

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Cllr Tony Sharps (Chairman)

CS/NG

Councillors: Alan Diskin and Jim Falshaw

17 October 2012

Sharon Thomas / 01352 702324

Dear Sir / Madam

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **TUESDAY, 23RD OCTOBER, 2012** at **9.30 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **APPLICATION FOR A PREMISES LICENCE** (Pages 1 - 20)
For Members to consider and determine an application for a Premises Licence.

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

4 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO
CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

The following item is considered to be exempt by virtue of Paragraph(s) 12, 13 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

5 **APPLICATION FOR A PRIVATE HIRE / HACKNEY CARRIAGE (JOINT)
DRIVER LICENCE** (Pages 21 - 40)

For Members to consider and determine an application for a Private Hire/Hackney Carriage (Joint) Driver's Licence

FLINTSHIRE COUNTY COUNCIL

REPORT TO: LICENSING SUB-COMMITTEE
DATE: TUESDAY 23RD OCTOBER 2012
REPORT BY: DIRECTOR OF ENVIRONMENT
SUBJECT: APPLICATION FOR A PREMISES LICENCE

1.00 PURPOSE OF REPORT

To request that Members determine an application for a Premises Licence.

2.00 BACKGROUND

The premises concerned is Krakow Mini Market, Unit 1, 40 Chester Street, Flint. CH6 5DH. Its location can be seen in Appendix 1.

2.01 The applicant is Mr Diari Kadir of Scunthorpe.

2.02 The application was advertised in the correct manner.

3.00 CONSIDERATIONS

The application being made by Mr Kadir is for a new Premises Licence for the supply of alcohol for consumption off the premises.

3.01 The times requested are:-

Monday - Sunday 08.00 – 23.30 hours

3.02 The Operating Schedule sets out the steps which will be taken to promote the Licensing Objectives. These can be seen in Appendix 2.

3.03 Representations were received from North Wales Police and local residents. These can be seen in Appendices 3, 4, 5, 6, 7, 8 and 9.

4.00 RECOMMENDATIONS

That Members determine the application for a Premises Licence.

5.00 FINANCIAL IMPLICATIONS

None in respect of this report.

6.00 ANTI POVERTY IMPACT

None.

7.00 ENVIRONMENTAL IMPACT

7.01 The prevention of crime and disorder and the prevention of public nuisance are two of the Licensing Objectives.

8.00 EQUALITIES IMPACT

None

9.00 PERSONNEL IMPLICATIONS

None.

10.00 CONSULTATION REQUIRED

None.

11.00 CONSULTATION UNDERTAKEN

None.

12.00 APPENDICES

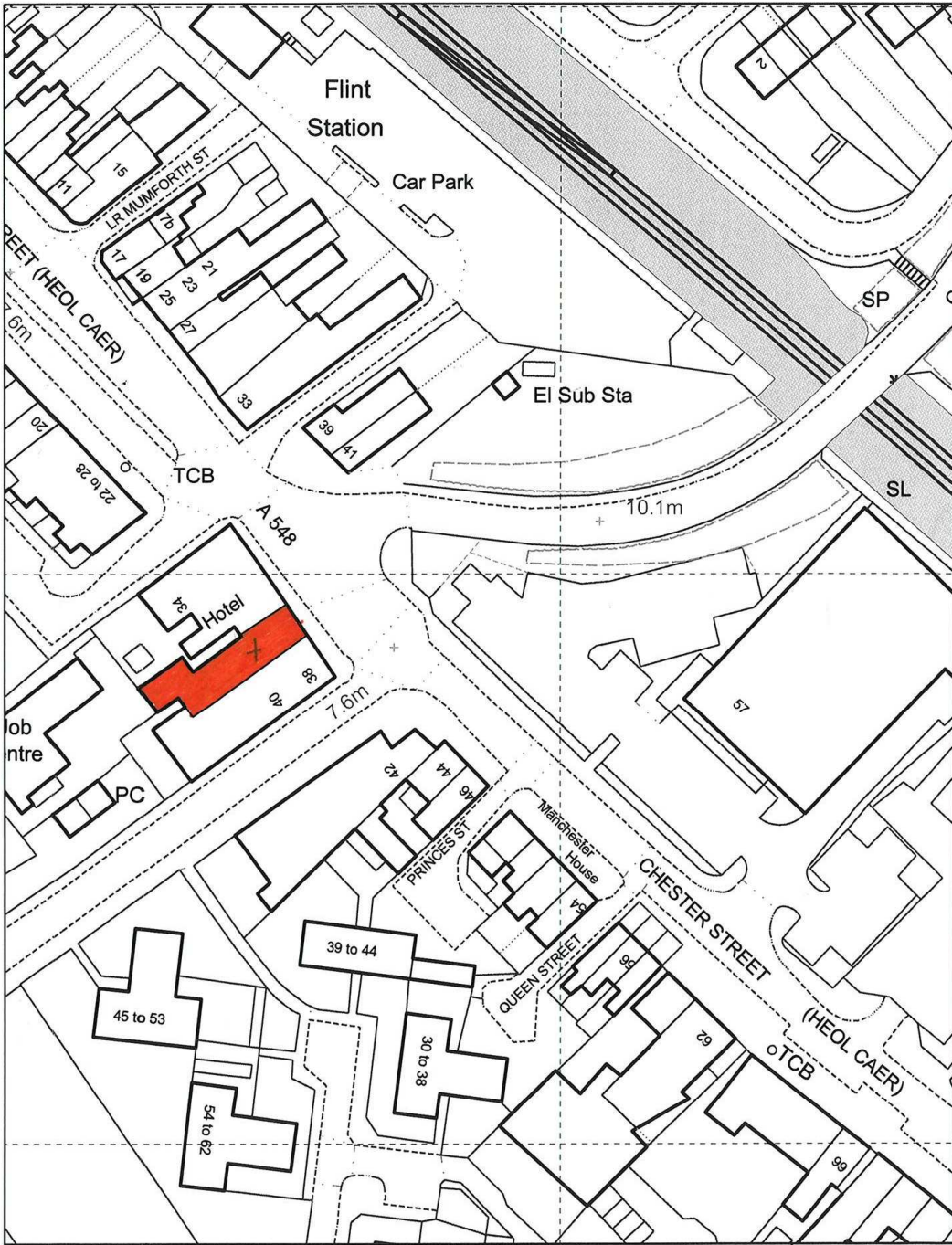
See attached.


**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Licensing Act 2003
Flintshire County Council's Statement of Licensing Policy.

Contact Officer:Lorraine Baxendale
Telephone: 01352 703375
Email: lorraine.baxendale@flintshire.gov.uk

APPENDIX 1




Flintshire County Council
 Environment
 County Hall, Mold
 Flintshire, CH7 6NF

Centre X: 324586.113
 Centre Y: 372975.443
 Width : 165.570
 Angle : .000

Scale : 1:920 Date : 5 Oct 2012 Time : 09:54:58 AM

© Crown Copyright. All rights reserved.
 Flintshire County Council.
 Licence Number 100023386.



This page is intentionally left blank

P APPENDIX 2.

Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

DIGITAL COLOUR HARD DISC CCTV
RECORDINGS KEPT FOR 28 DAYS.

METAL SHUTTERS ON

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

CHALLENGE 25 IN OPERATION

This page is intentionally left blank



HEDDLU GOGLEDD CYMRU
Gogledd Cymru diogelach

NORTH WALES POLICE
A safer North Wales

1st October, 2012

Mrs. Gemma Potter,
Flintshire County Council Licensing Manager,
Flintshire County Council,
Mold,
Flintshire.

Dear Mr. Lovatt,

**APPLICATION FOR A PREMISES LICENCE –
KRAKON MINI MARKET, UNIT 1, 40 CHESTER STREET, FLINT CH6 5DH**

I write with reference to the above application, which has been discussed with Police Sergeant 632 John Williams, the officer responsible for this area.

North Wales Police object to the granting of this application under the licensing objectives of Prevention of Crime and Disorder and Prevention of Public Nuisance.

Over recent months, the town of Flint has seen an increase of alcohol related anti social behaviour. This in turn has had a detrimental effect on the residents of Flint, local businesses and has posed a drain on Police resources.

In July, 2012, following concerns by North Wales Police, Operation Valensole was introduced. This operation was set up to identify offenders causing anti social behaviour in Flint and with the use of Section 27 and Alcohol Confiscation notices aimed to reduce anti-social behaviour in this area.

To date, analysis from this operation has shown a number of Alcohol Seizure and Section 27 notices being issued by Police Officers. (Analysis will be provided prior to the Licensing Hearing)

Although these notices have been issued to both British and Polish individuals, it will be seen that the majority have been issued to persons of Polish origin.

On Monday 24th September, 2012, Ann Williams, North Wales Police Licensing Officer, Lorraine Baxendale, Flintshire County Council Licensing Officer and PCSO Helen Whittingham met with the applicant, Mr. Kadir at 40 Chester Street, Flint, to discuss this application in further detail.

Mr. Kadir was found to be very approachable and open in his response to questions put to him. He stated that the premise will be selling both English and Polish goods, however, by own admission stated he will be selling predominantly Polish alcohol. Clearly this gives cause for concern by North Wales Police, as it is believed that the availability of further Polish alcohol within Flint, is likely to fuel the current problem of alcohol related anti social behaviour.

Cont/.....

www.heddlu-gogledd-cymru.police.uk

www.north-wales.police.uk

Swyddog Trwyddedu'r
Gorsaf Heddlu,
Bodhyfryd, Wrexham. LL12 7BW
E [mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)
Ffon – 01978 348553
Svmudol - 07896172313

Licensing Officer
Police Station
Bodhyfryd, Wrexham LL12 7BW
E [mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)
Tel – 01978 348553
Mobile - 07896172313

Although CCTV and Challenge25 is included in the operating schedule, these topics were discussed with Mr. Kadir. He welcomed guidance and advice regarding the positioning of CCTV in the store and was happy to consider audi CCTV covering the counter area of the premise.

Should the Licensing Sub-Committee see fit to grant this licence as applied for, North Wales Police request the following conditions be attached to the premises licence under the licensing objective of Prevention of Crime and Disorder and Prevention of Public Nuisance:-

- **A digital, colour, hard disc CCTV system shall be installed and remain operational whilst the premises are open to the public and maintained in good working order. Audio CCTV to be installed over the counter area of the premises. Recordings to be kept to a minimum of 28 days for inspection by the Police or local authority upon request.**
- **Challenge 25 Policy to be adopted at the premises.**

Should the applicant be in agreement with the above representations, they or their representatives are requested to confirm this to the relevant Council Licensing Department as soon as possible. This MAY avoid the need for a hearing before Committee, dependant upon any other representations received from other responsible authorities or interested parties.

Should the applicant not be in agreement with the representations, a Licensing Sub-Committee hearing will take place.

Yours faithfully,

Ann Williams
Eastern Licensing Officer

cc Lorraine Baxendale, Flintshire County Council Licensing Officer
Police Sergeant 632 John Williams, North Wales Police Flintshire North
Acting Inspector Chris Griffiths, North Wales Police, Flintshire North
Inspector Jeff Moses, North Wales Police, Flintshire North

APPENDIX 4

Licensing
Sent by: Lorraine
Baxendale/EnvironmentAnd
Regeneration/Flintshire/GB
18/09/2012 11:01

To Lorraine
Baxendale/EnvironmentAndRegeneration/Flintshire/GB@Flintshire
cc
bcc
Fax to
Subject Fw: Off License Application

----- Forwarded by Lorraine Baxendale/EnvironmentAndRegeneration/Flintshire/GB on 18/09/2012 11:03 -----



"John Cresswell"
<john@cressynet.plus.com
>
18/09/2012 09:27

To <licensing@flintshire.gov.uk>
cc
Fax to
Subject Off License Application

I believe that an application has been made by Mr Diari Kadir to open an off license at 40 Chester Street Flint CH6 5NR. The opening hours would be if granted 08:00 hrs-23:30hrs Mon-Sun excluding Bank holidays .

I wish to object to this application being granted for the following reasons.

1. We already have many shops sell alcohol more than a dozen not counting pubs.
2. Alcohol related anti social behaviours i .e. already a major problem in the town .
 - (a) Urinating in public during the day and in front of children.
 - (b) Litter from empty cans and bottles which are unsightly and dangerous.
 - (c) Bad language, aggression and intimidation .
3. The police are inundated with complaints as it is .
4. Granting this application doesn't seem to be following the Government's crackdown on excessive drinking and it's long term effects and burden on the N.H.S.

Yours Sincerely

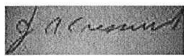
Mr John Cresswell

Kinsarvik

Coed Onn Road

Flint

CH6 5NE

A small, rectangular image showing a handwritten signature in dark ink on a light background. The signature appears to be 'J. A. Cresswell'.

My signature

Mr John Alfred Cresswell

APPENDIX 5



"Carol Cresswell"
<carol@cressynet.plus.com
>
12/09/2012 07:45

To <licensing@flintshire.gov.uk>
cc
bcc
Fax to
Subject License application

I believe that an application has been made by Mr Diari Kadir to open an off license at 40 Chester Street Flint CH6 5NR. The opening hours would be if granted 08:00 hrs-23:30hrs Mon-Sun excluding Bank holidays.

I wish to strongly object to this application being granted for the following reasons.

1. We already have at least 13 shops in Flint that sell alcohol.
2. We already suffer alcohol related anti social behaviours i.e.
 - (a) urinating in public during the day and in front of children.
 - (b) Discarded empty cans and bottles which are unsightly and dangerous.
 - (c) Foul language, aggression and intimidation.
3. The police are inundated with complaints as it is.
4. Granting this application doesn't sit well with the Government's crackdown on excessive drinking and it's long term effects and burden on the N.H.S.

Yours Sincerely
Mrs Carol Cresswell
Kinsarvik
Coed Onn Road
Flint
CH6 5NE

Carol Cresswell

This page is intentionally left blank

APPENDIX 6



jackreece@uwclub.net
11/09/2012 18:38

To licensing@flintshire.gov.uk
cc
bcc
Fax to
Subject Alcohol licence for KRACKOW in Flint

Dear sirs I am writing in objection to a proposed off licence in Flint at the old premises of Diamond Bites the proposed name of the off licence will be KRACKOW. There are 14 establishments in a town of a population of 12,000 already. The last thing this town needs is more premises selling alcohol. We are already having problems with drinking which the local police have had to take serious measures with in the issuing of anti-social behaviour orders and drinking exclusion zones in and around our town.

14 alcohol establishments are quite enough for any one town to have. I believe this shop would devalue the town's character and add to anti-social behaviour and increased drinking related crimes in the area. This plan also I feel goes against the governments line of alcohol awareness and costs to the NHS and policing budgets. I ask that this licence be refused.

Yours sincerely

Jack Reece

143 Prince of Wales Avenue

Flint

Flintshire

CH65JU

This page is intentionally left blank

Contact Centre - Canolfan Gyswilt

Reference Number Rhif y Cyfeirnod CC 0912 076030

Type of Enquiry Math yr Ymholiad Licensing - Alcohol

Created On Crëwyd ar 12/09/2012 11:36

Contact Address Cyfeiriad Cysylltu

Title Teitl	mrs	House Ty	1
Surname Cyfenw	noble	Street Stryd	Queen St
Forename Enw	ceri	Town Tref	flint
Phone Number Rhif Ffôn	01352763675	County Sir	flintshire
		Post Code Cód Post	ch6 5dd

E-mail Address Cyfeiriad E-Bost ceri.noble@wrexham.gov.uk

- Response Preference Dewis Ymateb
- Audio Tape/Tâp Sain
 - Braille
 - Disc/D disg
 - Large Print/Print Bras
 - Welsh/Cymraeg
 - English/Saesneg
 - Other (Specify)/Trwy Gyfrwng Arall - Dywedwch Sut

Are Location Details different from Caller Location? Ydi Manylion y Lleoliad yn Wahanol i Leoliad y Cwsmer? Yes / Ydynt No / Nac Ydynt

Department / Adran	Environment	E-mail Address / Cyfeiriad Lorraine Baxendale, Jacqui Dale, Rachael Hughes, James Lowe, Martin Ashbrook, Gemma M Potter
Location / Lleoliad Contact / Cysylltu	County Hall, Mold, CH7 6NF 01352 703030	<p>i am writing to enquire about the proposed licence application to sell alcohol in the premises previously Tinas diamond bites in chester street flint. firstly without public houses and polish shops we have approx 14 shops who provide the sale of alcohol. we as a community are working with our MP and the local police to wipe out anti social behaviour involving alcohol and i dont think yet another facility of this kind will do the community of flint any help what so ever.</p> <p>The government are providing legislation/laws to wipe out binge drinking and the sale of cheap alcohol yet we see more and more places selling alcohol from early hours to late, yes people will always be able to purchase alcohol and i do think that shop owners should have strict rules on who they sell their commodities too as we are seeing people wandering the streets intoxicated and being sold alcohol to which is only increasing the problem and will cause potential accidents especially on the main road through flint where i myself have observed many a drunken person putting themselves and others at risk, one example i will share was of a person not a british citizen staggering along chester st, she dropped her blue carrier bag containing Polish named beer, her cans fell on the pavement and road and she was that drunk she struggled to pick them up, when she did eventually get her drinks back, she threw up on the pavement and then continued her route in a dangerous stagger, she could have caused an RTA and also harmed herself in the process, why are shops selling beer to these people, i seriously think spot checks should be in place to prevent this happening especially in the polish shops along chester street, i have seen the sale of alcohol being refused in Tesco as the person was too drunk, why is this not standard procedure?? i look forward to oour responce</p>
Call Details Manylion y Galwad		
<p>Adele Robertson 12/09/2012 13:32:18 Allowed to continue as normal</p>		



"Jennifer Leach"
<j_leach@talktalk.net>
11/09/2012 19:05

To <Licensing@Flintshire.gov.uk>
cc <Licensing@Flintshire.gov.uk>
bcc
Fax to
Subject Tinas Diamond bites

I wish to lodge a complaint about the idea of turning the above premises into an Offlicense..We have at the very least thirteen locations in Flint

Selling alcohol.We do not need or want another.There is a lot of antisocial behaviour in the town of Flint caused by the Eastern Europeans drinking

all day and night. There have been hundreds of complaints to the police and Mr David Hanson of these nationalities. It wouldn't matter what nationality

they were, the fact remains it is causing a lot of ill feeling in the town .It doesn't sit well with the Governments stance on antisocial behaviour and this will

only add to the problems we already have.

Drinking ,urinating and being abusive and intimidating, on the Big church steps and various locations in the town centre in front of women and children.

Lying in peoples garden because they are too drunk to move .There is obviously have enough outlets to buy alcohol, why give them another.???

This page is intentionally left blank

Contact Centre - Canolfan Gyswilt

Reference Number **CC 0912 076000**
Rhif y Cyfeirnod

Type of Enquiry
Math yr Ymholiad
Licensing - Alcohol

Created On
Crëwyd ar
11/09/2012 16:39

Contact Address
Cyfeiriad Cysylltu

Title Teitl	Mrs	House Ty	4
Surname Cyfenw	Leach	Street Stryd	Englefield drive
Forename Enw	Jennifer	Town Tref	Flint
Phone Number Rhif Ffôn	07825152204	County Sir	Flintshire
		Post Code Cód Post	CH6 5SB

E-mail Address
Cyfeiriad E-Bost
j_leach@talktalk.net

- Response Preference
Dewis Ymateb
- Audio Tape/Tâp Sain
 - Braille
 - Disc/Disg
 - Large Print/Print Bras
 - Welsh/Cymraeg
 - English/Saesneg
 - Other (Specify)/Trwy Gyfrwng Arall - Dywedwch Sut

Are Location Details different from Caller Location?
Ydi Manylion y Lleoliad yn Wahanol i Leoliad y Cwsmer?

Yes / Ydynt
 No / Nac Ydynt

Department / Adran	Environment	E-mail Address / Cyfeiriad Lorraine Baxendale, Jacqui Dale, Rachael Hughes, James Lowe, Martin Ashbrook, Gemma M Potter
Location / Lleoliad	County Hall, Mold, CH7 6NF	
Contact / Cysylltu	01352 703030	
Call Details		
Manylion y Galwad	<p>Re Tinas Diamond Bites in Flint..I believe there is an enquiry to change it to an off license.I wish to complain because myself and most of the town are against another place selling alcohol.We have more than our fair share of premises selling alcohol.We dont need yet another ,especially with the antisocial behaviour going on in the town centre and around the town in different locations.It has become very very bad with the misuse of alcohol, even in broad daylight, and as early as 7am in the morning when you are going to work. And their are people stumbling around drunk because they spend all their days drinking and urinating in the street in front of women and children,and being abusive and intimidating..We have enough antisocial behaviour within our own community without this.The police have been inundated with complaints, and it does not sit along side the governments stance on antisocial drinking and behaviour in our towns and cities.Flint is a small place compared to the cities but we can count at least 13 places that sell alcohol.And thats without the pubs.</p>	
<p>Adele Robertson 12/09/2012 9:40:58 Allowed to continue as normal</p>		

By virtue of paragraph(s) 12,13 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 12,13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 12,13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 12,13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 12,13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank