

LICENSING SUB COMMITTEE A

Date: Wednesday 23rd November, 2022
Time: 10.00 am
Venue: Mandela Room

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Licensing Act 2003 - Application for Review of Premises Licence: Lifestyle Express, 22-24 Princes Road, Middlesbrough, TS1 4BB. Ref: PRO415. 3 - 94
4. Licensing Act 2003 - Application for Transfer of Premises Licence and Application to Vary the Designated Premises Supervisor in respect of Lifestyle Express, 22-24 Princes Road, Middlesbrough, TS1 4BB. 95 - 142
5. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Tuesday 15 November 2022

MEMBERSHIP

Councillors R Arundale (Chair), T Higgins and S Hill

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Joanne Dixon / Scott Bonner, 01642 729713 / 01642 729708, joanne_dixon@middlesbrough.gov.uk / scott_bonner@middlesbrough.gov.uk

This page is intentionally left blank

AGENDA ITEM 3

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 23 NOVEMBER 2022**

APPLICATION FOR REVIEW OF PREMISES LICENCE

Ref No. PR0415

Applicant: Cleveland Police

Premises: Lifestyle Express, 22-24 Princes Road, Middlesbrough, TS1 4BB

Application received: 27 July 2022

Premises Licence Holder – Mr Abuzar Naveed

Summary of Current Licensable Activities:

SALE OF ALCOHOL ON AND OFF PREMISES

Monday to Sunday 7am to 10pm

A copy of the current premises licence is attached at **Appendix 1**.

1. Summary of Applications:

The purpose of this report is to enable Members to consider an application for a review of the premises licence for Lifestyle Express, 22-24 Princes Road, Middlesbrough made by Cleveland Police on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance.

Cleveland Police state that high levels of street drinking, anti-social behaviour, nuisance, disorder and crime in the local area are linked to the sale of cheap, high ABV alcohol from the premises. Cleveland Police also have concerns about the management of the premises and the lack of compliance with the conditions of the premises licence.

A copy of the application from Cleveland Police and additional documentation in support of their application is attached at **Appendix 2**.

Under Regulation 11 of the Licensing Act (Hearings) Regulations 2005 the time limit for this hearing to take place has been extended as the Council considered it is in the public interest and agreed by the Applicant to do so in order to enable the parties to the hearing to be present and to convene a panel of members following the Annual General Meeting, training and summer recess.

2. Legislation

The Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the four licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The Licensing Authority must also have regard to its Licensing Policy and any guidance issued by the Secretary of State.

3. Consultation on review application

The premises licence holder, any responsible authority or any other person are permitted to make representations in respect of the review application following publication of a notice.

In response to the consultation, on 15 August 2022, a representation was received from the Licensing Authority acting in its role as a Responsible Authority. A copy of the representation which is on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance is attached at **Appendix 3**.

On 19 August 2022 a representation was received from the Responsible Authority for Public Health supporting the application on the grounds of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. A copy of the representation is attached at **Appendix 4**.

On 19 August 2022 a representation was received from Nicola Battista, the director of a neighbouring business, Guido Hair Limited supporting the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance. A copy of the representation is attached at **Appendix 5**.

On 24 August 2022 a representation was received from Nicola Kenny, a Neighbourhood Safety Officer employed by Middlesbrough Council supporting the application on the grounds of the prevention of crime and disorder. A copy of this representation is attached at **Appendix 6**.

On 24 August 2022 a representation was received from the Newport Ward Councillor, Chris Cook supporting the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance. A copy of this representation is attached at **Appendix 7**.

4. Background

The Lifestyle Express store, is a busy convenience store situated on a busy residential road with a mixture of residential and business premises. The area has historically been part of the Council's Cumulative Impact Area which has lapsed but the Council are seeking to reinstate in the very near future. A location plan is attached at **Appendix 8**.

The premises have had the benefit of a premises licence since 14 April 2009 and Mr Abuzar Naveed has been the premises licence holder and designated premises supervisor since that time.

5. The Licensing Policy

Members are referred to the following relevant sections of the Council's Licensing Policy.

Prevention of Crime and Disorder	Page 20
Public Safety	Page 25
Prevention of Public Nuisance	Page 27
Protection of Children from Harm	Page 30
Reviews	Pages 47 to 50

And any other sections of the Policy which Members consider to be relevant.

6. Guidance to the Licensing Act 2003

Members are referred to the following relevant sections of the Guidance.

Prevention of Crime and Disorder	Starting at paragraph 2.1
Public Safety	Starting at paragraph 2.7
Prevention of Public Nuisance	Starting at paragraph 2.15
Protection of Children from Harm	Starting at paragraph 2.22
Reviews	Starting at paragraph 11.1

And any other sections of the Guidance which Members consider to be relevant.

7. Members' Options

Members may consider the following options:

- a. To modify the conditions of the licence.
- b. To exclude a licensable activity from the scope of the licence.
- c. To remove the Designated Premises Supervisor
- d. To suspend the licence for a period of not exceeding 3 months.
- e. To revoke the licence.
- f. Alternatively, Members may consider that it is not necessary to take any of the above steps and may issue an informal warning and/or or recommend improvement within a certain time period.

Any party to the hearing who may be aggrieved by the decision taken by the Licensing Sub-Committee would have a right of appeal to the Magistrates' Court.

Contact Officer: Sarah Morris
Principal Licensing Officer
Tel. 728716

This page is intentionally left blank

Middlesbrough
Council



PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0415/063483

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Lifestyle 22-24 Princes Road	
Post town	Post code
Middlesbrough	TS1 4BB
Telephone number	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Sale of Alcohol

The times the licence authorises the carrying out of licensable activities
SALE OF ALCOHOL OFF PREMISES
Monday to Sunday - 7am to 10pm

The opening hours of the premises
Monday to Sunday - 7am to 10pm

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Alcohol sales permitted OFF the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Abuzar Naveed
142 Abingdon Road
Middlesbrough
TS1 3JX

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Abuzar Naveed
142 Abingdon Road
Middlesbrough
TS1 3JX

07853330329

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

MBRO/PL0759/063747 Issued by Middlesbrough Borough Council

Granted on 14 April 2009

Authorised Officer

Annex 1 - Mandatory conditions

Mandatory conditions in accordance with Section 19 of the Licensing Act 2003:

Where a premises licence authorises the supply of alcohol:

(i) No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises licence, or

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(ii) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Effective from 1 October 2010

(1) The premise licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the operating Schedule

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

None

THE PREVENTION OF CRIME AND DISORDER

1. Have a good relationship with Police.
2. Will report any disturbances at the premises.
3. The premises will be fitted with digital colour CCTV which covers both internal and external areas. All footage will be maintained for 31 days and will be surrendered to a member of any responsible authorities on request.
4. No 'perry' will be stocked or sold from the premise at any time.
5. A refusal book will be kept on the premises and maintained at all times.
6. The Challenge 21 scheme will be operated on the premises and prominent signage of this scheme will be displayed in the store.
7. Notices will be displayed in the premise stating that alcohol will not be served to people under 18 years of age. Notices will also state that only accredited proof of identification will be accepted, those being a valid passport or a valid UK photocard driving licence. If no identification is provided then the sale of alcohol will be refused.
8. An incident book will be kept on the premises and maintained showing all incidents of crime and disorder.
9. Staff training will be conducted on a 6 monthly basis covering all points of serving alcohol to underage persons and serving of alcohol to persons already under the influence of the same. Training records of this will be kept and maintained for each employee working at the premises.

PUBLIC SAFETY

1. The premises will be fitted with digital colour CCTV which covers both internal and external areas. All footage will be maintained for 31 days and will be surrendered to a member of any responsible authorities on request.

THE PREVENTION OF PUBLIC NUISANCE

1. No 'perry' will be stocked or sold from the premise at any time.
2. Staff training will be conducted on a 6 monthly basis covering all points of serving alcohol to underage persons and serving of alcohol to persons already under the influence of the same. Training records of this will be kept and maintained for each employee working at the premises.

THE PROTECTION OF CHILDREN FROM HARM

1. A refusal book will be kept on the premises and maintained at all times.
2. The Challenge 21 scheme will be operated on the premises and prominent signage of this scheme will be displayed in the store.
3. Notices will be displayed in the premise stating that alcohol will not be served to people under 18 years of age. Notices will also state that only accredited proof of identification will be accepted, those being a valid passport or a valid UK photocard driving licence. If no identification is provided then the sale of alcohol will be refused.
4. An incident book will be kept on the premises and maintained showing all incidents of crime and disorder.
5. Staff training will be conducted on a 6 monthly basis covering all points of serving alcohol to underage persons and serving of alcohol to persons already under the influence of the same. Training records of this will be kept and maintained for each employee working at the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 - Plans

Attached

This page is intentionally left blank

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I PC894 Andrew Thorpe

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
LIFESTYLE EXPRESS 22-24 PRINCES ROAD	
Post town MIDDLESBROUGH	Post code (if known) TS1 4BB
Name of premises licence holder or club holding club premises certificate (if known)	
Number of premises licence or club premises certificate (if known)	
MBRO/PR0415//063483	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Andrew Thorpe Licensing Officer Cleveland Police Middlesbrough Police Station Bridge Street West Middlesbrough TS21AB
Telephone number (if any) 01642 302360
E-mail address (optional) Andrew.thorpe@cleveland.police.uk

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

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | |

Please state the ground(s) for review (please read guidance note 2)

The Lifestyle Express store, 22-24 Princes Road, Middlesbrough is a busy convenience store situated on a busy residential road with a mixture of residential and business premises. The area has historically been part of the council's Cumulative Impact Area (CIA) which has lapsed but the council are seeking to reinstate in the very near future and this area will again be part of this for very good reason.

During 2019/2020 we had several meetings with the Designated Premise Supervisor (DPS) Mr Naveed, regarding on going issues of street drinking, disorder and crime which were linked to the sale of alcohol from the premise. Mr Naveed agreed to an Action Plan which was in full flow with positive results as of January 2020 until the pandemic hit causing lockdowns and restrictions.

After the lifting of restrictions the store fully re-opened and Mr Naveed handed the reigns over to Mr Iqbal, although Mr Naveed remains on the licence as the named DPS. The incidents have again slowly increased, with the premise again selling stronger cans of beer, cider and lager and selling them as individual cans at a cost of between 99p and £1.20 a can.

The incidents have reached a crescendo with street drinking, Anti-social behaviour and nuisance being a daily occurrence and the familiar black cans of cheap high ABV cider being ever present. Street Enforcement and the Neighbourhood Police team have both taken steps to deal with the issues and have visited the store on a number of occasions.

Police Licensing along with Public Health visited the premise on Friday 15th July 2022. On arrival we immediately saw two females arguing outside the shop, the arguing was becoming more intense and the situation was escalating. We had to step in to put a stop to the incident. As the situation was calming and the females were walking away a male across the road drinking from a Black can began to shout across the road at the officers. I approached the male who was drinking a can of Knights cider which is sold from the store we were attending and he had another can of the same drink next to him. Knights is a high ABV (8.4% ABV) and low cost (£1.20 a can sold as single cans). He was clearly drunk, his eyes glazed and his speech slurred. The male was spoken and told to leave the area. These types of incidents are not unusual in this area.

On entering the store and looking around we saw Perry products for sale on the shelves (a breach of the premise licence conditions), high ABV single cans of cider making up a large portion of the alcohol for sale, and the majority of litre plus bottles of cider were again high ABV. Mr Iqbal was serving and watching over the store and when asked confirmed that he was in charge and that he had been running the business since last year. He was asked why Mr Naveed was still named as DPS on the licence, but Mr Iqbal had no satisfactory answer. As we were of the opinion that there was no DPS in day to day control of the premises Mr Iqbal was asked to refrain from the sale of alcohol until the matter was resolved, removing alcohol from floor displays, covering the refrigerated alcohol and refusing any further requests for sale. Mr Iqbal agreed to this and was seen to refuse the next few customers' service of alcohol while we were there.

Police Licensing, Public Health, Council Licensing and Street Enforcement officers attended the store again on Tuesday 19th July 2022 at 13:15 hours. Mr Iqbal was again in attendance but Mr Naveed was also there serving from behind the counter. Mr Naveed stated he was there as DPS and when asked considered that he was in day to day control of the premises. Mr Naveed was asked to demonstrate the CCTV, he stated that there had been some problems with the CCTV. When he tried to go back to show us footage from previous days it was found that CCTV was only on from that day and no previous CCTV had been recorded. This was despite our visit on Friday 15th July and the council's visit on Monday 18th July when Mr Iqbal had been asked about the CCTV on both occasions. Mr Naveed was then asked to produce Training records, the incident book and the refusals book. Mr Naveed produced three books which all looked brand new, in fact the training record had a price label on it which looked new. There were entries in the training book and the refusals log but they all looked to be in the same pen and by the same person. The books were seized as evidence.

Mr Naveed attended the Civic Centre, Middlesbrough for a meeting with responsible authorities regarding the issues at Lifestyle Express. He explained that for the past two weeks he had been there on the Monday of both for a maximum of two hours and estimated his regular attendance as four hours a week which I do not believe fulfils his obligation of day to day running of the premise. He does not have responsibility for stock, staff wages, or other managerial duties and holds down a part time job elsewhere. He was unwilling to acknowledge the issues in the area and could not see the part the store played in the problems. He also said that on re-opening after the COVID restrictions he did not continue with the Action Plan that had been agreed in January 2020 which he did agree probably did not help.

Unfortunately the running of the premise does not instil us with the confidence that matters could be put right in the short term, leading to further disruption for the residents and possible ASB and disorder. With their continued sale of single can high strength alcohol and large bottles of high ABV white cider we believe that the Licensing Objectives as a consequence are and will continue to be undermined.

Please provide as much information as possible to support the application (please read guidance note 3)

Additional evidence will be supplied in due course

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature A Thorpe

.....

Date 27/07/2022

.....

Capacity Licensing Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

PC Andrew Thorpe
Licensing Officer
Middlesbrough Police Station
Bridge Street West
Middlesbrough
TS21AB

Post town
Middlesbrough

Post Code
TS21AB

Telephone number (if any) 01642 302360

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Andrew.thorpe@cleveland.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

6. This is the address which we shall use to correspond with you about this application.

This page is intentionally left blank

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
-----	----	--	--	--

Statement of **Andrew THORPE**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable 0894**

This statement (consisting of **5** 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 anything in it, which I know to be false, or do not believe to be true.

Signature **Andrew Thorpe**

Date: **10/10/2022**

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

I am a serving police officer with Cleveland Police. I am currently stationed with the Licensing Support Unit at Middlesbrough Police HQ and have attained a BIIAB Level 2 Award for Licensing Practitioners and a BIIAB Level 2 for Legislative Requirements for Alcohol Licensed Premise and the Assessment for recognised Award Schemes.

Part of my role as a licensing support officer is to monitor licensed premises within all four districts of the Cleveland Police area, including Middlesbrough, ensuring that they are trading within the spirit of the four licensing objectives. We will ask that they will not have an adverse effect on the surrounding community or have a negative impact on Crime & Disorder, Public Safety or Public Nuisance objectives and will Prevent Harm to Children.

This statement is in relation to a review application submitted by Cleveland Police regarding The Lifestyle Express Store, Princes Road, Middlesbrough, as we believe that the store has failed to uphold three of the four of the Licensing Objectives, namely Crime &

Signature **PC894 A Thorpe**

Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **Andrew THORPE**

Disorder, Prevention of Public Nuisance, and Public Safety.

The Lifestyle Express store, 22-24 Princes Road, Middlesbrough is a busy convenience store situated on a busy residential road with a mixture of residential and business premises. The area has historically been part of the council's Cumulative Impact Area (CIA) which has lapsed but the council are seeking to reinstate in the very near future and this area will again be part of this for very good reason.

During 2019/2020 we had several meetings with the Designated Premise Supervisor (DPS) Mr Naveed, regarding on going issues of street drinking, disorder and crime which were linked to the sale of alcohol from the premise. Mr Naveed agreed to an Action Plan which was in full flow with positive results as of January 2020 until the pandemic hit causing lockdowns and restrictions.

After the lifting of restrictions, the store fully re-opened and Mr Naveed handed the reigns over to Mr Iqbal, although Mr Naveed remains on the licence as the named DPS. The incidents have again slowly increased, with the premise again selling stronger cans of beer, cider and lager and selling them as individual cans at a cost of between 99p and £1.20 a can.

The incidents have reached a crescendo with street drinking, Anti-social behaviour and nuisance being a daily occurrence and the familiar black cans of cheap high ABV cider

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**Continuation of Statement of **Andrew THORPE**

being ever present. Street Enforcement and the Neighbourhood Police team have both taken steps to deal with the issues and have visited the store on a number of occasions.

Police Licensing along with Public Health visited the premise on Friday 15th July 2022. On arrival we immediately saw two females arguing outside the shop, the arguing was becoming more intense, and the situation was escalating. We had to step in to put a stop to the incident. As the situation was calming and the females were walking away a male across the road drinking from a Black can began to shout across the road at the officers. I approached the male who was drinking a can of Knights cider which is sold from the store we were attending, and he had another can of the same drink next to him. Knights is a high ABV (8.4% ABV) and low cost (£1.20 a can sold as single cans). He was clearly drunk, his eyes glazed, and his speech slurred. The male was spoken and told to leave the area. These types of incidents are not unusual in this area.

On entering the store and looking around we saw Perry products for sale on the shelves (a breach of the premise licence conditions), high ABV single cans of cider making up a large portion of the alcohol for sale, and the majority of litre plus bottles of cider were again high ABV. Mr Iqbal was serving and watching over the store and when asked confirmed that he was in charge and that he had been running the business since last year. He was asked why Mr Naveed was still named as DPS on the licence, but Mr Iqbal had no satisfactory answer. As we were of the opinion that there was no DPS in day-to-day control of the premises Mt Iqbal was asked to refrain from the sale of alcohol until the matter was resolved, removing alcohol from floor displays, covering the refrigerated alcohol and

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **4**Continuation of Statement of **Andrew THORPE**

refusing any further requests for sale. Mr Iqbal agreed to this and was seen to refuse the next few customers' service of alcohol while we were there.

Police Licensing, Public Health, Council Licensing and Street Enforcement officers attended the store again on Tuesday 19th July 2022 at 13:15 hours. Mr Iqbal was again in attendance, but Mr Naveed was also there serving from behind the counter. Mr Naveed stated he was there as DPS and when asked considered that he was in day-to-day control of the premises. Mr Naveed was asked to demonstrate the CCTV, he stated that there had been some problems with the CCTV. When he tried to go back to show us footage from previous days it was found that CCTV was only on from that day and no previous CCTV had been recorded. This was despite our visit on Friday 15th July and the council's visit on Monday 18th July when Mr Iqbal had been asked about the CCTV on both occasions. Mr Naveed was then asked to produce Training records, the incident book and the refusals book. Mr Naveed produced three books which all looked brand new, in fact the training record had a price label on it which looked new. There were entries in the training book and the refusals log, but they all looked to be in the same pen and by the same person. The books were seized as evidence.

Mr Naveed attended the Civic Centre, Middlesbrough for a meeting with responsible authorities regarding the issues at Lifestyle Express. He explained that for the past two weeks he had been there on the Monday of both for a maximum of two hours and estimated his regular attendance as four hours a week which I do not believe fulfils his obligation of day to day running of the premise. He does not have responsibility for stock,

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **5**Continuation of Statement of **Andrew THORPE**

staff wages, or other managerial duties and holds down a part time job elsewhere. He was unwilling to acknowledge the issues in the area and could not see the part the store played in the problems. He also said that on re-opening after the COVID restrictions he did not continue with the Action Plan that had been agreed in January 2020 which he did agree probably did not help.

We have since received an application to vary the Designated Premises Supervisor for the premises which we have objected to awaiting the outcome of this review hearing.

A review of any premises licence is the last resort, and we will always strive to meet the premises needs in other ways before resorting to this however the familiar cycle of issues with the premises have forced our hands. Unfortunately, the running of the premise does not instil us with the confidence that matters could be put right in the short term, leading to further disruption for the residents and possible ASB and disorder. With their continued sale of single can high strength alcohol and large bottles of high ABV white cider we believe that the Licensing Objectives as a consequence are and will continue to be undermined.

This page is intentionally left blank

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
-----	----	--	--	--

Statement of **Andrew THORPE**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable 0894**

This statement (consisting of **5** 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 anything in it, which I know to be false, or do not believe to be true.

Signature **Andrew Thorpe** Date: **10/10/2022**

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

I am a serving police officer with Cleveland Police. I am currently stationed with the Licensing Support Unit at Middlesbrough Police HQ and have attained a BIIAB Level 2 Award for Licensing Practitioners and a BIIAB Level 2 for Legislative Requirements for Alcohol Licensed Premise and the Assessment for recognised Award Schemes.

Part of my role as a licensing support officer is to monitor licensed premises within all four districts of the Cleveland Police area, including Middlesbrough, ensuring that they are trading within the spirit of the four licensing objectives. We will ask that they will not have an adverse effect on the surrounding community or have a negative impact on Crime & Disorder, Public Safety or Public Nuisance objectives and will Prevent Harm to Children.

This statement is in relation to a review application submitted by Cleveland Police regarding The Lifestyle Express Store, Princes Road, Middlesbrough, as we believe that the store has

Signature **PC894 A Thorpe** Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **Andrew THORPE**

failed to uphold three of the four of the Licensing Objectives, namely Crime & Disorder, Prevention of Public Nuisance, and Public Safety.

The Lifestyle Express store, 22-24 Princes Road, Middlesbrough is a busy convenience store situated on a busy residential road with a mixture of residential and business premises. The area has historically been part of the council's Cumulative Impact Area (CIA) which has lapsed but the council are seeking to reinstate in the very near future and this area will again be part of this for very good reason.

During 2019/2020 we had several meetings with the Designated Premise Supervisor (DPS) Mr Naveed, regarding on going issues of street drinking, disorder and crime which were linked to the sale of alcohol from the premise. Mr Naveed agreed to an Action Plan which was in full flow with positive results as of January 2020 until the pandemic hit causing lockdowns and restrictions.

After the lifting of restrictions, the store fully re-opened and Mr Naveed handed the reigns over to Mr Iqbal, although Mr Naveed remains on the licence as the named DPS. The incidents have again slowly increased, with the premise again selling stronger cans of beer, cider and lager and selling them as individual cans at a cost of between 99p and £1.20 a can.

The incidents have reached a crescendo with street drinking, Anti-social behaviour and nuisance being a daily occurrence and the familiar black cans of cheap high ABV cider being

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**Continuation of Statement of **Andrew THORPE**

ever present. Street Enforcement and the Neighbourhood Police team have both taken steps to deal with the issues and have visited the store on a number of occasions.

Police Licensing along with Public Health visited the premise on Friday 15th July 2022. On arrival we immediately saw two females arguing outside the shop, the arguing was becoming more intense, and the situation was escalating. We had to step in to put a stop to the incident. As the situation was calming and the females were walking away a male across the road drinking from a Black can began to shout across the road at the officers. I approached the male who was drinking a can of Knights cider which is sold from the store we were attending, and he had another can of the same drink next to him. Knights is a high ABV (8.4% ABV) and low cost (£1.20 a can sold as single cans). He was clearly drunk, his eyes glazed, and his speech slurred. The male was spoken and told to leave the area. These types of incidents are not unusual in this area.

On entering the store and looking around we saw Perry products for sale on the shelves (a breach of the premise licence conditions), high ABV single cans of cider making up a large portion of the alcohol for sale, and the majority of litre plus bottles of cider were again high ABV. Mr Iqbal was serving and watching over the store and when asked confirmed that he was in charge and that he had been running the business since last year. He was asked why Mr Naveed was still named as DPS on the licence, but Mr Iqbal had no satisfactory answer. As we were of the opinion that there was no DPS in day-to-day control of the premises Mr Iqbal was asked to refrain from the sale of alcohol until the matter was resolved, removing alcohol from floor displays, covering the refrigerated alcohol and refusing any further

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **4**Continuation of Statement of **Andrew THORPE**

requests for sale. Mr Iqbal agreed to this and was seen to refuse the next few customers' service of alcohol while we were there.

Police Licensing, Public Health, Council Licensing and Street Enforcement officers attended the store again on Tuesday 19th July 2022 at 13:15 hours. Mr Iqbal was again in attendance, but Mr Naveed was also there serving from behind the counter. Mr Naveed stated he was there as DPS and when asked considered that he was in day-to-day control of the premises. Mr Naveed was asked to demonstrate the CCTV, he stated that there had been some problems with the CCTV. When he tried to go back to show us footage from previous days it was found that CCTV was only on from that day and no previous CCTV had been recorded. This was despite our visit on Friday 15th July and the council's visit on Monday 18th July when Mr Iqbal had been asked about the CCTV on both occasions. Mr Naveed was then asked to produce Training records, the incident book and the refusals book. Mr Naveed produced three books which all looked brand new, in fact the training record had a price label on it which looked new. There were entries in the training book and the refusals log, but they all looked to be in the same pen and by the same person. The books were seized as evidence.

Mr Naveed attended the Civic Centre, Middlesbrough for a meeting with responsible authorities regarding the issues at Lifestyle Express. He explained that for the past two weeks he had been there on the Monday of both for a maximum of two hours and estimated his regular attendance as four hours a week which I do not believe fulfils his obligation of day to day running of the premise. He does not have responsibility for stock, staff wages, or other managerial duties and holds down a part time job elsewhere. He was unwilling to

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **5**Continuation of Statement of **Andrew THORPE**

acknowledge the issues in the area and could not see the part the store played in the problems. He also said that on re-opening after the COVID restrictions he did not continue with the Action Plan that had been agreed in January 2020 which he did agree probably did not help.

We have since received an application to vary the Designated Premises Supervisor for the premises which we have objected to awaiting the outcome of this review hearing.

A review of any premises licence is the last resort, and we will always strive to meet the premises needs in other ways before resorting to this however the familiar cycle of issues with the premises have forced our hands. Unfortunately, the running of the premise does not instil us with the confidence that matters could be put right in the short term, leading to further disruption for the residents and possible ASB and disorder. With their continued sale of single can high strength alcohol and large bottles of high ABV white cider we believe that the Licensing Objectives as a consequence are and will continue to be undermined.

This page is intentionally left blank

Middlesbrough Council
The Licensing Act 2003 - Responsible Authority (RA) Representation

Name of RA Representative: Tim Hodgkinson, Licensing Manager

Address: Public Protection Service, Civic Centre, Middlesbrough.

Email: Tim_hodgkinson@middlesbrough.gov.uk **Tel** 01642 728720

Licence holder details

Name and Address of Premises

Address: 22-24 Princes Road, Middlesbrough TS1 4BB

Name of licence holder or club holding club premises certificate (if known)

Mr Abuzar Naveed

Number of premises licence or club premise certificate (if known)

MBRO/PR0415/063483

Representation

It is my opinion that the application fails to adequately satisfy the following licensing objectives:

- | | |
|--------------------------|----------------------------------|
| X | Prevention of Crime and Disorder |
| X | Prevention of Public Nuisance |
| X | Public Safety |
| <input type="checkbox"/> | Protection of Children from Harm |

Grounds for representation (including details of any previous representations)

As the representative of the Responsible Authority for Middlesbrough Council Licensing Department, I make this representation in support of the Review Application made by Cleveland Police on the grounds of the Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.

The premises is situated in Middlesbrough Town Centre which has a high density of licensed premises and already suffers from high levels of alcohol related crime and disorder and anti-social behaviour.

For a number of years the Town Centre has been included in an area covered by Cumulative Impact Policies for both On and Off Licence Premises. Whilst these policies have lapsed there is a current review ongoing of the Council's Statement of Licensing Policy. Evidence has been provided to the Council which shows that there are still high levels of alcohol related crime and disorder and anti social behaviour within the Town Centre and a draft Statement of Licensing Policy is currently being prepared for consultation which will recommend maintaining the Cumulative Impact Policy for the Town Centre area for both On and Off Licence Premises.

On 19 July 2022 I visited the premises with Reece Littlewood, Licensing Enforcement Officer and Fiona Helyer, Public Health Officer following concerns raised by Mrs Helyer and Cleveland Police that there was no Designated Premises Supervisor or Personal Licence holder in place at the premises to authorise the sale of alcohol.

We entered the premises and spoke to Zafar Iqbal, the new owner of the business and advised that if there was no Designated Premises Licence holder in place he should not be selling alcohol. Mr Iqbal stated that he did not speak very good English and handed me his mobile phone and asked me to speak to a female called Parveen Iqbal, who I understand is Mr Iqbal's wife. Mrs Iqbal explained that there had been a misunderstanding and that Abuzar Naveed was still the Designated Premises Supervisor at the premises and visited the shop occasionally.

I then began to carry out a check of the premises licence conditions and found a number of breaches of the premises licence conditions and areas of concern including –

- There were a number of perry products on sale – Mr Iqbal did not appear to know there was a condition on the premises licence prohibiting the sale of such products.
- There was no refusal book in operation – Mr Iqbal initially stated that this book had been taken away by a Trading Standards Officer following a visit on 30 May 2022, however, this was confirmed later by Trading Standards not to be the case. He subsequently produced a hard bound book detailing only 3 entries for refusal of alcohol sales since June 2022, 2 refusals for alcohol and 1 for cigarettes – all for not having ID (exhibit TH1).
- In relation to the condition concerning staff training Mr Iqbal did not appear to have any knowledge of which members of staff had been trained or how often the training took place. He was also not aware whether there were any training records for staff, however, one of the members of staff, Samyuhta Gopal advised that he had undertaken training which had included underage sales, appropriate identification and refusals and that this had been done by Parveen Iqbal.
- Mr Iqbal was unable to access the CCTV system for the premises to be able to show that the appropriate footage was being retained.

I advised Mr Iqbal that because of my concerns I needed to speak with Abuzar Naveed, the Designated Premises Supervisor. Mr Iqbal stated that he did not have a contact

number for Abuzar Naveed but only had a contact number for Mr Naveed's sister. Shortly afterwards I spoke with Abuzar Naveed on the telephone. He advised that he was the Designated Premises Supervisor at the premises and that he did visit the shop at least 2 times a week and that he had visited at 3pm the day before. He stated that although he was the current Premises Licence holder and Designated Premises Supervisor he had been meaning to transfer the Premises Licence to Mr Iqbal for some time – approximately 4 or 5 months but had not got around to completing the transfer.

Whilst carrying out the visit I also noticed a large selection of cheap, high strength beers and ciders on sale at the premises. This is the type of alcohol which is favoured by alcohol dependent street drinkers. I understand that the area in the immediate vicinity of these premises suffers from significant issues with street drinker.

The products on sale included –

Frosty Jacks Cider – 7.5% abv

White Storm White Cider – 7.5% abv

Single Cans of Kestrel Super Strength Lager – 9% abv

Single Cans of Oranjeboom Strong Beer – 7.5% abv

During the time we were present at the premises, approximately 30 minutes, I witnessed approximately 5 or 6 highly intoxicated customers enter the premises attempting to buy alcohol including 2 customers who made enquiries about buying single cans of lager. On each occasion the sales were refused by Mr Iqbal. Given that he had made these 5 or 6 refusals within the 30 minute period we were present I would have expected there to be far more than the 3 refusals entered in the refusals register since June 2022.

It is also noted that none of the 3 refusals in June 2022 were as a result of customers being drunk.

It is clear from concerns raised to the Council by residents and other businesses in the area that this area of Town already suffers from high levels of alcohol related crime and anti social behaviour and instances of street drinking.

It remains my opinion that poor management of these premises, including a number of breaches of licence conditions, is significantly contributing to the undermining the Crime and Disorder, Public Safety and Public Nuisance licensing objectives.

Signed: T Hodgkinson Dated 15 August 2022

Date	ID	Gender	Item Refused	SIGNATURE
02/06/22	NO	M	CIGARETTES	
17/06/22	NO	F	ALCOHOL	
25/06/22	NO	M	ALCOHOL	

0639 NOTICE OF POWER AND RIGHTS

Middlesbrough
moving forward

Officers of Middlesbrough Council are given statutory powers to enable them to

This page is intentionally left blank

Mr Abuzar Naveed
Lifestyle Express
22-24 Princes Road
Middlesbrough
TS1 4BB

Dated: 19 August 2022

Dear Sir,

LICENSING ACT 2003

Premises: 22-24 Princes Road, Middlesbrough, TS1 3AA

I am writing to advise you that as the Responsible Authority for Public Health a representation has been made to the Licensing Authority in support of the review application made by Cleveland Police in respect of the above premises.

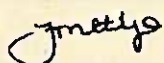
This representation is made in relation to the crime and disorder, public safety, public nuisance and protection of children from harm licensing objectives. There are a number of areas of concern regarding these premises including whether or not the person named on the licence as the designated premises supervisor is indeed in day to day control of the premises and authorising the sale of alcohol.

The operator of the premises has failed to comply with the law in relation to Licensing Act 2003 and they have failed to comply with licensing conditions which are in place to promote the licensing objectives.

There are also concerns around the availability and sale of cheap strong alcohol to those that are vulnerable and the high levels of alcohol related crime and ASB that is being reported in and around the area that these premises are situated.

If you would like to discuss this matter please do not hesitate to contact me.

Yours faithfully,



Public Health Officer
Alcohol Control

Middlesbrough Council
The Licensing Act 2003 - Responsible Authority (RA) Representation

Name of RA Representative: Fiona Helyer

Address: Public Health and Public Protection Service, Civic Centre, Middlesbrough.
Email: EHTS@middlesbrough.gov.uk **Tel** 01642 728717

Licence holder details

Name and Address of Premises

Address: 22-24 Princes Road, Middlesbrough TS1 4BB

Name of licence holder or club holding club premises certificate (if known)

Mr Abuzar Naveed

Number of premises licence or club premise certificate (if known)

Lifestyle Express (now known as Princes Rd Convenience Store
MBRO/PR0415/063483

Representation

It is my opinion that the application fails to adequately satisfy the following licensing objectives:

- | | |
|---|----------------------------------|
| x | Prevention of Crime and Disorder |
| x | Prevention of Public Nuisance |
| x | Public Safety |
| x | Protection of Children from Harm |

Grounds for representation (including details of any previous representations)

As the representative of the Responsible Authority for Public Health, I make this representation against this Premises Licence application on the grounds of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

This representation is made to support the review application made by the Police that this licensed premises is being operated in such a manner which presents a risk to the safety of the public and does not support the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm licensing

objectives.

This store is situated in Newport ward, one of the most deprived areas in Middlesbrough, with high unemployment rates, poor education attainments and poor standards of living, all of which contribute to poor health and wellbeing within families and communities.

Alcohol related crime and poor health standards are visible in this area, with a high density of licensed premises, high levels of alcohol related crime and anti-social behaviour and some of the cheapest alcohol being made readily available for our most vulnerable members of society.

Historically, Newport ward was named within Middlesbrough Council's cumulative impact policy for off licensed premises which lapsed in March 2022. This policy will be reviewed in the near future and evidence is being compiled for Newport ward to be included in any future cumulative impact policy that is agreed and implemented.

Between November 2019 and January 2020 several meetings were held between Police, Public Health, Licensing and Neighbourhood Safety Officers with the named Premises Licence Holder and Designated Premises Supervisor, Mr Abuzar Naveed. These meetings were to discuss a number of complaints that had been received from residents and local businesses involving alcohol related crime and disorder, anti-social behaviour, street drinking and harassment caused to those living or visiting businesses in close proximity to the premises.

In November 2019 an action plan was put in place in an attempt to resolve the issues reported which all parties present at the meeting agreed to. Exhibit Ref FMH/1.

The action plan detailed several points for action that needed to be completed by Mr Naveed in hope that such would stop and prevent the issues experienced in the area from reoccurring. The actions within the plan were monitored by Officers and within a number of weeks there was a significant reduction in the number of complaints being received and in alcohol related crime and ASB being reported in the area.

Meetings with all parties concerned continued, the last one being held in January 2020. Due to the Covid pandemic these premises closed its doors for business and remained closed, opening its doors again between April and August 2021.

In August 2021 Public Health representatives attended the premises to carry out the alcohol survey that had been completed similarly over the past few years. Exhibit ref FMH/2. At this time a male named Mr Zafar Iqbal presented himself as the new premises licence holder and designated premises supervisor, advising officers that he had taken over the lease for the premises and that he was now in day to day control of the premises.

A conversation took place between Public Health Officers and Mr Iqbal around the issues and concerns that had been experienced in the area prior to the Pandemic. Mr Iqbal reassured Officers that alcohol sales would not be the domineering factor in his business

and that his concentration would be around the sales of groceries and household goods.

Following a number of further complaints received more recently from the Council's neighbourhood safety team, again around alcohol related crime and anti-social behaviour including street drinking and harassment, alarm and distress caused to residents and business owners, I attended the premises on Friday 15 July 2022 in company with PC Thorpe from Cleveland Police and Nicola Kenny, a Middlesbrough Council Neighbourhood Safety Officer.

Whilst waiting for officers to arrive at the premises, people were observed drinking outside of residential premises, directly opposite the shop. They were all intoxicated, talking loudly, swearing and acting in a drunken manner. Officers also witnessed an incident involving a drunken female member of this group who approached a lone female walking in the street. The drunken female began to shout, waving her arms in the air before pushing the female and accusing her of stealing from her. This incident was diffused by Police Officers in attendance resulting in the street drinkers being dispersed.

Officers attended the premises and spoke to Mr Iqbal who advised once again that he was the owner of the business, had taken on the lease for the premises and was paying the rent. He confirmed that Mr Abuzar Naveed, the person named on the premises licence as the premises licence holder and designated premises supervisor was no longer in day to day control of the premises and that it was he who was authorising the sale of alcohol.

Alcohol being sold from the premises at the time included the sale of Perry items. A condition of the premises licence includes that 'No Perry will be stocked or sold from the premises at any time'. Displaying and selling such products from the premises is a clear breach of licensing conditions.

There were other products of note that would be deemed as attractive to those who are vulnerable through alcohol dependency. These included a number of strong white ciders and super strength products that were being sold for as little as £1.00 per 500ml can. Whilst at the premises a number of people entered the store purchasing such products. The majority of these people were intoxicated and vulnerable due to their alcohol dependency.

Whilst at the premises a request was made to view CCTV footage to check that the condition was being complied with. Mr Iqbal was unable to demonstrate this as he was unable to operate the system.

As a result of information received, Mr Iqbal was advised to stop selling alcohol from the premises as it was suspected that there was no designated premises supervisor in place authorising the sale of such products.

Checks were later made with the Council's Licensing team and it was confirmed that a transfer application had not been received by the licensing authority transferring the premises licence to Mr Iqbal, nor had there been an application to vary the Designated

Premises Supervisor.

On Tuesday 19 July 2022 officers from Middlesbrough Council's Licensing and Public Health attended the premises to carry out a full licensing inspection to ensure that all conditions of the premises licence were being complied with. Officers were unable to establish whether the CCTV system was recording and retaining footage as Mr Iqbal and other staff were unable to demonstrate this once again.

During the visit Officers were shown copies of the refusals book, incident log and staff training records. Photographs were taken by officers at the time to evidence what had been produced as the training records were limited, there were no incidents recorded in the incident book and there were limited refusal entries. A number of photos were also taken of the alcohol products containing high ABV content on sale at the time (Exhibit ref FMH/3).

Whilst at the premises I contacted Mr Naveed by telephone and held a brief conversation with him before passing the telephone to Tim Hodgkinson, Middlesbrough Council's Licensing Manager. Mr Naveed told me that he was still the named Premises Licence Holder and Designated Premises Supervisor and that he was still in day to day control of the premises.

Several customers, all of whom were intoxicated entered the store while officers were present, asking for the cheap cans of white cider. Mr Iqbal advised them that he was no longer selling them. One male was carrying a lit cigarette and was asked to put it out. He began asking questions and started to express his opinion, raising his voice about not being able to buy the cans of cider that he wanted.

On Wednesday 20 July 2022 Police, Licensing and Public Health officers attended the premises and met Mr Naveed, Mr Iqbal was also present. During this visit to the premises it was identified that the refusals log and staff training records had been amended. Photographs were taken of the amendments (exhibit FMH/4) and the books/documents were later seized by Police. Both Mr Naveed and Mr Iqbal were unable to demonstrate that the CCTV was recording and retaining evidence. Mr Naveed advised that there had been a power cut days earlier but was unable to provide any details of the work that had been carried out on the CCTV system.

Once again there were several vulnerable people coming in to the store, all of whom were intoxicated and wanting to purchase the cheap cans of white cider. A female known to neighbour safety officers as being alcohol dependant purchased a bottle of wine instead.

Later the same day Mr Naveed at Council Offices at Civic Centre, Middlesbrough where he met with Police, Licensing, Public Health and Neighbour Hood Safety Officers. During the meeting Mr Naveed confirmed that he no longer held the lease for the business at 22-24 Princes Road and that Mr Iqbal had taken the lease over April 2021. He confirmed that he did not manage or pay the staff working at the premises nor did he order and pay for any stock. He advised that he attended the premises approximately twice a week for a period of 1-2 hours to make sure that everything was in order. He also advised that he

currently works a part time job elsewhere.

A copy of the lease was requested and has since been received. It confirms that Mr Zafar Iqbal is named as the lease holder for the premises. Mr Naveed advised that he had agreed to remain on the premises licence as the named premises licence holder and designated premises supervisor until a transfer application was completed.

The Licensing Act clearly sets out the role of a designated premises supervisor (DPS) and states that the DPS is the person who has day-to-day responsibility for the running of the business. The person chosen to be designated premises supervisor (DPS) will act as primary contact for local government and the police. They must understand the social issues and potential problems associated with the sale of alcohol, and also have a good understanding of the business itself.

There are concerns around whether Mr Naveed is in day to day control due to the lack of presence, authority and control that he has displayed at the premises and also his lack of knowledge and understanding of the issues surrounding the premises. The breaches of licensing conditions that have been identified are also of concern. Illegality in one area of the law may demonstrate a willingness to contravene other areas of legislation including the sale of alcohol to drunken/vulnerable people.

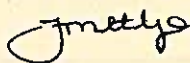
Responsibility in the operation of a licensed premises and the sale of alcohol from a licensed premises is paramount in this ward. It is the responsibility of the Premises Licence Holders/Designated Premises Supervisors and staff working at the premises to ensure that they uphold the licensing objectives. Conditions attached to the Premises Licence must be complied with at all times as this gives the assurance that the law is complied with, the licensing objectives are being promoted and any risks to members of the public are reduced.

Given the number of complaints received from residents and nearby businesses it is apparent that there is a clear lack of control at the premises which has resulted in the licensing objectives, namely crime and disorder, public safety, prevention of public nuisance and protection of children from harm being undermined.

This representation is made to support the review application made by the Police to ensure that that this licensed premise does not continue to operate in such a manner which presents a risk to the safety of the public and undermines the licensing objectives.

Further evidence will be submitted prior to any future licensing-sub committee hearing

Signed:



Dated 19.08.22

Action Plan for Premier Store, Princes Road, Middlesbrough

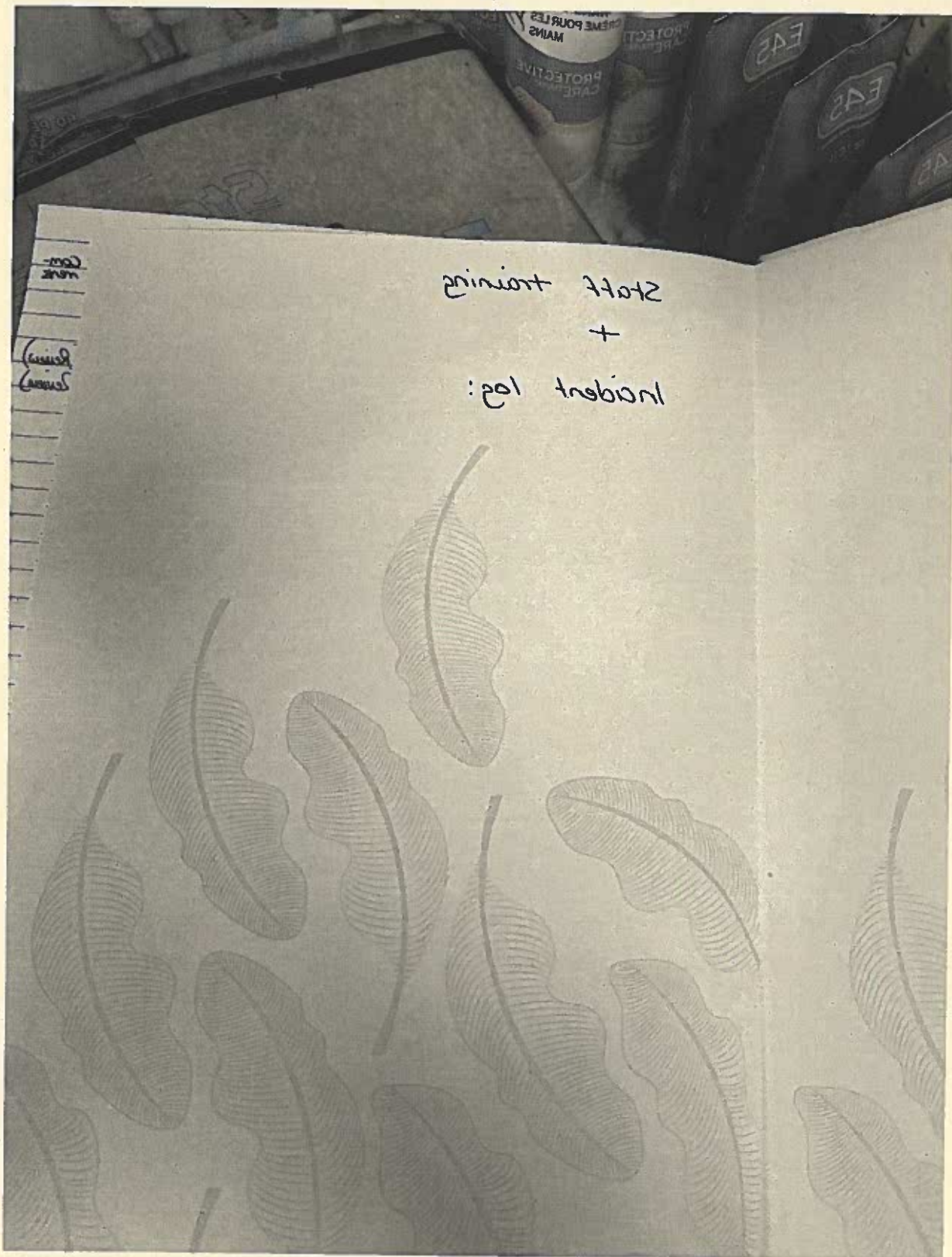
Action	Lead	Progress	Status
<p>1. To monitor and record any incidents or activity in the incident book relating to alcohol related crime and anti-social behaviour that occurs internally and externally. All details will be recorded including the time and date of the incident and what action was taken by the member of staff on duty.</p>			
<p>2. To record any refusals of alcohol sales in the stores refusals book, including the name of person being refused if known and the time and date</p>			
<p>3. To display Challenge 21 posters in and around the store</p>			
<p>4. To ensure that Part B of the Premises Licence is on display within the store and to keep Part A in a place known to staff for the purpose of a licensing inspection.</p>			
<p>5. To produce a barring system that includes the use of a book for recording names of person barred from the premises, date barred and reasons why, how long they will be barred for.</p>			
<p>6. All staff will be trained on the use of the CCTV monitoring system enabling them to show Police, licensing or any of the other responsible authorities CCTV footage if the need arises.</p>			
<p>7. Staff training records will be monitored and kept up to date by the premises licence holder. These will be kept on the premises for the purpose of licensing inspections</p>			

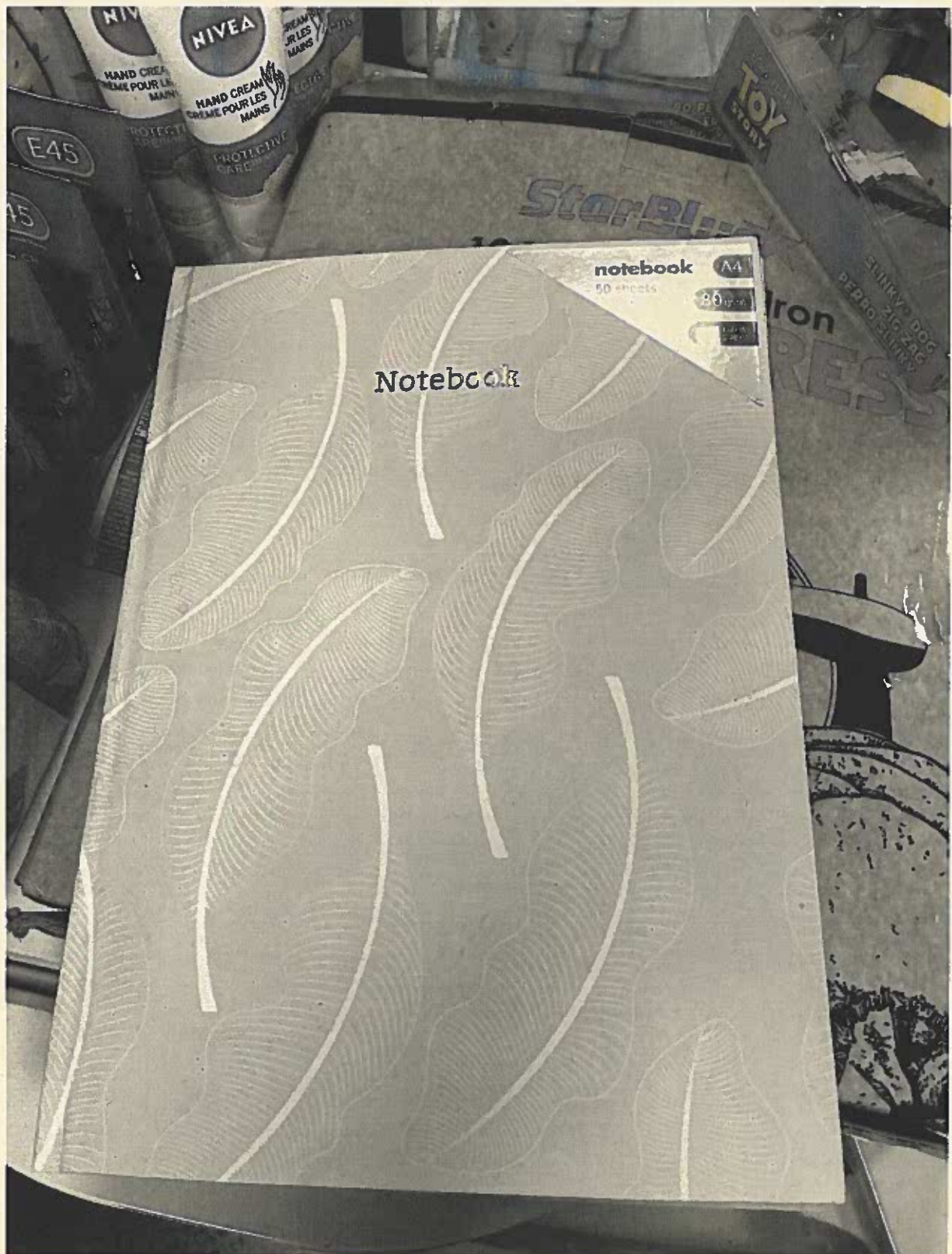
8. The premises licence holder will research alternative alcohol products to stock and sell from the premises to prevent the sale of white ciders that have an alcohol content of 7.5% and above.			
---	--	--	--

Name of Premise Licence Holder
22-24 Princes Road
AULTON PARADE
Signed:
Date: 29/10/19.....

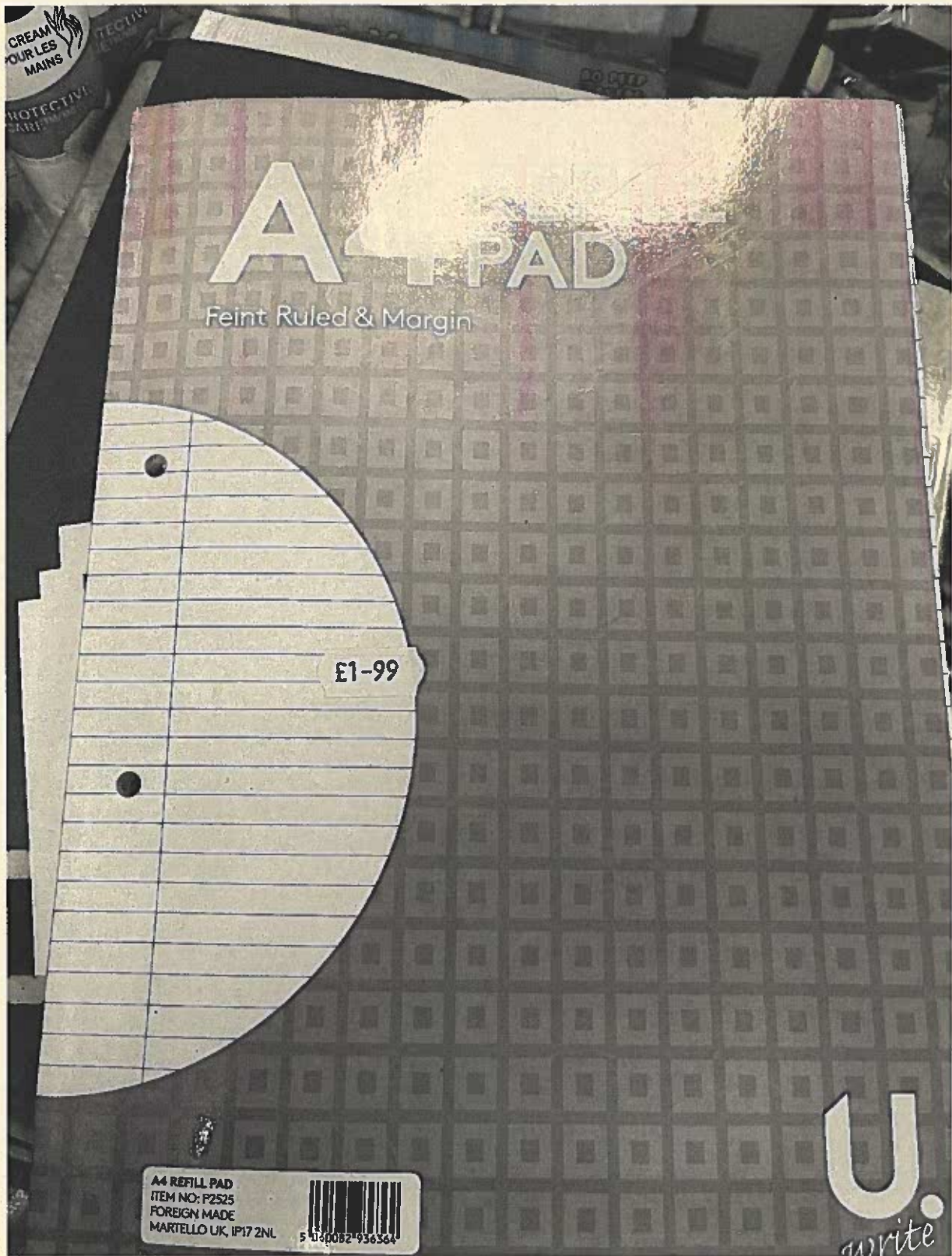
Name of Officer present
Scott Lawrence
Signed:
Date: 29/10/19.....

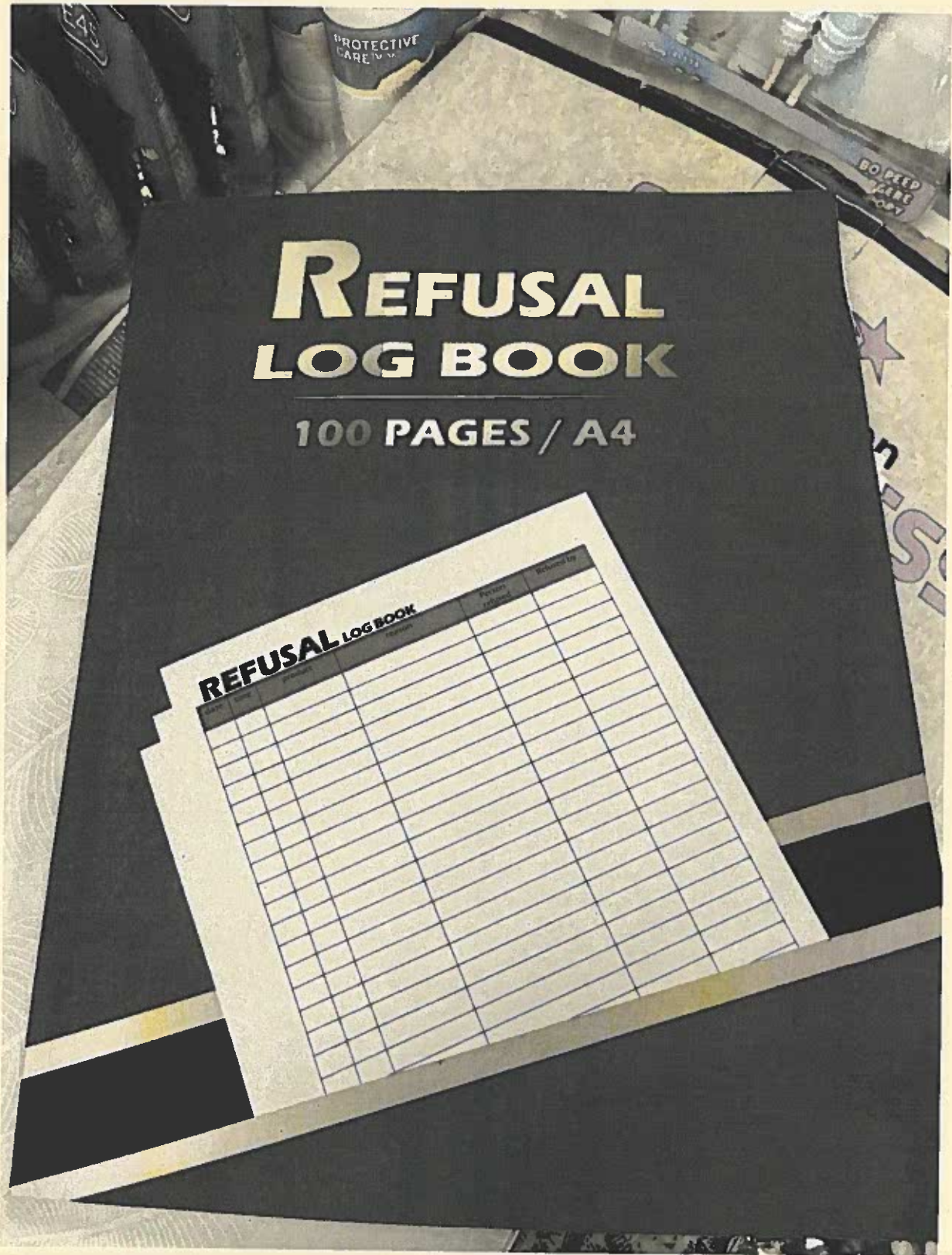






Staff name	training Completed	trained by	Date	Signed	comments
ZAFAR IQBAL	✓	A. NAVEED	June 21	<i>[Signature]</i>	
ZAFAR IQBAL	✓	A. NAVEED	June 21	<i>[Signature]</i>	
SAMYUKTHA GOPAL	✓	P. Iqbal	08/20/22	P. Iqbal	(Review)
MICHAEL DASS	✓	P. Iqbal	08/20/22	P. Iqbal	(Review)





















REFUSAL LOG BOOK

Date	Time	Product	Reason	Person refused	Refused by
02/08/21		Cigarettes	too young (no id)	M	Z.106AL
17/08/21		Alcohol	A NO id	F	Z.106AL
28/08/21		Alcohol	NO id	M	Z.106AL

Date	Time	Product	Reason	Person Refused	Refused by
July 3rd 21	9:00pm	cigarette	no id	Male	Z.106AL
16/08/21	16:30	cigarette	no id	Female	Z.106AL
3/08/21	17:35	alcohol	no id	Female	Z.106AL
23/09/21	19:50	alcohol	no id	Male	P.106AL
11/10/21	21:25	cigarettes	no id	Male	Z.106AL
3/11/21	18:30	matches	no id underage	Male	Z.106AL
18/12/21	17:50	alcohol	drunk	Male	Z.106AL
20/12/21	19:43	alcohol	no id	Female	Z.106AL

NOTE





REFUSAL LOG BOOK

date	time	product	reason	Person refused	Refused by
04/08/21		Cigarette	too young (no id)	M	Z.108AL
17/08/21		Alcohol	A no id	F	Z.108AL
26/08/21		Alcohol	no id	M	Z.108AL

Date	time	Product	Reason	Person Refused	Refused by
July 3rd 21	9:00pm	cigarette	no id	Male	Z.108AL
16/08/21	16:30	cigarette	no id	Female	Z.108AL
3/08/21	17:55	alcohol	no id	Female	Z.108AL
3/09/21	19:50	alcohol	no id	Male	Z.108AL
11/08/21	21:25	cigarettes	no id	Male	Z.108AL
3/11/21	18:30	matches	no id no id underage	Male	Z.108AL
18/12/21	17:50	alcohol	drunk	Male	Z.108AL
20/12/21	19:43	alcohol	no id	female	Z.108AL

NOTE

Additional Evidence presented by Middlesbrough Council, Responsible Authority for health, against the application for a premises licence in respect of premises situated at 22-24 Princes Road, Middlesbrough the Licensing Act 2003

Further to the representation and evidence submitted on behalf of Middlesbrough Council's Public Health on 19 August 2022 in respect of The Princes Road Convenience Store I wish to add the following:

The impact of alcohol misuse is broad, often hidden and adversely affects individuals, families and communities in many ways, with the harm being disproportionately greater for vulnerable and disadvantaged communities. It impacts upon a number of Council services as well as the NHS, Police, Criminal Justice System, Education, Voluntary and Community sector.

The cost of alcohol misuse was estimated to cost the economy in England up to £25 billion per year and for Middlesbrough a total of £56.5 million which included costs relating to health, social care, crime and licensing. It costs the NHS over £3.5 Billion year.

More than 9 million people in England drink more than the recommended daily limits. 24.3% adults in Middlesbrough drink more than 14 units alcohol week, with 19.9% adults identified as binge drinking.

People in Middlesbrough are more likely to die of alcohol related conditions or specific reasons compared to England or the region.

In 2020, Middlesbrough had an alcohol-related mortality rate per 100,000 of 55.9 per 100,000 which was higher than the North East rate of 49 per 100,000, significantly higher than the England rate of 37.8 and the 6th highest nationally. The rate of hospital admissions for alcohol-related conditions in 2020/21 was also significantly higher in Middlesbrough compared to England with a rate of 1,957 per 100,000 compared to 1,500 nationally.

The rate of admission episodes for alcohol-specific conditions in under 18s for the period 2018/19 – 20/21 was 35.6 per 100,000, higher than the England rate of 29.3 per 100,000.

Middlesbrough has the second highest rate in the North East for the number of premises licensed to sell alcohol per square kilometre with a rate of 7.7, significantly higher than the England rate of 1.3.

This store is situated in Newport ward, one of the most deprived areas in Middlesbrough, with high unemployment rates, poor education attainments and poor

standards of living, all of which contribute to poor health and wellbeing within families and communities. It is licensed for the off sale of alcohol from 7am – 10pm seven days a week.

Alcohol related crime and poor health standards are visible in this area, with a high density of licensed premises, high levels of alcohol related crime and anti-social behaviour and some of the cheapest alcohol being made readily available for our most vulnerable members of society.

Historically, Newport ward was named within Middlesbrough Council's cumulative impact policy for off licensed premises which lapsed in March 2022. This policy is being reviewed and evidence is being compiled for Newport ward to be included in any future cumulative impact policy that is agreed and implemented.

Newport ward remains one of the most deprived wards in Middlesbrough that has suffered over a number of years and continues to do. The facts are that this area still has a high density of licensed premises, high levels of alcohol related crime and disorder and anti-social behaviour and a high prevalence of alcohol related harm.

The following table shows the distribution of all licensed premises and off licensed premises in Middlesbrough. Both Newport and Central wards, highlighted in yellow are adjoining wards and have the highest number of off licensed premises out of the 20 wards in Middlesbrough.

Wards	Number of licensed premises in Middlesbrough	Number of off licensed premises in ward areas
Acklam	16	3
Ayresome	6	4
Berwick Hills & Pallister	14	7
Brambles & Thorntree	17	7
Central	180	27
Coulby Newham	15	6
Hemlington	8	3
Kader	5	5
Ladgate	8	4
Linthorpe	12	6
Longlands & Beechwood	19	8
Marton East	10	2
Marton West	4	1
Newport	54	19
North Ormesby	26	10
Nunthorpe	4	2

Park	52	11
Park End & Beckfield	19	12
Stainton & Thornton	4	1
Trimdon	3	3
<i>Total Number of licensed premises</i>	476	141

The following table shows alcohol related crimes for all 20 ward areas in Middlesbrough over a 3 year period from 2018/2019/2020. Throughout this period Newport ward had the second highest levels recorded. The adjoining Central ward had the highest levels of alcohol related crime recorded across the three years.

AR-Crime			
Ward	2017-18	2018-19	2019-20
Acklam	11	21	13
Ayresome	30	47	48
Berwick Hills & Pallister	91	135	155
Brambles & Thortree	119	151	133
Central	458	516	447
Coulby Newham	49	45	47
Hemlington	48	80	68
Kader	26	17	19
Ladgate	37	44	46
Linthorpe	28	29	25
Longlands & Beechwood	107	155	142
Marton East	17	27	12
Marton West	8	16	13
Newport	223	261	262
North Ormesby	86	115	114
Nunthorpe	8	8	7
Park	99	109	81
Park End & Beckfield	79	129	133
Stainton & Thornton	11	8	9
Trimdon	11	9	18
Unknown Ward	1	4	3
<i>CIP Zone</i>	278	287	218
All AR-Crimes (not inc CIP)	1547	1926	1795

Newport has the 2nd highest concentration of licensed premises. The adjoining Central ward has the highest concentration of licensed premises including on/off licences, pubs/clubs, restaurants, hotels and late night refreshment venues. The number of licensed premises in both Newport and adjoining Central ward equates to nearly 50% of all licensed premises in Middlesbrough.

The following table shows alcohol related anti-social behaviour for all 20 ward areas in Middlesbrough over a 3 year period from 2018/2019/2020. Newport ward, which borders Central ward, had the second highest levels recorded. Central ward had the highest levels of alcohol related Anti-Social Behaviour (ASB) across the three years.

AR-ASB			
Ward	2017-18	2018-19	2019-20
Central	361	373	241
Newport	124	134	109
Longlands & Beechwood	76	69	50
Park End & Beckfield	46	57	30
North Ormesby	59	50	33
Park	80	55	30
Berwick Hills & Pallister	46	50	36
Brambles & Thorntree	45	53	22
Hemlington	40	27	27
Ladgate	20	16	13
Coulby Newham	25	22	12
Kader	12	12	4
Acklam	21	14	9
Marton East	20	13	5
Ayresome	10	15	13
Marton West	5	13	10
Linthorpe	13	4	13
Trimdon	12	9	7
Nunthorpe	7	4	3
Stainton & Thornton	4	9	4
Unknown Ward	1	3	0
<i>CIP Zone</i>	<i>287</i>	<i>308</i>	<i>193</i>
All AR-ASB (not inc CIP)	1027	1002	671

Alcohol related crime and ASB has a significant impact on our NHS services including local A&E departments.

The Hospital Intervention Liaison Team (HILT) sits within Accident and Emergency unit James Cook Hospital to assess those patients accessing the hospital with drug and/or alcohol issues. They engage, support and make referrals into community services where needed.

Between April 21 and March 2022 HILT assessed 819 patients in total from the Middlesbrough area.

The following table shows the number of patients living in both Newport and Central wards of Middlesbrough (postcode starting with TS1) that were assessed by HILT in JCUH during this period.

Patients living in TS1 identified as suitable for HILT	116
Alcohol Only	75
Presenting with both Alcohol & Drug misuse	41

Throughout 2020 and to date there has been an alarming rise in the numbers of people choosing to drink at home during the Covid-19 pandemic.

An alcohol study completed in 2021 by Teesside Universities researchers with Middlesbrough residents across all ward areas, provides evidence that people in Middlesbrough are drinking more at home due to the pressures and anxiety brought on by the Covid-19 pandemic, including, financial pressures, unemployment, social isolation and daily routines being disrupted. For whatever reason, it is believed that alcohol in many of these cases was being used as a coping mechanism.

Between February and September 2020 deaths caused by alcohol hit a new record high in England and Wales and high-risk drinking increased by almost 90%. It was estimated there were 8 million people drinking at higher risk levels, with alcohol treatment services struggling to cope.

Between 1 May 2020 and 18 November 2020 there were 9 deaths recorded in Middlesbrough where alcohol had been a contributing factor. A further 43 drug related deaths were recorded between 8 January 2021 – 14 April 2022 in Middlesbrough, where alcohol was the sole or additional contributing factor. Almost 50% (19 deaths) were recorded from both Newport and Central wards.

- A proportion of individuals were alone in a property at time of death
- These deaths occurred during a period where pubs have been closed.
- The number of arrests of some individuals also indicate a potentially different user group/cohort.
- Cocaine or prescription medicines were often quoted alongside alcohol use. It's rare that a drug related death has a single substance detected so it is likely alcohol has been taken alongside other drugs.

In 2021 Middlesbrough Council's Alcohol and Substance Misuse treatment services were working with approximately 1,360 clients. During 2020 there was a steady increase in the numbers accessing services for the following reasons:

- Those that had been abstinent for a number of years had relapsed
- Those using opioids/non opioids where alcohol had also become a problem
- Those processed through the Criminal Justice System for alcohol related crime and issued an Alcohol Treatment Referral (ATR).

A review of alcohol treatment and recovery services in Middlesbrough has been completed and a new integrated service continues to provide specialist treatment and aftercare for those suffering with alcohol dependency whilst focusing around the hidden harms often associated with alcohol consumption including domestic abuse and homelessness.

Over the past few years there has been an increase in the levels of alcohol related domestic abuse right across the UK. Such incidents often result in injury which not only impacts on a person's physical health but can have a long lasting impact on mental health and wellbeing, including for those who are witness to such incidents of violence.

Alcohol is readily available in Middlesbrough and can be purchased from a number of different alcohol premises including off licences, supermarkets and premises offering alcohol delivery services making it easy for those who are vulnerable and suffering with alcohol addiction to access.

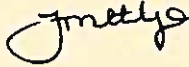
Survey work carried out in Middlesbrough 2015/16 found that alcohol was being sold as cheaply as 13p/unit. A more recent survey completed in 2021/22 shows a slight rise, increasing the unit cost to 18p.

This increase falls in line with a number of factors including; the introduction of the cumulative impact policy in 2016 for off licensed premises, reviewing licenses of problematic premises, working alongside retailers to promote responsible retailing and imposing or agreeing conditions that help to limit the sales of cheap, strong alcohol products especially in areas that suffer from high levels of alcohol related crime and disorder, anti-social behaviour and health harms.

Responsibility in the operation of a licensed premises and the sale of alcohol are paramount. It is imperative that staff in control of any licensed premises act responsibly to ensure that their premises manage the sale of alcohol, their customers and any vulnerability issues accordingly.

In our opinion the applicant has failed to demonstrate this and has undermined the licensing objectives.

Signature:



Dated: 23 September 2022

This page is intentionally left blank

Louise Romaine

From: Licensing
Sent: Monday, 22 August 2022 10:20
To: Louise Romaine
Subject: FW: Objection to the licence of 22/24 Princes Road Middlesbrough.

Sarah Morris
 Principal Licensing Officer
 Middlesbrough Council
 Telephone – 01642 728716

Our Values**Passion****Integrity****Creativity****Collaboration**

From: Nicola Grimes <[redacted]>
Sent: Friday, 19 August 2022 14:43
To: Licensing <Licensing@middlesbrough.gov.uk>
Cc: Tim Hodgkinson <Tim_Hodgkinson@middlesbrough.gov.uk>
Subject: Objection to the licence of 22/24 Princes Road Middlesbrough.

CYBER SECURITY WARNING: This email is from an external source - be careful of attachments and links. If in doubt contact the ICT Service Desk via the YourICT icon on your desktop.

Dear Sir/Madam,

I am a director of Guido's Hair Salon situated at 13 & 20 Princes Road. Guido's has been at this address since 1973, it is a well-established, reputable and very well known in Teesside, our clients come from all areas of Teesside as well as many that travel here from out the area.

Princes Road has dramatically declined since the Homeless hub/cafe opened at 11 Princes Road. The members of the public which this cafe attracts are not from the local area and they are definitely not homeless after been in the cafe they are then purchasing cheap alcohol and are congregating outside the cafe all day, in groups, intoxicated, drug and drink fuelled, swearing, fighting, begging to members of the public, violent, urinating on people's properties/ premises, standing in the middle of the road traffic having to stop, sitting on people's doorsteps, exposing themselves after urinating. and many times, collapsing or passing out.

The Premier Store at 22/24 Princes Road supplies alcohol to these people even when they are already intoxicated, they buy cheap, high strength alcohol from the shop and then stand or sit in the busy street all day visibly holding the cans, shouting, swearing and approaching terrified members of the public begging for money.

I have been approached by my clients asking what is getting done about this? telling me they feel intimidated seeing and walking by these alcohol fuelled people. They are scared to park their car too far from the salon as they are scared to walk down the street. We have children, senior citizens, clients with special needs and disabilities they don't feel safe. Our clients as well as students, members of the public are being harassed which happens on a daily basis.

My business among others in the area are extremely affected by these people the pressure and stress it causes to business owners as well as the negative impact on the business as a whole is heart-breaking.

I have reported incidents to the police many times and had resorted to putting a complaint to the Cleveland Police.

I have had meetings with Andy Preston about the issues which he has tried to put measures in place.

I have asked to have a discussion with Andy Macdonald which I am still waiting for a phone call after 2 attempts trying.

I have spoken with Middlesbrough council about all issues. Street wardens are aware of the problems however they feel intimidated.

The local councillors are aware and notify the relevant persons in meetings or emails.

Through speaking to all these professionals, it is clear that they try but to no avail. I have found out from Street Wardens and a PCSO that they can't take alcohol from them as they are alcohol dependant, which contradicts the whole situation we have on this road.

I object to the licence on the grounds of crime and disorder and anti-social behaviour caused by the customers of the premises at 22/24 Princes Road.

I am in the process of preparing a petition for residents/businesses (Bentley Lounge, Housams, Budgens and Ice Stone to name a few) and clients to sign many have raised their concerns due to the homeless cafe customers purchasing alcohol and causing anti-social behaviour on a daily basis to which we all agree, and most of the professionals who I have mentioned above are all in agreeance this homeless cafe should be in a more suitable location away from a community setting as this would suit the people that use it too. Both these premises are impacting businesses and putting a huge strain on the community and the professionals (Council, Police and Ambulance).

Yours Sincerely

Nicola Battista
Director

Guido Hair Limited
13 & 20 Princes Road
Middlesbrough
TS1 4BE

Louise Romaine

From: Licensing
Sent: Wednesday, 24 August 2022 13:42
To: Judith Catchpole
Cc: Louise Romaine; Sarah Morris; Tim Hodgkinson
Subject: FW: Public Health Representation

Regards

Licensing
Middlesbrough Council

From: Nicola Kenny <Nicola_Kenny@middlesbrough.gov.uk>
Sent: Wednesday, 24 August 2022 13:36
To: Licensing <Licensing@middlesbrough.gov.uk>
Cc: Louise Kelly <Louise_Kelly@middlesbrough.gov.uk>; Fiona Helyer <Fiona_Helyer@middlesbrough.gov.uk>
Subject: Public Health Representation

Hello

Please find below additional Public Health Representation in respect on The Premier Shop, 22 – 24 Princes Road, Newport.

I am a Neighbour Safety Officer for Middlesbrough Council (Specifically for Selective Landlord Licensing – Public Protection) and I make this representation on behalf of the local residents and businesses living and working in Princes Road, Middlesbrough (Newport ward). This representation is made in support of the review application made by Cleveland Police against off licensed premises situated at 22-24 Princes Road, Middlesbrough on the grounds that this premise is being operated in such a manner that does not support the prevention of crime and disorder licensing objective.

Princes Road, particularly in the immediate vicinity of the Premier Shop has a history of antisocial behaviour related to street drinkers and beggars. Known individuals who are alcohol dependent congregate on Princes Road on a daily basis openly drinking alcohol in the street, sit on random doorsteps drinking (making entry and exit difficult for residents), become aggressive when challenged and cause a general nuisance for residents and business owners. Some have been known to sleep on the pavement outside commercial and residential properties and urinate in the street in clear view of members of the public. Most can barely stand up or even hold a conversation due to the amount of alcohol they have consumed making it very intimidating for residents in particular as well as visitors to businesses. It is not uncommon for the street drinkers to approach business owners and customers for money and often try to sell items for cash. These individuals are regularly seen with high content cheap alcohol purchased from the Premier Shop.

Additional and more detailed evidence will be submitted prior to any future licensing-sub committee hearing.

Kind Regards

Nicola Kenny
Neighbourhood Safety Officer
Public Protection
Middlesbrough Council

Co-op Buildings
251-255 Linthorpe Road
Middlesbrough
TS1 4AT

Tel: 01642 728295

Email: Nicola_Kenny@middlesbrough.gov.uk

Louise Romaine

From: Licensing
Sent: Thursday, 25 August 2022 15:41
To: Louise Romaine
Subject: FW: Licensing Act 2003 - LIFESTYLE EXPRESS, 22-24 PRINCES ROAD (PR415) - REVIEW APPLICATION MAU REF 103262

Sarah Morris
 Principal Licensing Officer
 Middlesbrough Council
 Telephone – 01642 728716

Our Values

**Passion****Integrity****Creativity****Collaboration**

From: Chris Cooke <Chris_Cooke@middlesbrough.gov.uk>
Sent: Wednesday, 24 August 2022 14:15
To: Licensing <Licensing@middlesbrough.gov.uk>
Subject: RE: Licensing Act 2003 - LIFESTYLE EXPRESS, 22-24 PRINCES ROAD (PR415) - REVIEW APPLICATION MAU REF 103262

Hi,

I would like to raise as ward councillor my concerns around this premises. The concerns began almost as soon as I was elected as Prince's road was a major place for streets drinkers and this was aided by a couple of factors one of which is this premises. I have been involved and consulted on two different action plans to guide this shop into operating in a way that helps the community and sadly neither has been adhered. The first action plan was warranted after I raised concerns from my community that they would often see one of the shop workers engaging outside the shop with the street drinkers and allegations from both residents and the street drinkers themselves indicated that you could buy not only alcohol but Zopiclones as well. There was also a tick system and there seemed to be no regulation. The action plan was set up and the shop worker was eventually let go and then covid struck.

I had hoped that upon the shop reopening fully lessons would have been learned but sadly this is not the case, ASB from street drinkers is a major issue in this area and it is aided by selling high strength alcohol at accessible pricing. This is not a shop where someone returning from work can grab a bottle of wine and has no place having a license at all. Should the premises seek to be an asset to the community it would not sell high strength cider as single cans for a cheap rate in an area blighted with an increased level of alcohol dependency.

As a further impact to the community the premises has also been flytipping their excess waste into the street bins (residents witnessed) leading to an effect of having not only ASB on the streets but increased litter with no where to deposit it.

As for restrictions or conditions, why would we believe that these would be followed given the lack of adherence to the following licensing conditions leading up to 2019 then a further lack of adherence to an action plan placed on the premises in 2019. Every single issue found in fault at the premises during the inspection comes with a backdrop

of increased involvement from the council and police and gives, in my opinion zero excuse for errors as the premises have had more than enough warning and time to improve.

Kind regards

Chris Cooke

Newport Ward Councillor

Mobile: 07925534023

Facebook: [facebook.com/NewportCllrCooke](https://www.facebook.com/NewportCllrCooke)

From: Louise Romaine <Louise_Romaine@middlesbrough.gov.uk>

Sent: Thursday, 28 July 2022 15:36

To: Chris Cooke <Chris_Cooke@middlesbrough.gov.uk>; Barrie Cooper <Barrie_Cooper@middlesbrough.gov.uk>; Alma Hellaoui <Alma_Hellaoui@middlesbrough.gov.uk>; Bob Cowell <Bob_Cowell@middlesbrough.gov.uk>; buildingcontrol <buildingcontrol@middlesbrough.gov.uk>; Development Control <developmentcontrol@middlesbrough.gov.uk>; EHTS <EHTS@middlesbrough.gov.uk>; Fiona Helyer <Fiona_Helyer@middlesbrough.gov.uk>; fireengineering@clevelandfire.gov.uk; Isabella Gartland <Isabella_Gartland@middlesbrough.gov.uk>; Jeff Watson <Jeff_Watson@middlesbrough.gov.uk>; Judith Hedgley <Judith_Hedgley@middlesbrough.gov.uk>; Katy Henderson <Katy_Henderson@middlesbrough.gov.uk>; Police <m0.dlu@cleveland.police.uk>; Reece Littlewood <Reece_Littlewood@middlesbrough.gov.uk>; Sarah Morris <Sarah_Morris@middlesbrough.gov.uk>; Sinead Upton <Sinead_Upton@middlesbrough.gov.uk>; Sinead Upton <Sinead_Upton@middlesbrough.gov.uk>; Tim Hodgkinson <Tim_Hodgkinson@middlesbrough.gov.uk>

Subject: Licensing Act 2003 - LIFESTYLE EXPRESS, 22-24 PRINCES ROAD (PR415) - REVIEW APPLICATION MAU REF 103262

Good afternoon

Please find attached a Review application received from Cleveland Police for Lifestyle Express, 22-24 Princes Road, Middlesbrough. The application for Review is made under the grounds of The Prevention of Crime & Disorder, Public Safety & the Prevention of Public Nuisance.

Consultation deadline is Thursday 25 August 2022.

Thanks.

Louise Romaine

Licensing Officer

Tel: 01642 728712

Our Values



Passion



Integrity

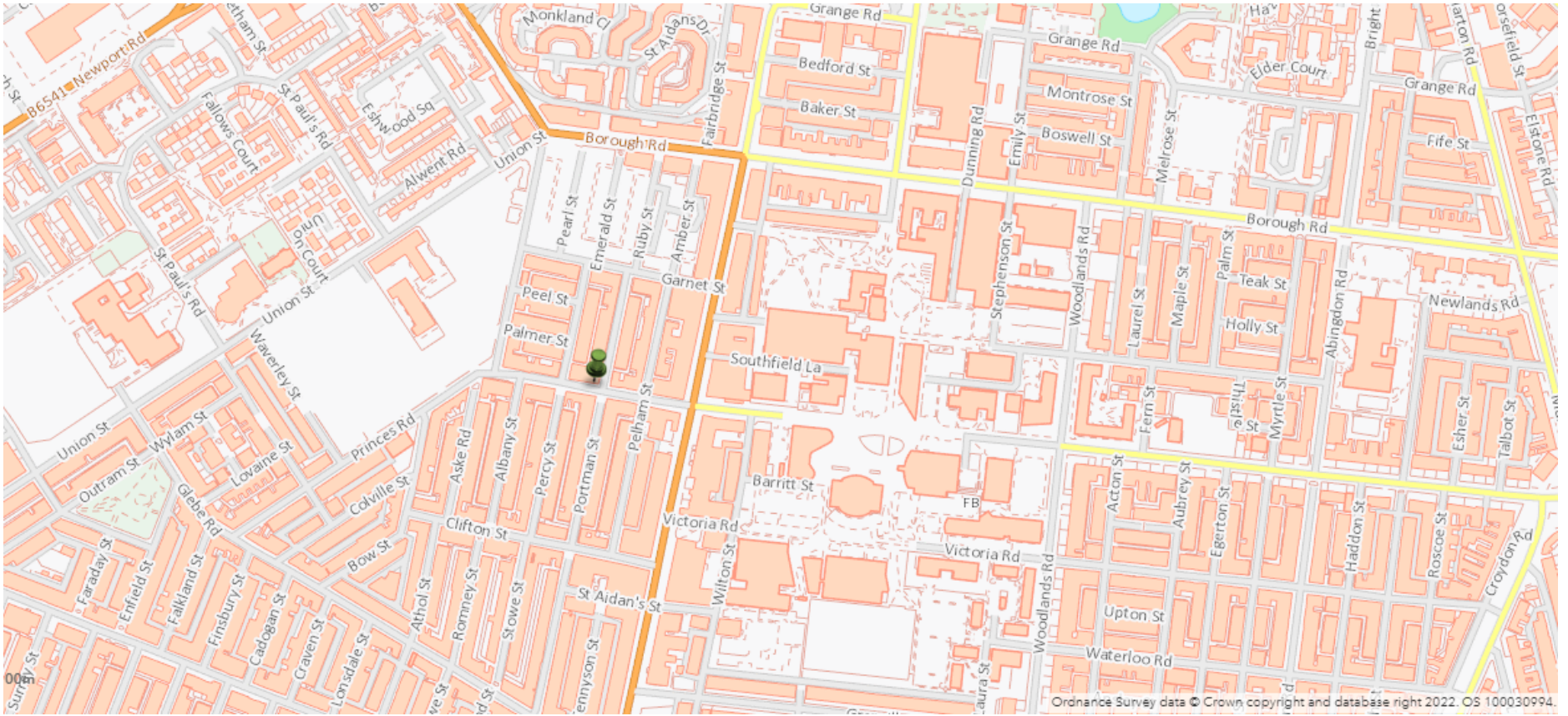


Creativity



Collaboration





This page is intentionally left blank

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 1

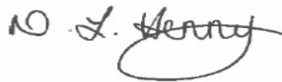
AGE (if over 18 enter "over 18"): Over 18

OCCUPATION OF WITNESS: Neighbourhood Safety Officer

This statement (consisting of 7 pages 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.

Dated: 1st October 2022

Signed:



My name is Nicola Kenny and I am a Neighbourhood Safety Officer (NSO) covering areas of Newport designated as Selective Landlord Licensing areas. My primary role is to investigate issues of antisocial behaviour and low level crime within my designated locality and deliver interventions and/or enforcement action to ultimately alleviate those issues. With this in mind my role is essentially one of enforcement although my involvement is often more holistic due to the nature and complexity of the problems.

I have been an NSO for Newport since February 2021 and during this time Princes Road has been a popular location for rough sleepers and individuals with varying degrees of drug/alcohol dependency. This small location is attractive to vulnerable individuals for 2 primary reasons:

1. The Neighbourhood Welfare Café provides hot meals and basic everyday items to those who are homeless
2. Lifestyle Express selling cheap, high content alcohol.

Signed..... Dated.....

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 2

Prior to me becoming the NSO for Newport, my colleague had previously dealt with the same re-occurring alcohol related issues in and around this area of Princes Road and agrees that the access to cheap, high content alcohol is a contributing factor to the ongoing disorder faced by residents and businesses.

When I was first introduced to the area evidence of street drinking was apparent by the number of empty cans of alcohol littering Princes Road in the immediate vicinity of the Lifestyle Express known locally as the Premier Shop and in the areas know to be frequented by street drinkers. Furthermore, it was not uncommon to actually see individuals openly drinking a particular brand of alcohol known to be sold by the Lifestyle Express or leaving the same shop having purchased alcohol. Street teams responsible for disposing of the litter also informed me that it is a daily struggle removing all the cans from gutters and over flowing bins.

Many of the individuals, by their own admission are attracted to the area for a multitude of reasons but primarily due to the access they have to food and cheap alcohol. The Neighbourhood Welfare Cafe is not open for food every day of the week but the street drinkers that frequent Princes Road would remain in the area regardless as access to alcohol was their priority and this need was met by Lifestyle Express.

In addition to this, Princes Road consists of back to back street houses so front doors open directly on to the street. Although residents were reluctant to come forward with concerns, likely due to the fear of reprisals, some complaints were

Signed..... Dated.....

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 3

received about drinkers sitting on random doorsteps making it difficult for the occupants to leave their property not only due to the obstruction this caused but also for fear of retaliation should they challenge the individual(s) responsible.

Businesses also reported fighting between those who frequent the area to drink and reports of the same individuals urinating in the street was not uncommon. One landlord even showed me photos he had taken of two known alcohol dependent males passed out on the pavement and clearly intoxicated.

To help fund their addiction, many of the street drinkers would approach business owners and their customers for money, often having random items to offer in exchange for cash. Business owners would be naturally wary of these individuals due to their behaviour and temperament which could sometimes be volatile and intimidating. Their primary concern was the welfare of their customers who were often left shaken and threatened when approached.

On some occasions shop staff found it necessary to keep the door to their premises locked therefore having to let each customer on to the premises as they arrived, locking the door behind them to avoid the street drinkers entering the shop. However, the street drinkers would continue to loiter outside in order to intercept customers as they arrived and would even approach members of the public sitting in their cars.

One of the biggest challenges to addressing the alcohol related antisocial behaviour was dealing with a resident of Princes Road who was also alcohol

Signed..... Dated.....

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 4

dependent and who was allowing the street drinkers in to his property. This became an attractive location for many alcohol and drug dependent individuals across Newport and fast became a constant source of disruption. Following discussions with the tenant he openly admitted to purchasing his alcohol from Lifestyle Express. Enforcement action has since been taken and has resulted in a noticeable reduction in incidents. However, this did not stop known individuals continuing to loiter on Princes Road to consume alcohol on a daily basis.

Whilst monitoring the area, following a surge in complaints it soon became evident that those who were responsible for the disorder were regular visitors to Princes Road and not random individuals just passing through. Over time you come to know the individuals that frequent the area and begin to build a trust that not only encourages their engagement with you but also helps directly address their chaotic lifestyles and the reasons for their addictions. Simply moving them on, as many businesses expected us to do, did not address the issue and enforcement action such as a fine was a futile attempt to solve a problem that ran far deeper than just street drinking. With this in mind and due to the disproportionate levels of alcohol related disorder in such a small area, in May 2022 I was tasked with addressing all the issues relating to Princes Road and in particular the section between Percy Street and Pelham Street. This small area included a number of residential dwellings and several business including Lifestyle Express. The implementation of this action plan, in partnership with Cleveland Police, led to contact being made with licensing to help determine if there was anything that could be done to control or address the sale of alcohol to

Signed..... Dated.....

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 5

those individuals dependent on it. This resulted in a joint visit to the Lifestyle Express.

On Friday July 15th 2022 I accompanied PC Thorpe from Cleveland Police and Fiona Helyer, Public Health Officer with Middlesbrough Council on a visit to the premises to discuss our concerns with the shop owner or manager. As I walked along Princes Road I noticed several of the usual drinkers taking up their usual positions on the street. All of those drinking were doing so openly and clearly had alcohol in their possession and more specifically brands regularly sold at Lifestyle Express.

During the visit I discussed with Mr Iqbal, who had previously identified himself as the owner of the business, my concerns with regards to the recent increase in alcohol related nuisance on Princes Road and how I felt this was related to the alcohol that was currently available in his store.

I explained that many of his customers were known to be alcohol dependant and whilst he may not be aware of each individuals circumstances, it was clear that most of those customers were often under the influence of alcohol, showed obvious signs of alcohol consumption such as slurred speech when in the shop and were also regular daily visitors not only to the store but to the immediate location in general.

Mr Iqbal indicated that he was fully aware of who I was referring to and even explained steps that he had taken to prevent any risk of problems whilst they were in the shop. Mr Iqbal explained that he would only let one of the individuals in to the store at any one time and that he limited the amount of cans they

Signed..... Dated.....

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 6

purchased to just 4 at a time. I explained that while this may prevent any problems occurring in the store, the cheap, high content alcohol he was selling was still likely to be contributing to the issues occurring on the street outside and that the next step may be to refuse sales to those individuals completely to allow services to tackle the ongoing issues. His response was that he was willing to try but he did show concerns about repercussions.

Furthermore, I noticed a considerable amount of stock of a particular brand of cider stacked on the shop floor. This was the same brand of choice of all the street drinkers and the same cans found littering the streets each day. This confirmed suspicions that Lifestyle Express was the source of the alcohol and that the amount of stock was to meet demand.

However, following the inspection, both police and council licensing agreed it appropriate to temporarily suspend all sales of alcohol due to discrepancies linked to licensing conditions.

During a follow up visit to the premises on Wednesday 20th July an individual known to me to be alcohol dependant entered the store looking for the cheap cider she was so used to buying. When I explained to her that it was no longer being sold from here she purchased a bottle of wine instead.

Shortly after this another individual known to me to be alcohol dependent entered the store but left without making a purchase. I spoke to him upon leaving the shop and he confirmed that he had intended to buy alcohol. When I asked what he usually buys he confirmed the brand of cider that we suspected as being the primary choice for all the alcohol dependent customers.

Signed..... Dated.....

**Middlesbrough Council
Public Protection
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 7

It has to be appreciated that the access to alcohol is only a contributing factor to the ongoing issues and not the direct cause of it. Following the removal of a specific brand of cheap, high content alcohol from Lifestyle Express a significant drop in incidents was noticeably apparent. Furthermore, the number of individuals who would remain in the immediate vicinity of the shop to consume alcohol also reduced over the following days. As part of the Princes Road Action Plan, a number of services offered assistance to several vulnerable individuals known for their alcohol dependency and have since managed to offer interventions to address their housing needs and addictions resulting in a significant decrease in incidents and complaints. Without Mr Iqbal's cooperation, delivering interventions would have proved more difficult and therefore requires continued commitment from him if we are to manage the issues effectively in the future.

Signed..... Dated.....

This page is intentionally left blank

AGENDA ITEM 4

**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 23 NOVEMBER 2022**

**APPLICATION FOR TRANSFER OF PREMISES LICENCE AND APPLICATION
TO VARY DESIGNATED PREMISES SUPERVISOR**

Ref No. PR0415

Applicant: Mr Abuzar Naveed

Premises: Lifestyle Express, 22-24 Princes Road, Middlesbrough, TS1 4BB

Application received: 27 July 2022

Premises Licence Holder – Mr Abuzar Naveed

Summary of Current Licensable Activities:

SALE OF ALCOHOL ON AND OFF PREMISES

Monday to Sunday 7am to 10pm

A copy of the current Premises Licence is attached at **Appendix 1**.

1. Summary of Applications:

The purpose of this report is to enable Members to consider an application for the transfer of the premises licence and an application to vary the designated premises supervisor at Lifestyle Express, 22-24 Princes Road, Middlesbrough following representations from Cleveland Police.

On 28 July 2022 applications were received from Abuzar Naveed to transfer the premises licence to Parveen Akhtar Iqbal and to vary the designated premises supervisor to Parveen Akhtar Iqbal. Copies of these applications are attached at **Appendices 2 and 3**.

Members should be aware that only the Police can object to such applications where they believe that the grant of the applications would undermine the crime and disorder licensing objective.

2. Legislation

The Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the four licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety

- The Prevention of Public Nuisance
- The Protection of Children from Harm

The Licensing Authority must also have regard to its Licensing Policy and any guidance issued by the Secretary of State.

3. Consultation on the applications

On 29 July 2022 representations to the applications was received from Cleveland Police objecting to the applications on the grounds of the prevention of crime and disorder. Cleveland Police state that they do not believe that Mr Naveed has been in control of the premises since April 2021 and that the issues at the premises have continued under the new management. A copy of this representation is attached at **Appendix 4**.

4. Background

The Lifestyle Express store, is a busy convenience store situated on a busy residential road with a mixture of residential and business premises. The area has historically been part of the Council's Cumulative Impact Area which has lapsed but the Council are seeking to reinstate in the very near future. A location plan is attached at **Appendix 5**.

The premises have had the benefit of a premises licence since 14 April 2009 and Mr Abuzar Naveed has been the premises licence holder and designated premises supervisor since that time.

5. The Licensing Policy

Members are referred to the following relevant sections of the Council's Licensing Policy.

Prevention of Crime and Disorder Page 20

And any other sections of the Policy which Members consider to be relevant.

6. Guidance to the Licensing Act 2003

Members are referred to the following relevant sections of the Guidance.

Prevention of Crime and Disorder	Starting at paragraph 2.1
Police objections to new Designated Premises Supervisors	Starting at paragraph 4.39
Transfer of Premises Licences	Starting at paragraph 8.99

And any other sections of the Guidance which Members consider to be relevant.

7. Members' Options

Members may consider the following options:

- Grant the applications for transfer of the licence and variation of the Designated Premises Supervisor.
- Refuse the applications for transfer of the licence and variation of the Designated Premises Supervisor.

Any party to the hearing who may be aggrieved by the decision taken by the Licensing Sub-Committee would have a right of appeal to the Magistrates' Court.

Contact Officer: Sarah Morris
Principal Licensing Officer, Tel. 728716

This page is intentionally left blank

Middlesbrough
Council



PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0415/063483

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Lifestyle 22-24 Princes Road	
Post town	Post code
Middlesbrough	TS1 4BB
Telephone number	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Sale of Alcohol

The times the licence authorises the carrying out of licensable activities
SALE OF ALCOHOL OFF PREMISES
Monday to Sunday - 7am to 10pm

The opening hours of the premises
Monday to Sunday - 7am to 10pm

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Alcohol sales permitted OFF the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Abuzar Naveed
142 Abingdon Road
Middlesbrough
TS1 3JX

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Abuzar Naveed
142 Abingdon Road
Middlesbrough
TS1 3JX

07853330329

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

MBRO/PL0759/063747 Issued by Middlesbrough Borough Council

Granted on 14 April 2009

Authorised Officer

Annex 1 - Mandatory conditions

Mandatory conditions in accordance with Section 19 of the Licensing Act 2003:

Where a premises licence authorises the supply of alcohol:

(i) No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises licence, or

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(ii) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Effective from 1 October 2010

(1) The premise licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the operating Schedule

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

None

THE PREVENTION OF CRIME AND DISORDER

1. Have a good relationship with Police.
2. Will report any disturbances at the premises.
3. The premises will be fitted with digital colour CCTV which covers both internal and external areas. All footage will be maintained for 31 days and will be surrendered to a member of any responsible authorities on request.
4. No 'perry' will be stocked or sold from the premise at any time.
5. A refusal book will be kept on the premises and maintained at all times.
6. The Challenge 21 scheme will be operated on the premises and prominent signage of this scheme will be displayed in the store.
7. Notices will be displayed in the premise stating that alcohol will not be served to people under 18 years of age. Notices will also state that only accredited proof of identification will be accepted, those being a valid passport or a valid UK photocard driving licence. If no identification is provided then the sale of alcohol will be refused.
8. An incident book will be kept on the premises and maintained showing all incidents of crime and disorder.
9. Staff training will be conducted on a 6 monthly basis covering all points of serving alcohol to underage persons and serving of alcohol to persons already under the influence of the same. Training records of this will be kept and maintained for each employee working at the premises.

PUBLIC SAFETY

1. The premises will be fitted with digital colour CCTV which covers both internal and external areas. All footage will be maintained for 31 days and will be surrendered to a member of any responsible authorities on request.

THE PREVENTION OF PUBLIC NUISANCE

1. No 'perry' will be stocked or sold from the premise at any time.
2. Staff training will be conducted on a 6 monthly basis covering all points of serving alcohol to underage persons and serving of alcohol to persons already under the influence of the same. Training records of this will be kept and maintained for each employee working at the premises.

THE PROTECTION OF CHILDREN FROM HARM

1. A refusal book will be kept on the premises and maintained at all times.
2. The Challenge 21 scheme will be operated on the premises and prominent signage of this scheme will be displayed in the store.
3. Notices will be displayed in the premise stating that alcohol will not be served to people under 18 years of age. Notices will also state that only accredited proof of identification will be accpeted, those being a valid passport or a valid UK photocard driving licence. If no identification is provided then the sale of alcohol will be refused.
4. An incident book will be kept on the premises and maintained showing all incidents of crime and disorder.
5. Staff training will be conducted on a 6 monthly basis covering all points of serving alcohol to underage persons and serving of alcohol to persons already under the influence of the same. Training records of this will be kept and maintained for each employee working at the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 - Plans

Attached

This page is intentionally left blank

Application to transfer premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We PARVEEN AICHTAR IQBAL
(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

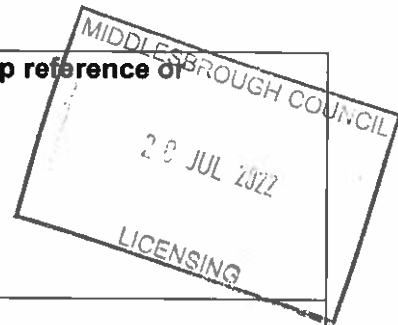
Premises licence number

MBRO / PROUIS / 063483

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

22-24 PRINCES ROAD



Post town

MIDDLESBROUGH

Post code

TS1 4BB

Telephone number at premises (if any)

Please give a brief description of the premises (see note 1)

OFF LICENCE - GROCERY CORNER STOP

Name of current premises licence holder

ABUZAR NAVEED

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick h yes

a) an individual or individuals*

please complete section (A)

b) a person other than an individual *

i. as a limited company

please complete section (B)

ii. as a partnership

please complete section (B)

iii. as an unincorporated association or

please complete section (B)

- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in respect of an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick h yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Date of birth 21/08/78 **I am 18 years old or** **Please tick h yes**

Nationality BRITISH

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

Current residential address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

**Date of birth
Nationality**

I am 18 years old or

Please tick h yes

Current residential address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

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

Name

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

Part 3

Please tick h yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick h yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick h yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick h yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today
- Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships. I have included documents or my Home Office online right to work checking service share code, to demonstrate my entitlement to work in the United Kingdom (please read note 2).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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.

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 2)

Part 4 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

..... 20/07/22

Capacity

.....

For joint applicants signature of second applicant, second applicant's solicitor or other authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

.....

.....

Post town

.....

Post Code

.....

Telephone number (if any)

.....

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

.....

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. **Right 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 which is not a limited liability partnership 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 on or after 6 April 2017 will lapse if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing 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 apply].
- 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, **together 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.
- 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 do the work in question.
- A **current** Residence Card issued by the Home Office to a person who is not a national of an EEA 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of an EEA 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 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 an EEA 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 EEA family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the EEA 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 EEA nationals who are studying or financially independent must also provide evidence that the EEA 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.

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.

3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
6. This is the address which we shall use to correspond with you about this application.

Consent of premises licence holder to transfer

I/we ABUZAR NAVEED
[full name of premises licence holder(s)]

the premises licence holder of premises licence number

MBRO/PRO415/063483
[insert premises licence number]

relating to

LIFESTYLE 22-24 PRINCES ROAD MIDDLESBROUGH TS148B
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

MBRO/PRO415/063483
[insert premises licence number]

to

PARVEEN AKHTAR IQBAL
[full name of transferee].

signed

name

(please print)

ABUZAR NAVEED

dated

20/07/2022

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

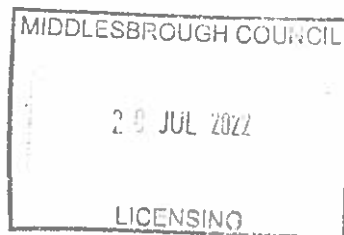
Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I / we ~~ABU AR NAJED~~ PARVEEN AKHTAR IQBAL
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003



Premises licence number

MBRO 1PRO015 1063483

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description

22-24 PRINCES ROAD

Post town

MIDDLESBROUGH

Post code (if known)

TS1 4BB

Telephone number (if any)

Description of premises (please read guidance note 1)

OFF LICENCE - GROCERY SHOP.

Part 2- Proposed supervisor details

Full name of proposed designated premises supervisor

PARVEEN AKHTAR IQBAL

Nationality

BRITISH

Place of birth

MIDDLESBROUGH

Date of birth

21/08/78

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any) REDCAR & CLEVELAND COUNCIL

1820

Full name of existing designated premises supervisor (if any)

ABUZAR NAVEED

Please tick yes

I would like this application to have immediate effect under

section 38 of the Licensing Act 2003 (please read guidance note 2)

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will notify the existing premises supervisor (if any) of this application (please read guidance note 4)
- I understand that if I do not comply with the above requirements my application will be rejected

It is an offence, under Section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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 a valid leave to enter or remain in the UK or an adult who is subject to conditions which would prevent that person from taking up 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 by virtue of their immigration status.

Part 3 – Signatures (please read guidance note 5)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

..... 20/07/22

Capacity

.....

For joint applicants signature of 2nd applicant, 2nd applicant's solicitor or other authorised agent (please read guidance note 7). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 8)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Guidance notes

- 1. Describe the premises. For example the type of premises it is.**
- 2. An application to vary a premises licence so as to name a different premises supervisor may be given immediate effect (that is, from the time**

- that the application is received by the licensing authority) if the premises licence holder requests it at the time he makes an application under section 37. Section 38 enables the holder of a premises licence to continue the supply of alcohol if, for example, the existing premises supervisor is suddenly indisposed or unable to work. If the application is rejected, the licence reverts to the form it took before the application was made
3. A full copy of the application form must be sent to the chief officer(s) of police for the police area(s) in which the premises are situated. The notice should state whether section 38 of that Act (circumstances in which section 37 application given interim effect) applies to the application.
 4. Section 37(4)(b) of the Licensing Act 2003 requires the premises licence holder to notify the existing designated premises supervisor (if any) about this application. It is sufficient for the licensee to inform the existing premises supervisor in writing, without the need to share the specific details of the application. The notice should state whether section 38 of that Act (circumstances in which section 37 application given interim effect) applies to the application.
 5. The application form must be signed.
 6. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have authority to do so.
 7. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
 8. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

I PARVEEN AKHTAR IQBAL
[full name of prospective premises supervisor]

of

.....
[home address of prospective premises supervisor]

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

SALE OF ALCOHOL
[type of application]

by

PARVEEN AKHTAR IQBAL
[name of applicant]

relating to a premises licence MBRO/PROUIS/063483
[number of existing licence, if any]

for

LIFESTYLE - 22-24 PRINCES ROAD MIDDLESBROUGH TS14BB
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

PARVEEN AICHTAR IQBAL
[name of applicant]

concerning the supply of alcohol at

22-24 PRINCES ROAD
MIDDLESBROUGH
TS1 4BB

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

1820

[insert personal licence number, if any]

Personal licence issuing authority

REDCAR & CLEVELAND BOROUGH COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

PARVEEN AICHTAR IQBAL

Date

20/07/22.

This page is intentionally left blank

Middlesbrough Council

www.middlesbrough.gov.uk

COMMUNITY PROTECTION SERVICES

Licensing

PO Box 65, Vancouver House, Gurney Street,
Middlesbrough TS1 1QP
Tel: (01642) 245432



Representations On A Current Application For A Grant/Variation of a Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Before Completing This Form Please Read The Guidance Notes At The End Of The Form

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I (Insert name)

ANDREW THORPE

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description	
22-24 Prices Road	
Post Town	Post Code
MIDDLESBROUGH	TS1 4BB
Name of premises licence holder or club holding club premises certificate (if known)	
N/A	
Number of premises licence or club premise certificate (if known)	
MBRO/PR0415/063483	

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

I am

Please
Tick ✓

- | | | |
|----|---|--------------------------|
| 1) | an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| | a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| | b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| | c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| | d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) | a responsible authority (please complete (C) below) | <input type="checkbox"/> |
| 3) | a member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr Mrs Miss Ms Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over Yes (Please Tick)

Current Address			
Post Town		Post Code	

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g. Body or Business)

Name and Address

Telephone Number (If any)	
E-Mail address (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address CHIEF CONSTABLE OF CLEVELAND POLICE C/O POLICE CONSTABLE 1845 JASON ARBUCKLE MIDDLESBROUGH DISTRICT H/Q BRIDGE STREET WEST MIDDLESBROUGH TS2 1AB

Telephone Number (If any)	01642 302360
E-Mail address (optional)	

This representation relates to the following licensing objective(s)

Please
Tick ✓

- | | | |
|----|--------------------------------------|--------------------------|
| 1. | The prevention of crime and disorder | X |
| 2. | Public safety | <input type="checkbox"/> |
| 3. | The prevention of public nuisance | <input type="checkbox"/> |
| 4. | The protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for representation. (please read guidance note 1)

Cleveland Police have received an application made under the Licensing Act 2003 for a transfer of premises licence for Lifestyle Express, 22-24 Princes Road, Middlesbrough and an application to vary the Designated Premise Supervisor for the same premise.

Cleveland Police wish to object to both applications for the following reasons,

Cleveland Police have recently submitted an application to review the licence for the premise due to issues of disorder ASB and alcohol related incidents in the area around the premise, and believe that the premise is not upholding the four licensing objectives. This review is not specific to the currently named DPS Mr Naveed as we believe Mr Naveed does not have day to day control of the premise and has not had day to day control since handing over the lease in April 2021. We also believe that the issues have continued under the new management who is the husband of the new applicant wishing to be named as DPS.

We therefore do not think it is appropriate to accept these applications at this time until the outcome of the review hearing is determined and would object to both applications outright at this moment in time.

Please provide as much information as possible to support the representation. (Please read guidance note 2)

Further evidence/information will be provided if needed.

Please
Tick ✓

Have you made any representation relating to these premises before?

If Yes, please state the date of that representation

Day		Month		Year			
2	8	0	7	2	0	2	2

If you have made representation before relating to these premises please state what they were and when you made them.

An application to review the premise licence of the premise was submitted yesterday.

How We Collect And Use Information

By completing this document you give Middlesbrough Council the authority to collect and retain information about you for the purpose of the application. In order to process the application we may need to check this information with other enforcement agencies, local authorities or government departments.

We must protect the public funds we handle and so we may use the information you have provided on this form to prevent and detect fraud. We may also share this information with other enforcement agencies including those organisations which handle public funds. Middlesbrough Council will not disclose information about you unless the law permits.

Middlesbrough Council is the Data Controller for the purposes of the Data Protection Act. If you want to know more about the information the Authority holds about you or the way the Authority uses that information please contact the Information Security Officer, PO Box 17, Melrose House, 1 Melrose Street, Middlesbrough, TS1 2YW.

Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representative’s solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature	PC894 THORPE	Date	29/07/2022
Capacity	LICENSING SUPPORT ACTING SERGEANT		

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)	
Middlesbrough Police HQ, Bridge Street West,	
Post Town	Post Code
Middlesbrough	TS2 1AB
Telephone Number (if any)	01642 302360
E-mail Address (optional)	Andrew.thorpe@cleveland.police.uk

Notes for Guidance

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address, which we shall use to correspond with you about this representation.
6. Information on the Licensing Act 2003 is available at www.middlesbrough.gov.uk and you are advised to read any relevant guidance leaflets before completing this form.

This page is intentionally left blank

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
-----	----	--	--	--

Statement of **Andrew THORPE**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable 0894**

This statement (consisting of **5** 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 anything in it, which I know to be false, or do not believe to be true.

Signature **Andrew Thorpe**

Date: **10/10/2022**

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

I am a serving police officer with Cleveland Police. I am currently stationed with the Licensing Support Unit at Middlesbrough Police HQ and have attained a BIIAB Level 2 Award for Licensing Practitioners and a BIIAB Level 2 for Legislative Requirements for Alcohol Licensed Premise and the Assessment for recognised Award Schemes.

Part of my role as a licensing support officer is to monitor licensed premises within all four districts of the Cleveland Police area, including Middlesbrough, ensuring that they are trading within the spirit of the four licensing objectives. We will ask that they will not have an adverse effect on the surrounding community or have a negative impact on Crime & Disorder, Public Safety or Public Nuisance objectives and will Prevent Harm to Children.

This statement is in relation to a review application submitted by Cleveland Police regarding The Lifestyle Express Store, Princes Road, Middlesbrough, as we believe that the store has failed to uphold three of the four of the Licensing Objectives, namely Crime &

Signature **PC894 A Thorpe**

Signature Witnessed by _____

Page 135

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **Andrew THORPE**

Disorder, Prevention of Public Nuisance, and Public Safety.

The Lifestyle Express store, 22-24 Princes Road, Middlesbrough is a busy convenience store situated on a busy residential road with a mixture of residential and business premises. The area has historically been part of the council's Cumulative Impact Area (CIA) which has lapsed but the council are seeking to reinstate in the very near future and this area will again be part of this for very good reason.

During 2019/2020 we had several meetings with the Designated Premise Supervisor (DPS) Mr Naveed, regarding on going issues of street drinking, disorder and crime which were linked to the sale of alcohol from the premise. Mr Naveed agreed to an Action Plan which was in full flow with positive results as of January 2020 until the pandemic hit causing lockdowns and restrictions.

After the lifting of restrictions, the store fully re-opened and Mr Naveed handed the reigns over to Mr Iqbal, although Mr Naveed remains on the licence as the named DPS. The incidents have again slowly increased, with the premise again selling stronger cans of beer, cider and lager and selling them as individual cans at a cost of between 99p and £1.20 a can.

The incidents have reached a crescendo with street drinking, Anti-social behaviour and nuisance being a daily occurrence and the familiar black cans of cheap high ABV cider

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**Continuation of Statement of **Andrew THORPE**

being ever present. Street Enforcement and the Neighbourhood Police team have both taken steps to deal with the issues and have visited the store on a number of occasions.

Police Licensing along with Public Health visited the premise on Friday 15th July 2022. On arrival we immediately saw two females arguing outside the shop, the arguing was becoming more intense, and the situation was escalating. We had to step in to put a stop to the incident. As the situation was calming and the females were walking away a male across the road drinking from a Black can began to shout across the road at the officers. I approached the male who was drinking a can of Knights cider which is sold from the store we were attending, and he had another can of the same drink next to him. Knights is a high ABV (8.4% ABV) and low cost (£1.20 a can sold as single cans). He was clearly drunk, his eyes glazed, and his speech slurred. The male was spoken and told to leave the area. These types of incidents are not unusual in this area.

On entering the store and looking around we saw Perry products for sale on the shelves (a breach of the premise licence conditions), high ABV single cans of cider making up a large portion of the alcohol for sale, and the majority of litre plus bottles of cider were again high ABV. Mr Iqbal was serving and watching over the store and when asked confirmed that he was in charge and that he had been running the business since last year. He was asked why Mr Naveed was still named as DPS on the licence, but Mr Iqbal had no satisfactory answer. As we were of the opinion that there was no DPS in day-to-day control of the premises Mt Iqbal was asked to refrain from the sale of alcohol until the matter was resolved, removing alcohol from floor displays, covering the refrigerated alcohol and

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **4**Continuation of Statement of **Andrew THORPE**

refusing any further requests for sale. Mr Iqbal agreed to this and was seen to refuse the next few customers' service of alcohol while we were there.

Police Licensing, Public Health, Council Licensing and Street Enforcement officers attended the store again on Tuesday 19th July 2022 at 13:15 hours. Mr Iqbal was again in attendance, but Mr Naveed was also there serving from behind the counter. Mr Naveed stated he was there as DPS and when asked considered that he was in day-to-day control of the premises. Mr Naveed was asked to demonstrate the CCTV, he stated that there had been some problems with the CCTV. When he tried to go back to show us footage from previous days it was found that CCTV was only on from that day and no previous CCTV had been recorded. This was despite our visit on Friday 15th July and the council's visit on Monday 18th July when Mr Iqbal had been asked about the CCTV on both occasions. Mr Naveed was then asked to produce Training records, the incident book and the refusals book. Mr Naveed produced three books which all looked brand new, in fact the training record had a price label on it which looked new. There were entries in the training book and the refusals log, but they all looked to be in the same pen and by the same person. The books were seized as evidence.

Mr Naveed attended the Civic Centre, Middlesbrough for a meeting with responsible authorities regarding the issues at Lifestyle Express. He explained that for the past two weeks he had been there on the Monday of both for a maximum of two hours and estimated his regular attendance as four hours a week which I do not believe fulfils his obligation of day to day running of the premise. He does not have responsibility for stock,

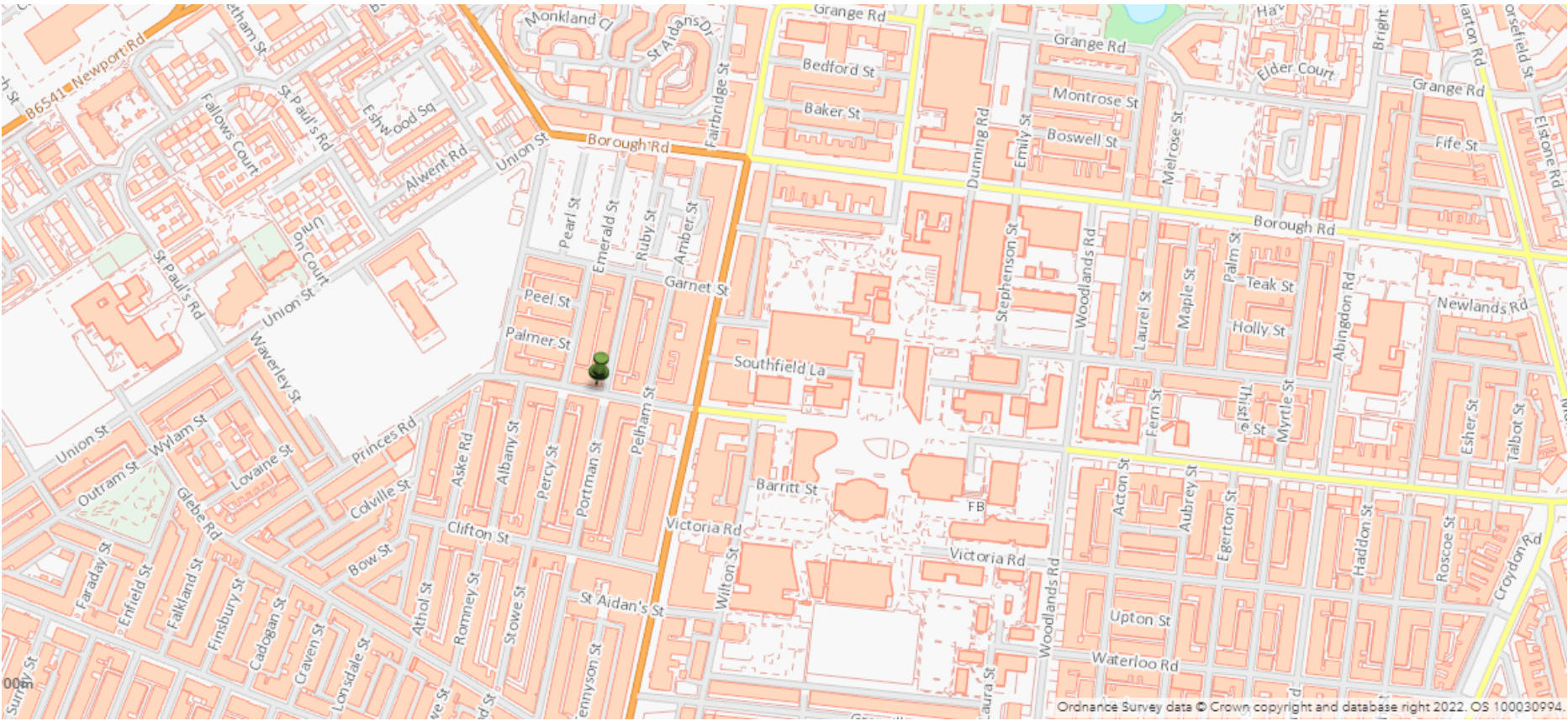
RESTRICTED (when complete)**CLEVELAND POLICE**Page No **5**Continuation of Statement of **Andrew THORPE**

staff wages, or other managerial duties and holds down a part time job elsewhere. He was unwilling to acknowledge the issues in the area and could not see the part the store played in the problems. He also said that on re-opening after the COVID restrictions he did not continue with the Action Plan that had been agreed in January 2020 which he did agree probably did not help.

We have since received an application to vary the Designated Premises Supervisor for the premises which we have objected to awaiting the outcome of this review hearing.

A review of any premises licence is the last resort, and we will always strive to meet the premises needs in other ways before resorting to this however the familiar cycle of issues with the premises have forced our hands. Unfortunately, the running of the premise does not instil us with the confidence that matters could be put right in the short term, leading to further disruption for the residents and possible ASB and disorder. With their continued sale of single can high strength alcohol and large bottles of high ABV white cider we believe that the Licensing Objectives as a consequence are and will continue to be undermined.

This page is intentionally left blank



This page is intentionally left blank