



**Meeting of the Licensing Act 2003 Sub-Committee
held at the Town Hall, Peterborough on 1 July 2022**

RECORD OF PROCEEDINGS

1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	There were no declarations of interest.
3. Application	New Premises Licence
3.1 Application Reference	117540
3.2 Sub-Committee Members	Councillor Wiggin Councillor S Bond Councillor Hiller
3.3 Officers	Darren Dolby, Regulatory Officer Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Karen Dunleavy, Democratic Services Officer – Clerk to the Sub-Committee
3.4 Applicant	Euro Store, 10a Dogsthorpe Road, Peterborough, PE1 3AA
3.5. Nature of Application	<p><u>Application Type</u></p> <p>Application for a new premises licence.</p> <p><u>Authorisations and Times Applied For</u></p> <p>Sale of alcohol for consumption off the premises</p> <ul style="list-style-type: none"> Monday to Sunday 8:00 to 24:00 <p>Sale of alcohol for consumption off the premises after mediation</p> <ul style="list-style-type: none"> Monday to Sunday 9.00 to 21.30 <p><u>Summary of New Premises Licence Application</u></p> <p>In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for Euro Store, 10a Dogsthorpe Road, Peterborough, PE1 3AA which had attracted representations in objection to the application, the Licensing Authority was required to hold a hearing.</p> <p>A summary of the issues raised by persons objecting to application included:</p> <ul style="list-style-type: none"> The granting of the licence would increase the availability of

	<p>alcohol in the area leading to a negative impact on the licensing objectives, especially the prevention of crime and disorder objective.</p> <ul style="list-style-type: none"> • The granting of the licence would have a negative impact on the health and wellbeing of residents and businesses in the area as evidenced in the CIA statement. • The granting of the licence would contribute to anti-social behaviour in the area. <p>Hours for sale of alcohol have been reduced following mediation Prevention and Enforcement Service (PES) had withdrawn their representation.</p>
3.6 Licensing Objective(s) under which representations were made	<ol style="list-style-type: none"> 1. The Prevention of Crime and Disorder 2. The Prevention of Public Nuisance 3. The Protection of Children from Harm 4. Public Safety
3.7 Parties/Representatives and witnesses present	<p><u>The Licensing Authority</u></p> <p>The Regulatory Officer, who presented the case on behalf of the Licensing Authority.</p> <p><u>Applicant</u></p> <p>The applicant was Nijole Mikareviciute</p> <p>The applicant’s representative was Patrick Burke:</p> <p><u>Responsible Authority</u></p> <p>Joseph Keegan, Public Health</p>
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	<p>There were no pre-hearing considerations.</p>
3.9 Oral representations	<p>The Regulatory Officer addressed the Sub-Committee and outlined the main points with regard to the application. The key points raised in the address included the representation submitted against the application by Responsible Authorities.</p> <p><u>Applicant – Nijole Mikareviciute, represented by Patrick Burke</u></p> <p>The representative Patrick Burke on behalf of Nijole Mikareviciute addressed the Sub-Committee. The key points raised during their address, and following questions from the Sub-Committee were as follows:</p> <ul style="list-style-type: none"> • The sale of the premises, an established grocery store, was due to the owner finding the business unviable. • The applicant had undertaken a recent personal licensing training course.

- After consultation, the police indicated they were happy with the conditions agreed this included that not more than 10% of the store would sell alcohol.
- There were no residents or other responsible authority that had objected, and this was considered a significant factor. The police had referenced a similar shop, which had a licence granted with similar conditions.
- A Member believed that the applicant understood that the shop came within the CIA and that it was not unexpected that the license had not been accepted.

Responsible Authority – Joseph Keegan, Public Health

Joseph Keegan addressed the Sub-Committee. The key points raised during their address, and following questions from the Sub-Committee were as follows:

- There had been many fixed penalty notices with issues such as anti-social behaviour and spitting in the area.
- Residents felt that they cannot enjoy the area due to the rowdiness and noise pollution due to night-time activity.
- There should have been representation made towards the application recently however Covid had taken a significant amount of time and focus for Public Health.
- The specific area of concern was one of the most deprived areas within Peterborough.
- Research showed that alcohol-related density's impacted on the community, which included issues such as road traffic accidents, suicide and child abuse.
- At present, Central Ward had double hospital admissions due to alcohol than the rest of Peterborough and was one of the most problematic wards in the county.
- There are several alcohol-related issues in the area, which included public defecation, and street drinking, which had impacted on local businesses and the residents.
- Research from the Anti-Social Behaviour Team had highlighted more recent issues in the city.
- There had been a need for more work with police and the Anti-Social Behaviour Team in future.

Summing Up

The applicant responded and summed up key points with regards to the application, which included:

- The initial application had included conditions previously agreed with the police.
- There was another shop in the area with a similar remit. The applicant's shop would be significantly smaller and would store a comparatively reduced amount of alcohol.

3.10 Written representations and supplementary material taken into consideration

Applicant

Consideration was given to the application for a Premises Licence, attached to the Sub-Committee report.

	<p><u>Responsible Authority</u></p> <p>Consideration was given to the representations made by the other persons present at the hearing.</p>
<p>3.11 Facts/Issues in dispute</p>	<p><u>Issue 1</u></p> <p>Whether the premises licence application would further support the 'Prevention of Crime and Disorder' Licensing Objective.</p> <p><u>Issue 2</u></p> <p>Whether the premises licence application would further support the 'Prevention of Public Nuisance' Licensing Objective.</p> <p><u>Issue 3</u></p> <p>Whether the premises licence application would further support the 'Protection of Children from Harm' Licensing Objective.</p> <p><u>Issue 4</u></p> <p>Whether the premises licence application would further support the 'Public Safety' Licensing Objective.</p>
<p>4. Decision</p>	<p>The Sub-Committee listened to all the evidence put before it and also took into account the contents of the application and all representations and submissions made in relation to it. The Sub-Committee found as follows:-</p> <p>The Sub-Committee considered the representations made in objection as follows:</p> <ul style="list-style-type: none"> • The grant of licence would increase the availability of alcohol in the area leading to a negative impact on the licensing objectives, especially the prevention of crime and disorder objective. • The grant of licence would result in a negative impact on the health and wellbeing of residents and businesses in the area as indicated in the CIA statement. • The grant of licence would contribute to alcohol related anti-social behaviour in the area. • Higher average for alcohol related hospital admissions in the CI area. <p>The Sub-Committee was referred to the Statement of Licensing Policy, the Government Guidance and Cumulative Impact Assessment Statement for the 'Can-Do' New England and Millfield area of Peterborough. The Sub-Committee was mindful that there existed a presumption not to grant unless it could be shown that the operating schedule if applied correctly would not necessarily contribute further to the existing issues in the area.</p> <p>The Sub-Committee noted that both the Police and the Prevention and Enforcement Service both withdrew their representations against the application, after negotiating amendments to the operating schedule.</p>

The Sub-Committee noted that there were no representations from elected ward members, community groups, businesses or residents.

The Sub-Committee therefore **GRANTED** the licence for the premises, known as Euro Store, 10a Dogsthorpe Road, Peterborough, PE1 3AA, subject to the negotiated additional conditions.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days.

Chairman
Start 1:30pm – End 2:38pm