not really considered the application process and has placed the 'perceived need' for a chip shop to sell alcohol on financial return rather than the needs of the community as a whole, Licensing Objectives and the requirements within the Licensing Act 2003. The local officers have worked hard to re-ignite the community spirit and now have good communication forums within the community. This good work and community cohesion should not be displaced by an application or applicant that cannot or will not assist in supporting both the community and the Licensing Objectives.

Whilst it is acknowledged that all of these incidents, calls for service and the resulting generated crimes cannot be attributed to the applicants premises; UPO's Fish and Chip, 42 High Street, Woodville, as they do not supply alcohol for sale by retail off the premises. It could and should be a factor when considering the application for a premises licence.

It is my belief that granting yet another Licensed Premises that proposed to offer 'home deliveries' in its entirety shall compound the issues that are partly responsible for placing Derbyshire within the Top Ten in England for having the highest rate of 'Alcohol Related Harm' admissions to hospital within the 'Shire' counties of the East Midlands.

The position of the Police is one of requesting that the panel rejects the application.

However, not as a sign of weakness but one of wishing to promote the Licensing Objectives the Police recognise that the Licensing Authority may wish to adopt a more proportionate response whilst tackling all of the issues raised within this application. Should consideration be given not to reject the application, and the panel are mindful to issue a Premises Licence on the basis of being balanced, proportionate and appropriate. Derbyshire Constabulary request that the attached conditions be considered as a minimum to be imposed on the Premises Licence.

Signature

Signature witnessed by

Appendix 'A'

**Report from
PC 14088 MAGEE**

DERBYSHIRE CONSTABULARY

FROM

PC 14088 MAGEE

OUR REF

YOUR REF

TO

PC 2766 MORLEY

TEL NO

DATE 4/7/12

SUBJECT UPO's

The applicant is applying for a Premises Licence for an off-licence establishment with the opening hours of the premise being 11am to 10pm, Monday to Saturday and Sundays from 5pm to 9pm. The off-licence sales of alcohol would aim to replicate the opening hours that are detailed as above.

The purpose of the premises is to be a takeaway and an off-licence that has been apparently based on economics with a view that the sale of alcohol would increase footfall, sales and revenue at the premise.

The premises is currently trading as a fish and chip shop, situated at Unit 3,42 High Street, Woodville, Swadlincote, DE117EA, situated next to Tesco express.

The premises are situated within an area that comprises of mainly business / retail outlets, it is only a short walk from a 2 local schools, Woodville Junior and infant schools, it is also situated opposite a Nursery which is on Blacksmiths lane.

The premises would be frequented by the local community, those visiting the local area and those commuting through the town; this is a through road to Ashby and Burton and would be easily accessible to traffic to and from these towns.

There would be an increase in the opportunity for the street drinkers and other members of the public to obtain alcohol early in the morning (11am) and thereby would be more than likely to increase linked anti-social behaviour and associated crime within this area. There is a local park situated behind the premises and this would give location for underage drinkers and any alcohol related ASB.

We have been having several complaints in the area in relation to parking. This has been widely reported and local residents have expressed their frustration at council meetings and also via local radio, we feel that the selling of alcohol from these premises I feel that this may have an impact on the traffic in the area and this could cause further disruption to the local community.

The behaviour of certain individuals when under the influence of alcohol is widely recognised and documented as being one of the main factors encouraging their anti-social behaviour through the level of intoxication. My concern is that children residing within the local area or attending the local educational establishments would be needlessly subjected to this unacceptable behaviour.

The premise would allow and through its offering, encourage more persons to congregate in and around the premises with the added attraction of passing members of the public that may be approached for loose change and with this, more than likely an increase in the

COPY TO

SUBJECT

consumption of alcohol on the street. This would be coupled with an increase in the amount of pedestrian traffic and associated noise and Anti social behaviour.

By applying for this licence I believe that it would lead to an increase in persons loitering within this residential and business area thereby giving cause for concern for public nuisance, public safety, protection of children from harm and the rise in Crime and Disorder within the locality of the premise, therefore undermining all of the licensing objectives.

The Chip shop is located next to Tesco express and is also a short walk from the Tollgate garage both of which sell alcohol and both have had ASB issues in the recent past which are being dealt with.

High Street, Woodville

762 27.05.12 taxi assault
847 12.05.12 report of fighting in street
963 24.03.12 drunk female
106 25.02.12 drunk male/taxi dispute
875 + 863 04.02.12 kids snowballing
315 11.12.11 drunk male in the street

Station Road, Woodville

12 31.01.12 assault on male in street outside XX (number has been edited)
696,694,692,688 30.01.12 reports of large group fighting outside XX (number has been edited)
828 21.03.12 group of youths kicked wing mirror off a car
821 23.03.12 drunk youths hitting cars
321 13.04.12 wing mirror kicked off car
185 01.05.12 + 753 02.05.12 nuisance youths on motorbikes
603 18.05.12 + 625 19.05.12 (plus more incidents) ongoing violent neighbour disputes

Brunt Lane

219 06.02.12 robbery

Tollgate

121 13.05.12 drunk /abusive male at petrol station
259 21.03.12 drunk male at ward & brewin (used as land mark)
448 09.03.12 fight at kwik-fit (used as land mark)

COPY TO

Appendix 'B'

Analysis:

ASB, Violence & Criminal Damage

1000m radius of

42 High Street

RESTRICTED



**Derbyshire
Constabulary**

**Analysis: ASB, Violence and Criminal Damage around
42 High Street**

Period Covered: 28 December 2011 to 28 June 2012

Authorising Officer: Richard Morley, 2766

Author: Kathryn Mazillius, 3913 Intelligence Researcher

Date Completed: 03 July 2012

RESTRICTED

ASB, violence and criminal damage around 42 High Street 28/12/11-28/06/12

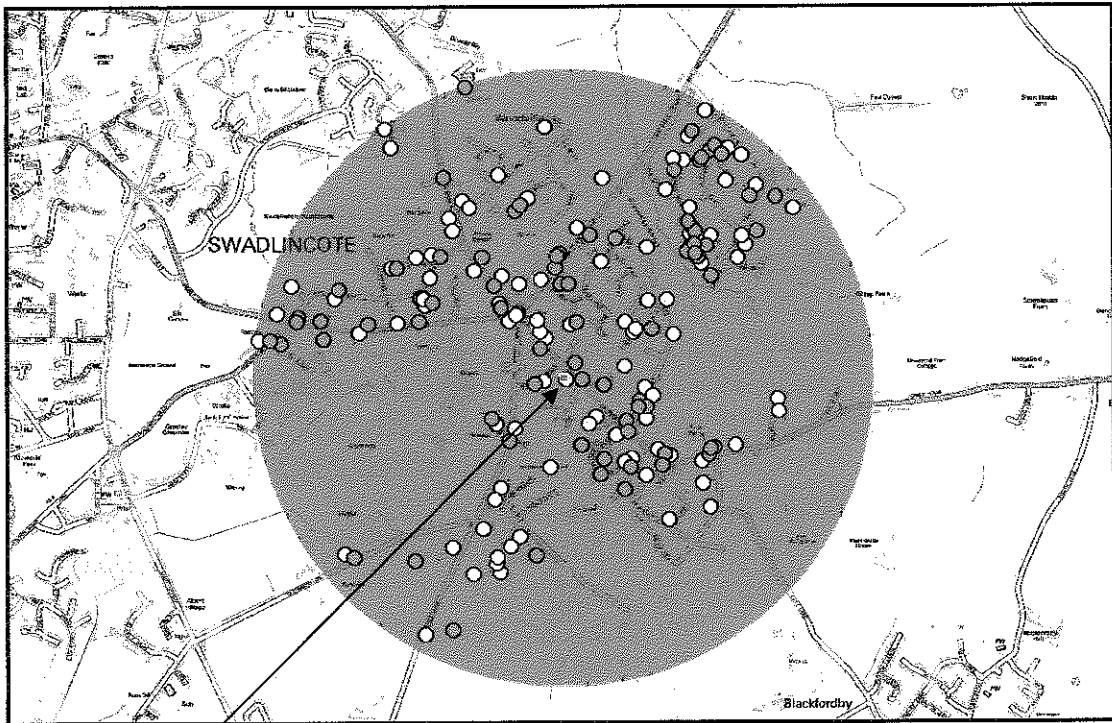
The aim of the report is to identify ASB and crime patterns around 42 High Street (as defined by a 1000 metre and a 2 mile radius) that were reported within the period 28/12/11 – 28/06/12. For the purpose of this report the information has been taken from iBase. A filter has been used to discount all crimes classed as a No Crime.

A 1000 metre and 2 mile radius has been applied to the mapped data to highlight the area to be considered.

1000 Metre Radius

ASB

During the period under consideration there have been **169** ASB incidents within 1000m of 42 High Street as shown on the map below. ASB incidents are shown by yellow dots and crimes with blue dots.

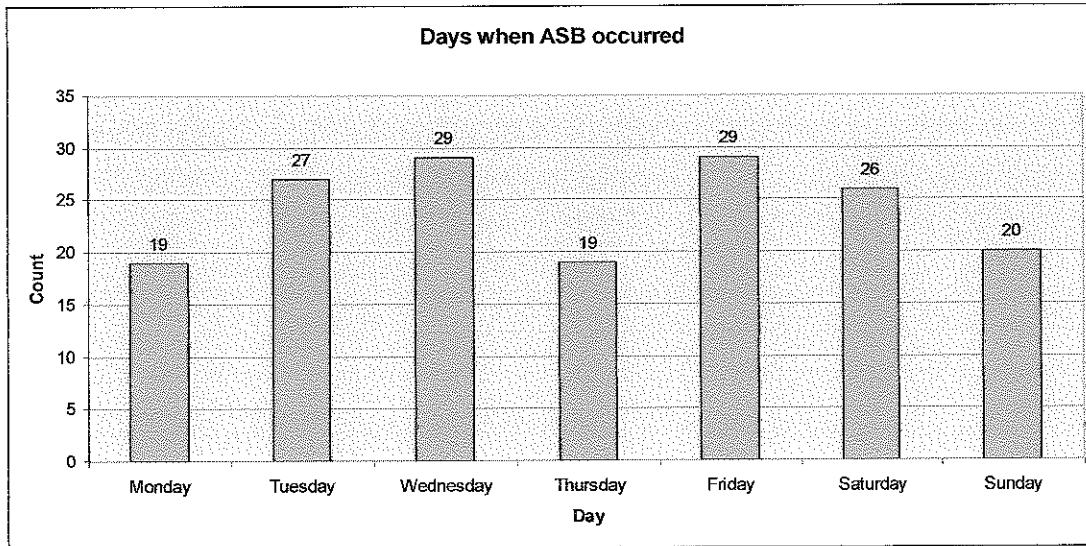


42 High Street

RESTRICTED

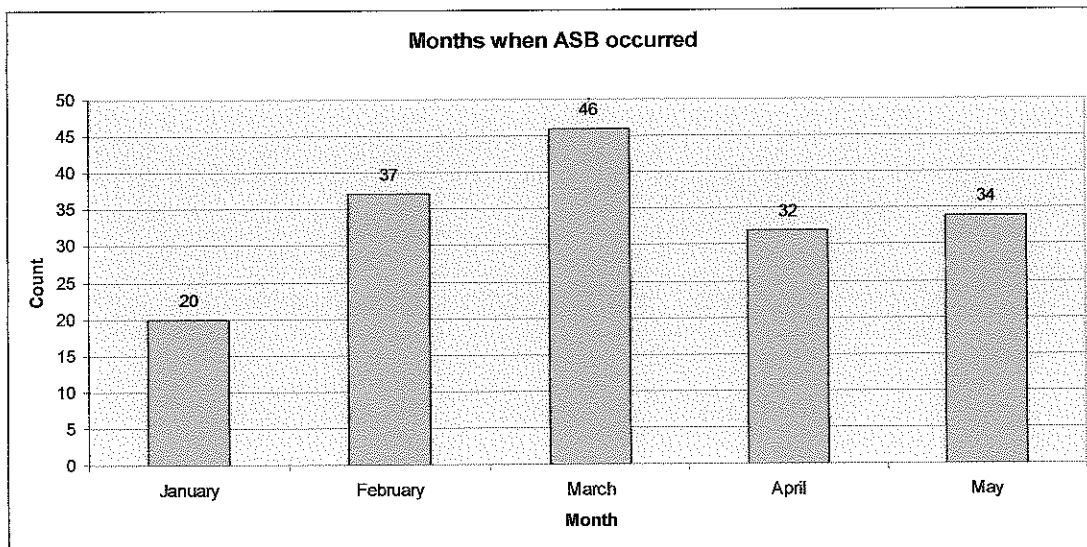
Temporal Analysis

After looking at the ASB data the peak days for ASB to occur within this designated area are:



Peak time analysis has revealed that ASB peaks typically take place from 16:00hrs to 22:59hrs.

The graph below shows a breakdown of how much ASB occurred during each month under consideration.



ASB Types

The table shown below provide an ASB breakdown into ASB type compared by monthly breakdown:

ASB Type	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	Total
ASE: Environment	0	1	3	1	0	2	7
ASN: Nuisance	0	12	22	33	19	18	104
ASP: Personal	0	7	12	12	13	14	58
Total	0	20	37	46	32	34	169

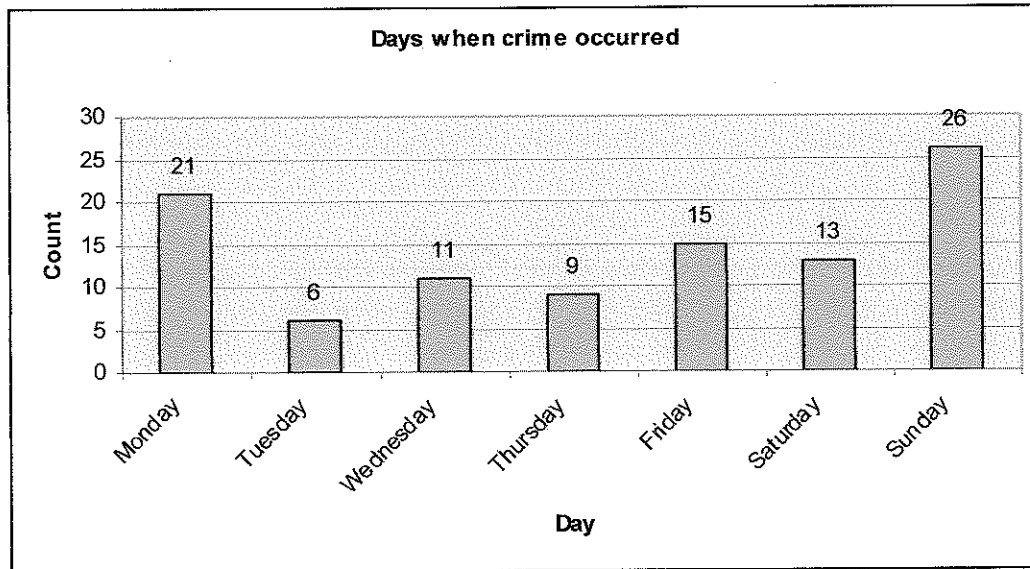
RESTRICTED

Crimes

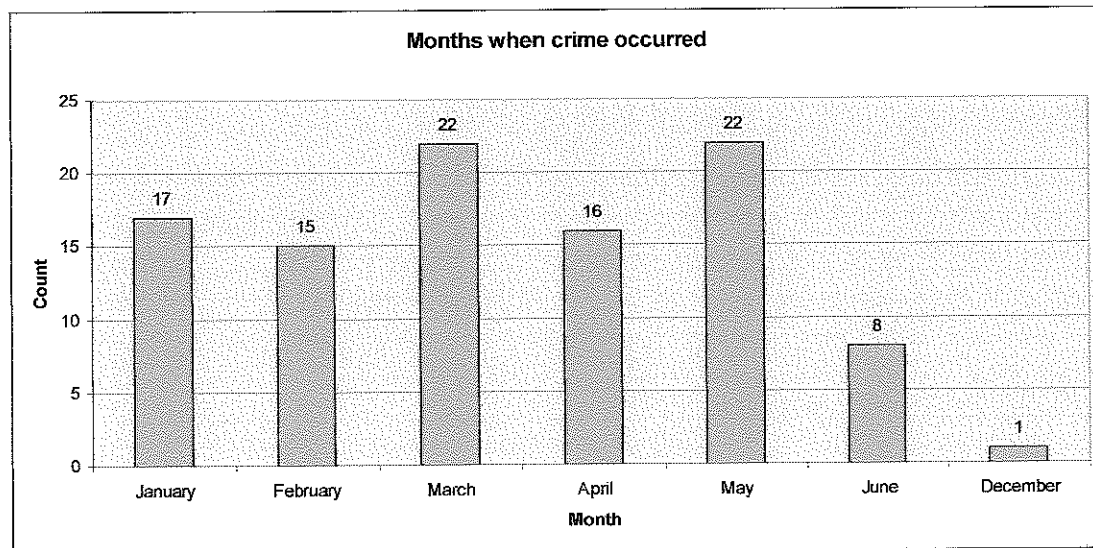
During the last months there have been **101** crimes within 1000m of 42 High Street.

Temporal Analysis

After looking at the crime data the peak days for violence and criminal damage to occur within this designated area are:



Peak time analysis has revealed that violence and criminal damage peaks typically take place from 14:00hrs to 22:59hrs, with another small peak between 00:00 and 02:59hrs. The graph below shows a breakdown of how much violence and criminal damage occurred during each month under consideration.



RESTRICTED

Crime Types

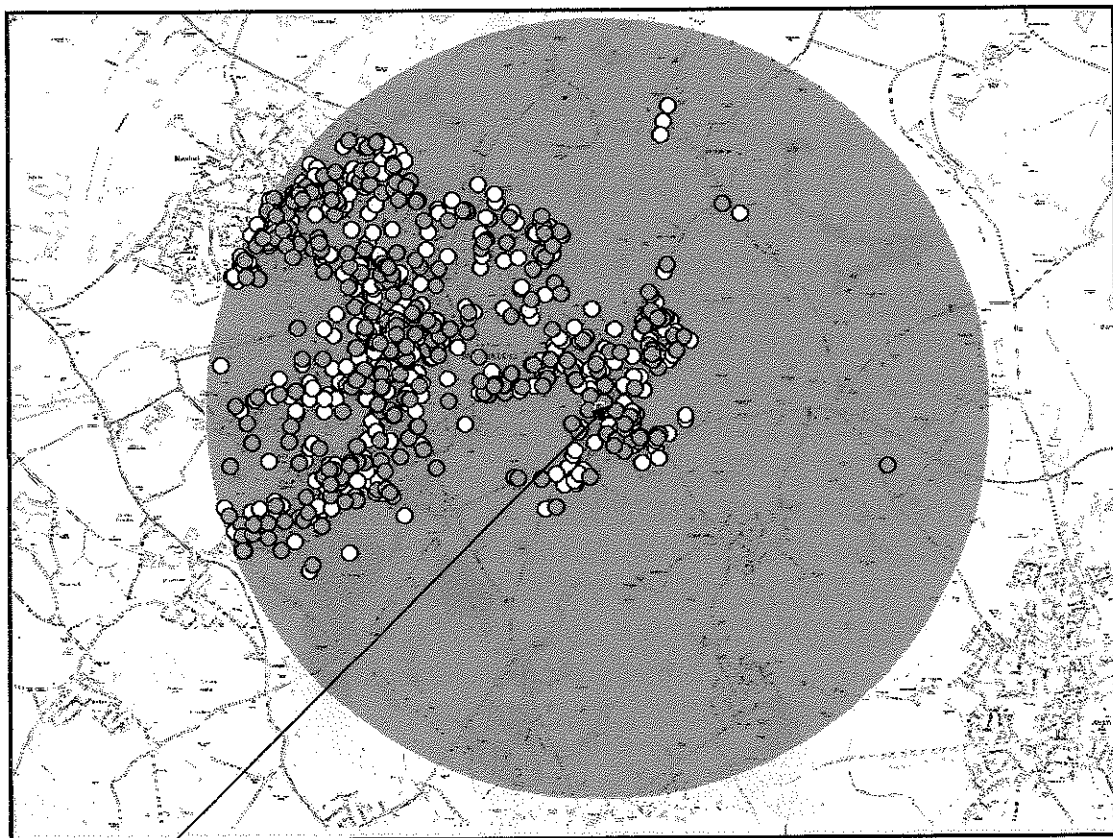
The table shown below provide a crime breakdown into crime type compared by monthly breakdown:

Crime Type	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	Jun 12	Total
Violence against the Person	1	10	10	14	10	14	6	65
Criminal Damage	0	7	5	8	6	8	2	36
Total	1	17	15	22	16	22	8	101

2 Mile Radius

ASB

During the period under consideration there have been **753** ASB incidents within 2 miles of 42 High Street as shown on the map below. ASB incidents are shown by yellow dots and crimes with blue dots.

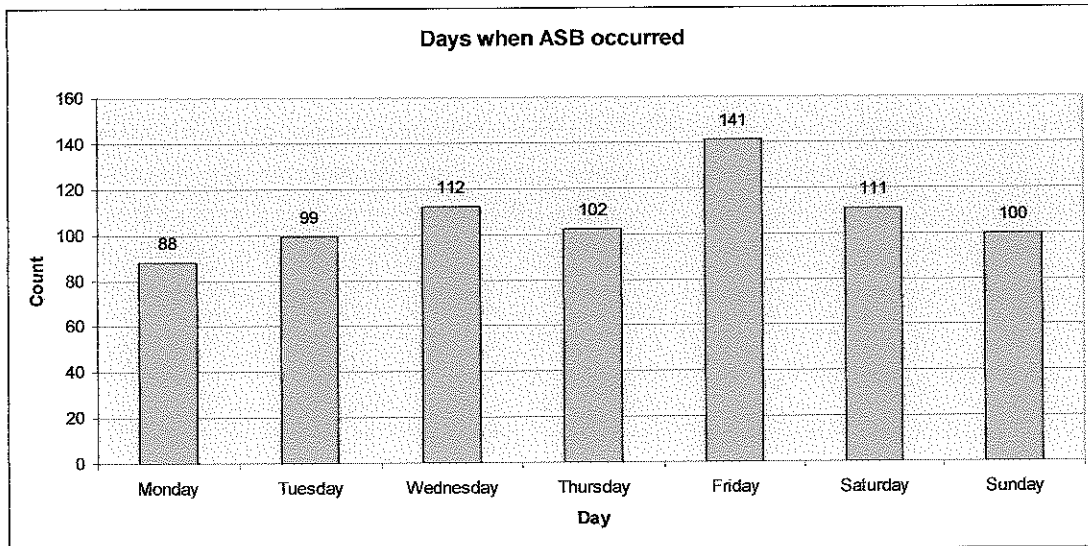


42 High Street

RESTRICTED

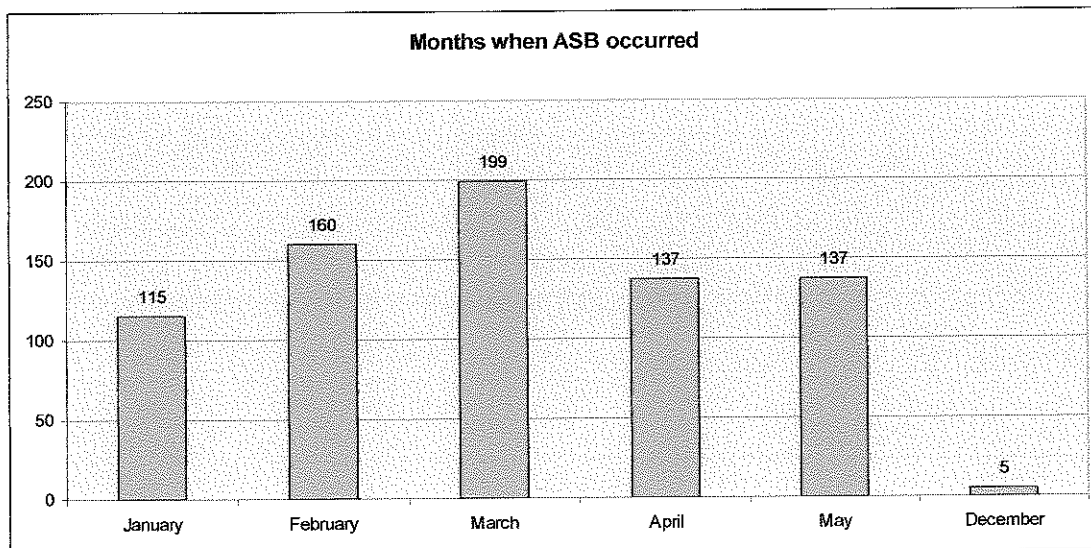
Temporal Analysis

After looking at the ASB data the peak days for ASB to occur within this designated area are:



Peak time analysis has revealed that ASB peaks typically take place from 14:00hrs to 21:59hrs, with a smaller peak between 11:00 and 11:59.

The graph below shows a breakdown of how much ASB occurred during each month under consideration.



ASB Types

The table shown below provide an ASB breakdown into ASB type compared by monthly breakdown:

ASB Type	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	Total
ASE: Environment	0	2	5	5	6	4	22
ASN: Nuisance	4	73	99	137	69	83	465
ASP: Personal	1	40	56	57	62	50	266
Total	5	115	160	199	137	137	753

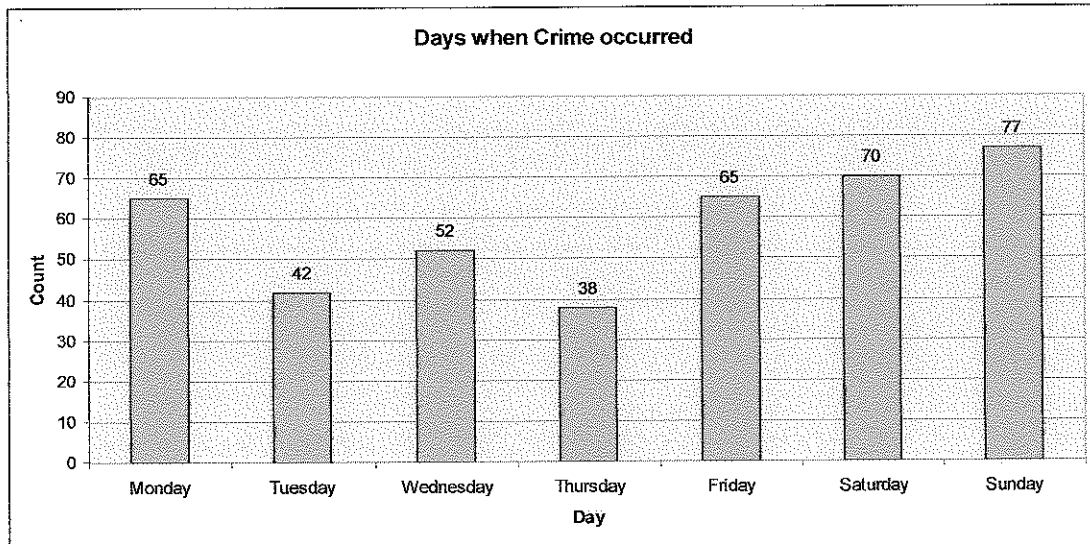
RESTRICTED

Crimes

During the last months there have been **409** crimes within two miles of 42 High Street.

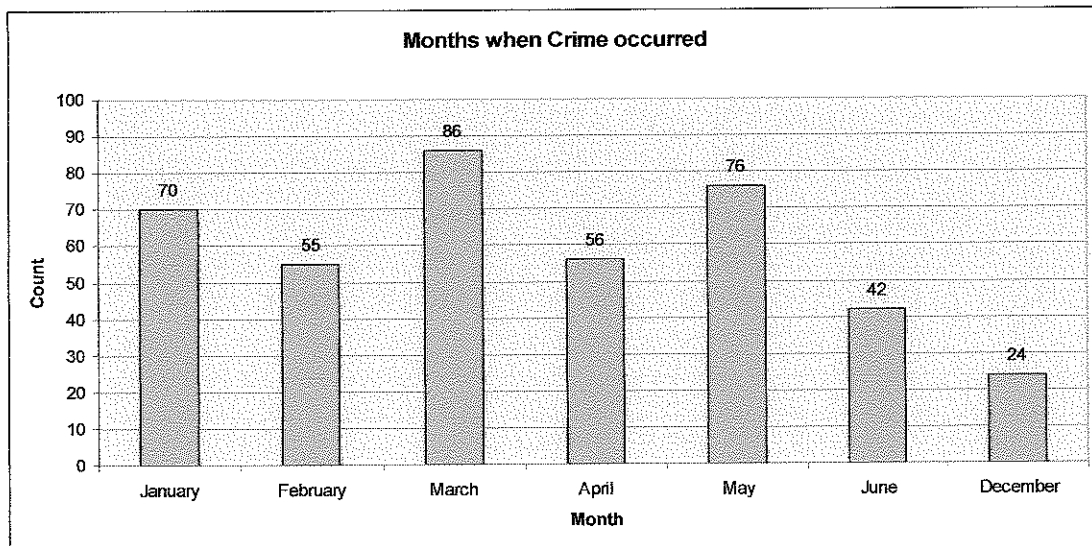
Temporal Analysis

After looking at the crime data the peak days for violence and criminal damage to occur within this designated area are:



Peak time analysis has revealed that violence and criminal damage peaks typically take place from 18:00hrs to 23:59hrs, with small peaks between 02:00 and 02:59hrs and 09:00 and 09:59hrs.

The graph below shows a breakdown of how much violence and criminal damage occurred during each month under consideration.



RESTRICTED

Crime Types

The table shown below provide a crime breakdown into crime type compared by monthly breakdown:

Crime Type	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	Jun 12	Total
Violence against the Person	19	38	32	47	33	47	26	242
Criminal Damage	5	32	23	39	23	29	16	167
Total	24	70	55	86	56	76	42	409

Appendix 'C'

Proposed Police

Premises Licence conditions.

Proposed Police Premises Licence Conditions
for
UPO's Fish Bar,
42 High Street, Woodville.

1. A 'Challenge 25' age verification policy will be employed at the premise with regards to the sale of alcohol. This policy shall also be adopted for the delivery vehicle, when in use for the supply of alcohol to effect the onward transportation of a food delivery.
2. Clear signage in relation to the 'Challenge 25' age policy of the premises will be clearly displayed.
3. There will be sufficient signage in relation to the age policy in all areas where alcohol is displayed for sale, at the point of sale and on any literature that advertise the availability of delivery.
4. Any person who appears to be under the age of 25 years of age will be required to provide suitable proof of age before any alcohol is sold to them. This proof of age will be in the form of a photo driving licence, current passport, Ministry of Defence identity card or Government approved 'PASS' identification card scheme.
5. The refusal register shall be a 'heat bound' log book with sequentially numbered pages. Due to the offering of deliveries two refusal logs shall be operated, one within the premises and one located within the delivery vehicle.
6. All refusals in relation to the sale of alcohol will be entered in refusals books or registers kept for this purpose. These registers shall be kept on the premises for a minimum period of 1 year and will be produced upon request to a Police Officer or person as detailed within Section 13 of the licensing Act 2003.
7. A Personal Licence Holder shall be on the premises whilst they are open for licensable activities.
8. Full training is to be provided by the Designated Premises Supervisor to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. This training shall include the procedures for deliveries.
9. Refresher training will be provided at regular intervals (At least once every six months). Written records detailing the training will be kept on the premises for production to a constable or an authorised person as detailed within Section 13 of the Licensing Act 2003 upon request. These records shall be retained on the premises for a minimum of 1 year.

10. Any authorisation to sell alcohol will be in writing and this will be kept on the premises at all times. This authorisation is to include delivery personnel.
11. No consumption of alcohol will be permitted within the immediate vicinity of the premises. Signage advising customers of this fact shall be displayed both at the point of sale and the main facade of the building.
12. Alcohol shall only be sold directly to customers visiting the premises where the customer orders a substantial meal. This meal shall consist of several component parts. This should not be an 'individual' item of food stuff. Any other sale of alcohol shall be made solely in order to appropriate that alcohol to an order or contract previously agreed and effect the onward delivery.
13. A maximum of two alcoholic beverages shall be allowed with each individual meal, or multiples thereof. (For the avoidance of doubt; one meal entitles a maximum of two alcoholic beverages).
14. All home deliveries MUST be paid for at the time of order and if alcohol is purchased as part of that order a copy of the order shall be retained; detailing the full name, address and date of birth of the recipient.
15. Where a courier or similar company is utilised to carry out deliveries on behalf of the premises licence holder, this courier company or similar shall ensure that an age verification procedure is in place to prevent the delivery of alcohol to those persons under the age of 18.
16. The verification of the age of the person receiving the alcohol upon delivery shall only take place using photographic forms of identification such as a photo-card driving licence, a passport, Ministry of Defence identity card or a PASS accredited proof of age card.
17. The alcohol allocated to the order shall remain within the designated delivery vehicle until the age verification process has been completed.
18. The premises licence holder shall ensure that where alcohol is stored at the premises, the alcohol is stored in such a way that it is secured and that only authorised members of staff who are over the age of 16 have access to the alcohol stored.
19. The premises is restricted to stock and supply alcohol with a maximum ABV of 5%. There shall be no sale, supply or storage of wine, spirits, 'alco-pops' or vermouths from or on the premises including the delivery vehicle.
20. Alcohol shall not be sold or offered for sale at a reduced or discounted price.

21. A list of designated delivery vehicles should be retained on site. This list shall detail the vehicle registration number, driver and passenger details and areas covered.
22. A vehicle log book should be maintained within the vehicle that has the availability to record, driver details, times the vehicle is in use and the areas visited for the purposes of a delivery.
23. The person charged with making deliveries shall be a personal licence holder.
24. Where the premises licence holder employs, whether paid or unpaid, any person, that person shall have received training that must include confirmation that the employee has read and understood any conditions attached to the premises licence. The employee shall also be aware of the requirements / policies of restricting any delivery of alcohol to those persons aged 18 and over. This training shall be signed by the person providing the training and the trainee.
25. Only alcohol that has been appropriated to an existing contract or order may be stored on any vehicle that is used for onward delivery.
26. A log shall be kept that details the amount and type of alcohol stored on any vehicle for onward delivery. The log will be kept on the premises for production and will be made immediately available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
27. A system of recording sales refused shall be operated at all times. This shall include sales refused at the point of order and the point of delivery. The refusals log will be kept on the premises for production and will be made immediately available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
28. CCTV must be operated at all times when the premises are open to the public for licensable activities.
29. All CCTV recordings must be retained for a minimum of 21 days. These images must be available for viewing at any reasonable time upon request of a Police Officer or another authorised person as detailed within Section 13 of the Licensing Act 2003.
30. A CCTV system shall be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).

31. The DPS and designated members of staff must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder).
32. The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.
33. Installed CCTV cameras / monitors are to be positioned so as to ensure all areas to which the public have access are covered. This is to include the main entry door and the frontage of the premises.
34. All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose. The system must be able to export recorded images to a removable means such as a CD / DVD and have its own software to enable playback / review on site.
35. The DPS shall ensure that an incident log is maintained within the premises and details of all known incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
36. Suitable and sufficient written risk assessments covering the Venue, Delivery vehicle (lone working), Fire and Operating policies shall be kept up to date and shall be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
37. Limited disposable materials will be used to help eliminate problems of litter in the area. Bins will be moved to and from the bin area a maximum of one hour prior to the scheduled collection to ensure noise levels are kept to a minimum during early morning hours and late evening hours.
38. A nominated representative from the premises, on at least one occasion during the hours the premises are open to the public and then again shortly after the premises closes, shall undertake a litter-picking operation covering a minimum of a 25 meter radius of the premises in all directions. Any litter / waste found during the exercise shall be placed into sealed receptacles designed specifically for the collection of waste and disposed of in an appropriate manner.