

THAMES VALLEY POLICE

Division/Station : Licensing Milton Keynes

From : Gemma McCormack To : Licensing
Subject : Licensing Officer Milton Keynes Council

Ref : Your Ref Point Kiosk, Midsummer Blvd, CMK Date : 30th November 2020 Tel.No. 01865 541320

Representation

As licensing officer for Thames Valley Police, I am authorised to make representation in relation to applications made under the Licensing Act 2003 on behalf of the Chief Constable as a responsible authority.

In respect of the application for a new premises licence for the Point Kiosk, at The Point, Midsummer Boulevard, Central Milton Keynes, your reference 157120, applied for by Mr Thirumurugarah I have reviewed the application and am submitting a representation in relation to the application under the grounds of prevention of crime and disorder and prevention of public nuisance.

The premises is a kiosk selling cold drinks, coffee and snacks, located on the outside of the Point complex, next to the Centre MK and INTU and the bus stops taking members of the public across Milton Keynes and further afield. The area is largely a commercial shopping district with leisure venues. In 2017 they applied for and were granted a premises licence which would allow them to sell alcohol for consumption off licence.

Since the granting of this licence, Mr Thirumurugarah has opted not to use it and although the licence has remained in place, he has not sold alcohol from the premises. I have visited the premises and confirmed that all the necessary things are in place ready to start using the current premises licence and ensure all current conditions will be complied with.

One of the conditions on the current licence, which this application is seeking to remove is condition 2.4: No alcohol with alcohol levels above 6% shall be sold from the premises. This is a condition requested by Thames Valley Police during the consultation of the original premises licence. The reason for this is due to the location of the premises, so that the premises would not become a central point for the anti-social street drinking that the CMK Police Neighbourhood team encounter on a daily basis. At the time of that application, the majority of the ASB complaints linked to street drinking we received were linked to persons drinking high strength lagers and ciders, with an ABV of 6.5% and above. This has continued to be the case, (with the exception of when restrictions were placed on the public being outside during 2020 to combat the coronavirus pandemic).

Central Milton Keynes is also subject to a Public Space Protection Order (PSPO) which prohibits the consumption of alcohol within the area. The local Neighbourhood team which covers the area are currently receiving repeat complaints of anti-social behaviour linked to people drinking high alcohol volume beers and ciders within the PSPO area. The PSPO which covers CMK was renewed in October 2020, indicating that anti-social behaviour linked to street drinking in the area is still a pressing concern.

The locations of these street drinkers tend to congregate outside small off licences or outside residential flats. Through enforcement of the PSPO this summer, the street drinkers who were predominately drinking outside of the flats, have moved their activities to within their own homes.

The street drinkers who congregate outside of off licences, appear to target off licences who sell higher strength alcohol.

In 2019, majority of the anti-social behaviour complaints received about Central Milton Keynes, were linked to street drinkers congregating near two off licences, situated in separate areas of Central Milton Keynes. One group was reportedly more aggressive than the other, so we attempted to work with the licensee connected to this group to reduce the negative impact their customers were having on the local community. We reached the point where formal review of the licence was being prepared, when they closed the store and subsequently surrendered the licence.

In 2020, due to the restrictions placed on the public to combat the global pandemic, there has been a significant reduction in people on the streets. However we have since July 2020, as these restrictions started to be lifted, we started to see an increase in complaints in Central Milton Keynes relating to anti-social behaviour and street drinking, this time congregating near the other store where we had reports in 2019. The local neighbourhood team are currently working with them, and they have just volunteered to cease selling the high strength alcohol, we are currently assessing the impact this is having on the local area.

There are several other off licences in CMK, who do not sell high strength lagers or ciders and we do not receive ASB drinking complaints from outside of these premises. That indicates that the alcohol strength is linked to this anti-social behaviour.

We are therefore of the opinion that if the Point Kiosk is permitted to start selling higher strength alcohol, this will lead to an increase in reports of alcohol related anti-social behaviour, causing a further strain on Neighbourhood Police team.

Separate to being able to sell higher strength lagers, the application also refers to being able to sell being able to sell spirits. Having visited the premises, I note the premises has installed a door between the side of the kiosk and the area where customers can pick up their food and drinks from the fridge, which the alcohol would be kept on the other side of. The door did not appear to have a latch or a lock of any kind. Mr Thirumurugarajah assures me that alcohol would not be stored on site over night, but would be delivered on a daily basis. I am of the opinion that the structure and the door are not secure enough to ensure that theft of the higher priced spirits would not occur. Theft of high priced items, including alcohol spirits, is an issue for many stores within Central Milton Keynes. Shoplifting accounts for the largest crime type within the area. I am of the opinion that the kiosk is not built for that level of security, and more expensive items on sale there would propose a risk if either the alcohol was stored on site overnight, or if it was removed daily as that would mean there would be one delivery and one collection per day.

Due to the location, local issues and style of the building, I believe the granting of the licence to allow for sale of alcohol above 6% ABV would have a detrimental impact on the local community, and thereby undermining the licensing objectives of prevention of crime and disorder and prevention of public nuisance.

If you wish to discuss the above with me, please do not hesitate to contact me.

Kind regards

Gemma McCormack