



**Kettering Food and Wine Centre  
34 Rockingham Road  
Kettering**

**Premises Licence Review Application**

**Chief Supt Paul Fell  
Local Policing Commander  
Northamptonshire Police**

**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 Chief Superintendent Fell

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 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**

Kettering Food and Wine Centre  
34, Rockingham Road

**Post town** Kettering

**Post code (if known)** NN16 8JS

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

Asadula Hassan Zada

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

K/10/27611

**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises

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**

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  Northants Police Licensing Unit Wellingborough Police Station Midland Rd Wellingborough NN8 1HF
Telephone number (if any) 101 Ext 5706
E-mail address (optional) nblicensingunit@northants.pnn.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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

**Please state the ground(s) for review (please read guidance note 1)**

Northamptonshire Police are seeking a review of this Premises Licence under the Licensing Objectives marked above.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

Kettering Food and Wine Centre applied for and were granted a Premises Licence in late 2010 with the original application seeking to sell alcohol from 0600hrs until 0200hrs at weekends with a terminal hour of 2359 hrs during the week. There was some negotiation around these hours which resulted in the terminal hour at the weekend being adjusted back to 2359hrs. The applicant, Mr Asadula Zada, did at the time of his application volunteer to provide doorstaff and commit to having a Personal Licence holder on site at all times that alcohol was being sold. However, at that time the provision of doorstaff appeared unnecessary and although offered, it was apparent that Mr Zada would not be able to fulfil the condition in respect of personal licence holders, as such these terms did not ultimately form part of the licence.

Subsequent to the grant of the Premises Licence a culture of 'street drinking' became apparent in the area which, after complaints of anti-social and criminal behaviour resulted in the creation of an additional Designated Public Places Order (DPPO), that has been in place since 2012 and encompasses an area bordered by Rockingham Road, Regent Street, Wellington Street and Lindsay Street.

More recently the same area has been covered by a Northants Police 'AO1', which is a system used to monitor and document anti-social behaviour, in this case an area subject to repeated complaints and concerns around drunken behaviour in the street.

In July 2012 local officers reported the emergence of an issue around persons attending the rear door of the premises, this being accessed via a delivery yard running off Crown St and shared with other businesses on Rockingham Rd. Local residents were complaining of anti-social behaviour occurring due to groups of males being served alcohol from the rear of the premises and then loitering and drinking in this area.

In September 2012 PC 821 Allbright attended the premises in order to retrieve some CCTV evidence in relation to an assault that had occurred on Rockingham Rd near to the store. He was met with an angry Mr Zada who was 'ranting' about the lack of police when it came to dealing with the street drinking issue. PC Allbright reported that he attempted to advise Mr Zada in respect of selling alcohol to drunks but came away with the opinion that Zada was either ignorant or complacent when it came to his knowledge and obligations around the sale of alcohol to drunk persons.

On 20<sup>th</sup> April 2013 at around 2100 hrs PCSO 7154 Nadia Norman attended the premises in response to a call stating that there was a large group of males outside that were being abusive to staff. PCSO Norman reports that she had to call for assistance from other officers due to the demeanour of this group and that ultimately the PLH did not seem to care that he was responsible for causing the problem. (Detail included in attached officer statement).

On 09<sup>th</sup> May 2013 PC 1048 Murphy attended the premises in order to conduct a licensing check. Mr Zada was not present but was spoken to via the telephone after being called by one of his employees. It was noted that the two members of staff present were not Personal Licence holders and that there was no written authority for them to sell alcohol. There were no training records at the store and the staff stated that their training had consisted of Mr Zada telling them to observe the 'Challenge 25' principle, which they did appear to understand. The CCTV system was found to be in good working order. Advice was given to the staff and Mr Zada around the sale of alcohol to drunks and the prevention of persons drinking in the street outside the store.

On the 26<sup>th</sup> August 2013 Kettering Borough CCTV operators contacted Northants police in relation to footage gathered earlier that day. PCSO Norman attended and took possession of a DVD (disc 5034) that contains images recorded by a camera overlooking Rockingham Road and clearly shows a group of males situated immediately outside Kettering Food and Wine at around 0630hrs that day. A group of 7 or 8 loiter outside the premises drinking from cans that they appear to purchase one at a time from the store. This group are joined on occasion by other males who also drink from cans before leaving and a smaller group of 3 or 4 are still present outside the premises at 1000hrs that day when the filming ceases. During the course of this footage it is evident that the group essentially take over the footpath and impede pedestrians. At no time does anyone from the store make any attempt to move these drinkers away. This footage can and will be made available to a licensing panel if required.

On the 31<sup>st</sup> August 2013 PCSO Norman observed a known 'street drinker' who was drinking from a can of alcohol outside the store and in her opinion was drunk. This male admitted that he had purchased his alcohol from the store. After dealing with this 'drinker', PCSO Norman entered the store and spoke with Mr Zada who again displayed a 'couldn't care less' attitude.

PCSO Norman also reports a growing concern around the hostility of the groups drinking outside the store, with at least two females reporting that they now feel intimidated when passing the premises and one suggesting circumstances that amount to an attempted sexual assault.

It is suggested that the following options be considered should the premises be allowed to continue with the sale of alcohol.

1. Removal of the current DPS
2. Any new DPS to hold the higher qualification (National Certificate for DPS)
3. That a Personal Licence Holder be present at all times that alcohol is sold
4. Modification (reduction) of the hours that alcohol can be sold
5. The prevention of 'single can' sales
6. That the wording of the condition around CCTV be modified in order that it becomes appropriate, concise and enforceable. (To include the addition of external cameras)
7. Staff training to be given, documented and training records to be retained
8. Notices displayed to discourage / prevent loitering and drinking outside the premises.
9. No sale or supply to be made from the rear door of the premises and customers not to enter other than via the door fronting onto Rockingham Rd.
10. That the licence be suspended for a period of time in order that appropriate changes are made

Please tick yes

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

If yes please state the date of that application

Day Month Year

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

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

Please tick yes

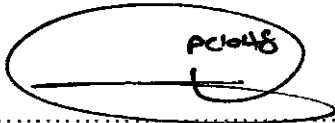
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – 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

*PC1048*  


Date *26<sup>th</sup>* Sep 2013

Capacity Police Licensing Officer

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

PC 1048 Kevin Murphy  
Northants Police Licensing Unit  
Wellingborough Police Station  
Midland Road

**Post town**

Wellingborough

**Post Code**

NN8 1HF

**Telephone number (if any)** 101 Ext 5706

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

**Notes for Guidance**

1. The ground(s) for review 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 review if available.
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. This is the address which we shall use to correspond with you about this application.



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

--	--	--	--

Statement of :      **Nadia Norman**

Age if under 18 :    **over 18**      (if over 18 insert 'over 18')      Occupation :    **Police Community Support Officer**

This statement (consisting of      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:

Date:

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

I am the above named Police Community Support Officer with Northamptonshire Police working at Kettering Police Station.

This statement is regarding behaviour and information regarding a shop which forms part of my beat as a local PCSO.

This shop is **KETTERING FOOD AND WINE, 34 ROCKINGHAM ROAD, KETTERING.**

The area is covered under an A01 NP/5823/13– (Anti Social Behaviour Crime) relating to conduct linked to street drinking and the impact on the local communities. This has been in place since **APRIL 2013** although the problems stem from much earlier, as far back as 2011.

The MO of the A01 reads: **“EASTERN EUROPEAN MALES REPEATEDLY USE THE LOCATION TO DRINK ALCOHOL DESPITE BEING A DPPO LOCATION. COMPLAINTS HAVE BEEN RECEIVED FROM MEMBERS OF THE PUBLIC OF DRUNKEN BEHAVIOUR SUCH AS URINATING IN A PUBLIC PLACE, SHOUTING AND SWEARING.”**

An A01 is booked on to increase targeted patrols in a particular area relating to that form of ASB. It creates a “hotspot” patrol route that local police and response officers are expected to assist in patrolling to increase a high visibility presence and reduce the ASB reports.

The area including the shop fronts on Rockingham Road is part of a DPPO (Designated Public Place Order) which means that it is in effect an alcohol free zone, and means that officers and PCSO’s can confiscate open containers of alcohol, and demand names and addresses of those causing ASB or disorder. We applied for an extension to the DPPO in early 2011, after **EURO FOODS** and **KETTERING FOOD AND WINE** opened on Rockingham Road. We had noticed an increase in calls regarding alcohol related disorder and ASB, especially out of the front of the shops.

Section 27 dispersal orders have also been used by Police Offices within the A01 area and DPPO area. Officers can state how long a person is banned from the area from. This can be 12, 24, or 48 hours depending on the severity of the behaviour. If this banning order is breached then the person can be arrested and held for court. We have been actively using Section 27 notices as an enforcement measure against the street drinkers since the beginning of the A01 in April 2013.

In 2012 I was made unaware by my colleague PCSO 7120 **Barrie Dodd**, who was the local officer at the time that

Signature :

Signature witnessed by :

Continuation of Statement for : Nadia Norman

residents along Crown Street were complaining that groups were entering the rear service / delivery yard belonging to the row of shops including KETTERING FOOD AND WINE and being served goods including alcohol from the premises. Groups were then loitering in the area, urinating, becoming rowdy and intimidating and getting into the gardens of neighbouring properties. A male that was stopped in the rear yard behind KETTERING FOOD AND WINE stated to PCSO Dodd at the time that he had purchased his alcohol from same shop and was advised in future not to.

The service area is used by the florist, The Curtain Shop and KETTERING FOOD AND WINE. All were advised to keep the main gate locked if there were no deliveries expected, mainly to assist in reducing the number of people entering the yard and making it an ASB hotspot.

On various occasions, I have been into KETTERING FOOD AND WINE on Rockingham Road to advise staff in regards to the A01 and the DPPO, and how as shop owners and staff they are partly responsible for the behaviour of persons outside their shop and to report incidents of disorder and ASB to the police.

In 2011, all shops were advised of the extension to the DPPO and the impact this may have on their customers.

The shop staff have been told repeatedly that the police would support and assist them if they needed to call in, and I have repeatedly given them contact cards with personal contact details and switchboard numbers.

The shop appears to be a popular place for people to meet, socialise and buy their alcohol.

On 20<sup>th</sup> April 2013 I submitted a 60a relating to KETTERING FOOD AND WINE.

A call came over the radio at approximately 2100hrs regarding a large group outside KETTERING FOOD AND WINE being abusive to staff.

I attended as I was the closest resource and saw 10+ males outside KETTERING FOOD AND WINE, they were being extremely loud and rowdy and throwing things at each other as well as walking in and out of the shop.

From their behaviour it was clear that the males were intoxicated. I asked them to move on, whilst confiscating 6 cans of open alcohol which one males stated they had bought from KETTERING FOOD AND WINE. Two of the males refused to move away and became so aggressive towards me that I had to call up for officer assistance after having to physically push one male away from me. I was very much aware that members of the public were having to cross the road to avoid the group, and their behaviour must have been very intimidating to anyone else in the area. Officers arrived and still the group refused to move away. Eventually the two main instigators of the group of drunken males were removed and taken home, leaving the others to disperse of their own accord. Both myself and a police officer went into KETTERING FOOD AND WINE after the incident with regards to the selling of alcohol to drunken persons, and the fact that the large drunk group causing disorder outside their premises had not been reported to us by them. In fact the shop owner had been watching the incident from the shop doorway. The owner seemed quite blasé about the incident, and did not seem to understand or care about the seriousness of the issues that the group were causing at the time.

On 26<sup>th</sup> August 2013 I submitted a 60a relating to KETTERING FOOD AND WINE.

I was contacted by Kettering Borough CCTV relating to a disc of footage they had of street drinkers outside KETTERING FOOD AND WINE from 0600-0830hrs.

Persons are seen on cctv to enter KETTERING FOOD AND WINE, buy alcohol, and then stand outside the shop meeting associates for over two hours without any intervention from staff.

The footage clearly shows this group blocking the pavement, entering the shop and drinking alcohol outside.

I sent this footage to PC 1048 Murphy, Licensing Officer at Community Safety to view.

On 31<sup>st</sup> August 2013 I submitted a 60a relating to KETTERING FOOD AND WINE.

A male, known to me as a prolific street drinker, was seen by myself stood outside KETTERING FOOD AND WINE drinking a can of alcohol. Upon seeing me approach he has opened a nearby lidded bin and placed the alcohol can inside. Whilst talking to the male, who was swaying from side to side, had slurred speech and smelt very strongly of alcohol, he stated he had bought the can from KETTERING FOOD AND WINE. He only had one can of alcohol on his person which suggested to me that he had only recently bought it.

After I dispersed the male from the area, I spoke to the owner in KETTERING FOOD AND WINE whose response was just that there are drinkers on the street all the time. He didn't appear to care. When I reiterated that

Signature :

Signature witnessed by :

they need to start calling police he stated that this was too much hassle for staff to do.

Recently, I have been approached by members of the public and residents regarding two further issues relating to the ongoing issues outside the shops on Rockingham Road.

I have been approached by two females on two separate occasions, whilst dealing with incidents of drunken groups outside KETTERING FOOD AND WINE and surrounding area. Each female has stated to me that early mornings, from 0600 onwards, groups are gathering outside KETTERING FOOD AND WINE and are becoming increasingly hostile, and intimidating, towards lone females who are also on their way to work.

One female stated that she is picked up on ROCKINGHAM ROAD at 0630hrs each day to be taken to work. She has had males from these groups trying to get money off of her, trying to get her to buy them alcohol, and she has also had one male try to touch her inappropriately. This has upset her to the extent that she now walks a completely different way to work, and has arranged with her employer to collect her further along Rockingham Road away from the shops. I have asked this female to call in at once if she has any further incidents of this. She was extremely upset, and I feel that for her to have approached me to say this whilst I was dealing with a group of drunken males only speaks volumes for how eagerly she wanted to tell someone about it.

Residents on Crown Street - by the rear service yard - have recently reporting an increase in persons entering the rear yard again and walking towards the back of KETTERING FOOD AND WINE.

On a recent visit by myself, the store was empty of staff but I noticed a group of females by the open rear door at the back of the shop. The owner appeared distracted and keen for me not to see them after he realised I was there and had spotted him talking to them.

The door at the back of the shop is often left open throughout the day.

It appears that KETTERING FOOD AND WINE is a popular place for these groups to meet, buy their alcohol and food and then use the immediate area to continue with the drinking and reported associated behaviour.

The groups are predominately other Eastern Europeans, many of who work shifts on the industrial estate, unit and production factories in and around Kettering.

The early morning drinkers will be groups who have just finished their shift and are on their way home, or could even possibly be those who are on their way to start work. These shifts are mainly 12 hours, starting and finishing at 0600, 0700, and 0800 dependant on the employer. This I have been told by the drinkers themselves.

Based on the fact that members of the public and residents are complaining that the drinking and behaviours of these groups are becoming increasingly worse first thing in the morning, with the groups congregating outside KETTERING FOOD AND WINE, I would suggest that due to previous lack of cooperation from KETTERING FOOD AND WINE in regards to being the supplier of these street drinkers, and lack of support from them in regards to the policing of these issues, that their licence times be adjusted to reflect the early morning issues we are now experiencing with the street drinkers. I would ultimately like to see the reduction in early morning sales of alcohol when all it appears to be doing is making the street drinking situation worse.

Signature :

Signature witnessed by :