

Meeting of the Licensing Act 2003 Sub-Committee  
 held at the Town Hall, Peterborough on Monday, 11 November 2014

**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	44 Eastfield Road, Peterborough, PE1 4AN
3.1 Application Reference	070138
3.2 Sub-Committee Members	Councillor (Chairman) Thacker Councillor Lane Councillor Davidson
3.3 Officers	Terri Martin, Regulatory Officer – Licensing Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Philippa Turvey, Senior Governance Officer – Clerk to the Sub-Committee
3.4 Applicant	Mr Abdul Latif Hussani
3.5 Nature of Application	<p><b><u>Application Type</u></b></p> <p>Application for a new premises licence.</p> <p><b><u>Authorisations and Times Applied For</u></b></p> <ul style="list-style-type: none"> <li>• <b>Sale of alcohol for consumption off the premises</b> Monday to Sunday 09.00 to 02.00</li> <li>• <b>Hours premises are open to the public</b> Monday to Sunday 05.00 to 02.00</li> </ul> <p><b><u>Summary of New Premises Licence Application</u></b></p> <p>In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for 44 Eastfield Road, Peterborough, PE1 4AN, which had attracted representations from Responsible Authorities, Councillors, the local MP and members of the public, the Licensing Authority was required to hold a hearing.</p> <p>A summary of the issues raised within the representations included:</p> <ul style="list-style-type: none"> <li>• If granted it would contribute to an increase in street drinking in the area.</li> <li>• If granted it could lead to a rise in anti-social behaviour.</li> <li>• If granted it would lead to an increase in noise and disturbance in the</li> </ul>

		area.
3.6	Licensing Objective(s) under which representations were made	<ol style="list-style-type: none"> <li>1. The Prevention of Crime and Disorder</li> <li>2. The Prevention of Public Nuisance</li> <li>3. The Protection of Children from Harm</li> <li>4. Public Safety</li> </ol>
3.7	Parties/Representatives and witnesses present	<p><b><u>The Licensing Authority</u></b></p> <p>The Regulatory Officer, who presented the case on behalf of the Licensing Authority.</p> <p><b><u>Applicant</u></b></p> <p>The Applicant, Mr Abdul Latif Hussani, and the Applicant's Representatives, Mr Alais Alizada and Mr Kazemi Mohammed.</p> <p><b><u>Responsible Authorities</u></b></p> <p>PC Grahame Robinson, Cambridgeshire Constabulary.</p> <p><b><u>Councillors</u></b></p> <p>Councillor Shearman.</p> <p><b><u>Other Persons</u></b></p> <p>Local residents, Mr Mike Fowler and Mr Steven Allen.</p>
3.8	Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	There were no pre-hearing considerations.
3.9	Oral representations	<p>The Regulatory Officer addressed the Sub-Committee and outlined the main points with regards to the application. The key points raised in her address included the specific hours that have been applied for the sale of alcohol off the premises, the representations against the application received from three responsible authorities, the local MP, two local Councillors, 21 residents and a petition with 49 signatures.</p> <p><b><u>Applicant</u></b></p> <p>Mr Alizada addressed the Sub-Committee. The key points raised during the address were as follows:</p> <ul style="list-style-type: none"> <li>• It was believed that those individuals who had signed the petition were not true objectors.</li> <li>• The Applicant did not want to contribute to any anti-social behaviour and would take the required action to prevent it.</li> </ul> <p>Following questions from the Sub-Committee, the following points were made:</p> <ul style="list-style-type: none"> <li>• The business currently operated as a grocery store, however this business was not sufficient. The premises application would enable the Applicant to sell alcohol and increase profit.</li> <li>• The area of sale for alcohol has been driven by the public demand.</li> </ul>

- Sale of alcohol would commence from 9am. Prior to this time, when to shop was open, customers attempting to purchase alcohol would not be served.
- No risk assessment had been undertaken.
- There were CCTV units within the store and an alarm.
- After some questioning, it was confirmed that the Applicant would have door supervisors at the premises.

The Sub-Committee expressed concern that some of the conditions the Applicant had included within his application were unreasonable for an off-licence, such as those relating to door supervisors, drugs policies and smoking areas. In response to a query from the Sub-Committee, it was confirmed that the Applicant completed the application form himself.

The Regulatory Officer advised the Applicant that if permission were granted, all the conditions applied for would be attached to the premises licence. As such, if the Applicant were not to comply with any of the conditions put forward, it would be a criminal act.

No conditions could be removed at the stage of the application. If the Applicant felt he could not fulfil the conditions as applied for, he would need to withdraw the application and resubmit with amended conditions.

The Chairman advised that a resubmission would mean starting the application process from the beginning, with all related costs and advertisement fees.

The Applicant's Representative confirmed that the Applicant wished to proceed with the current application.

#### **Responsible Authorities – Cambridgeshire Constabulary**

PC Grahame Robinson addressed the Sub-Committee. The key points raised during his address, and following questions from the Sub-Committee were as follows:

- The conditions attached to the application were ambiguous and may be unsound.
- To provide a door supervisor, as put forward in the application, could cost up to £1,800 a week.
- It would appear that alcohol was being introduced for sale purely to increase profit.
- The conditions within the application suggested that the Applicant may be pre-empting problems arising at the premises.
- The Eastfield area was considered to be comparable to that of Millfield, prior to the introduction of the cumulative impact zone. Consideration was being given to proposing an extension of the zone to cover Eastfield.
- The area in question already had six off-licences, two public houses, two cafes and two clubs.
- Within 100 meters of the premises, 381 incidents had been recorded by the police and 62 reported crimes. In the same time, over 100 metres away 38 incidents had been recorded by the police and 9 crimes had been reported.
- A community neighbourhood panel had instigated a proactive crime

prevention scheme in the area.

- The application had not been properly considered.
- PC Robinson confirmed that door supervisors required qualifications and had to be employed through an SRA agency.

At this point the Applicant's representative advised the Sub-Committee that the Applicant had not previously been aware that a door supervisor would be required to hold an SRA badge. The Applicant would not be able to fund such a position. As such, the Applicant withdrew their premises licence application for 44 Eastfield Road and would resubmit at a later time.

The Sub-Committee agreed that, as there was no longer a premises licence application in front of them to consider, the meeting be concluded.

Chairman Cllr Thacker M.B.E  
Start 1:30pm – End 2:10pm