

[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)

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

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

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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

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Date 27/07/2022

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Capacity Licensing Officer

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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.