

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

Name of RA Representative: Tim Hodgkinson, Licensing Manager

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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

APPENDIX 1

| 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

