

# Public Document Pack



## Meeting of the Licensing Act 2003 Sub-Committee held at the Town Hall, Peterborough on 8 December 2017

### RECORD OF PROCEEDINGS

1. Election of Chairman	Following a nomination which was seconded, Councillor Hiller was appointed as Chairman for this hearing.
2. Apologies for Absence	There were apologies for absence received from Councillor Davidson. Councillor Okonkowski was in attendance as a substitute.
3. Declarations of Interest	There were no declarations of interest.
4. Application	New Application - Co-Op, Eagle Way, Hampton Vale Peterborough, PE7 8GS
4.1 Application Reference	076214
3.2 Sub-Committee Members	Councillor Hiller (Chairman) Councillor A Iqbal Councillor Okonkowski
3.3 Officers	Darren Dolby, Regulatory Officer Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Karen S Dunleavy, Democratic Services Officer – Clerk to the Sub-Committee
3.4 Applicant	Co-Op, Eagle Way, Hampton Vale Peterborough, PE7 8GS
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 <u>off</u> the premises</b> Monday to Sunday 07.00 to 23.00.</li> <li>● <b>Hours premises are open to the public</b> Not stated on the application.</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 Co-Op, Eagle Way, Hampton Vale Peterborough, PE7 8GS, 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"> <li>● The local resident believed that granting an alcohol licence in the residential area which contained an extra care unit would have a detrimental effect on the local residents.</li> </ul>

	<ul style="list-style-type: none"> <li>• The local resident believed that the premises would lead to street drinking in the area and associated anti-social behaviour.</li> <li>• If a licence was granted there would be an increase in alcohol related incidents.</li> <li>• An increase in littering in the vicinity of the premises.</li> <li>• Increased traffic in the area with an increase vehicular noise and of car headlights shining in residents properties.</li> </ul>
3.6	<p>Licensing Objective(s) under which representations were made</p> <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	<p>Parties/Representatives and witnesses present</p> <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's Representative</u></b></p> <p>The Applicant and the Applicant's Representatives, Co-Op, Eagle Way, Hampton Vale.</p>
3.8	<p>Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters</p> <p>There were no pre-hearing considerations.</p>
3.9	<p>Oral representations</p> <p>The Regulatory Officer addressed the Sub-Committee and outlined the main points with regards to the application. The key points raised in his address included the representation submitted against the application by local residents.</p> <p><b><u>Applicant's Representative</u></b></p> <p>Richard Arnott, the Applicant's representative addressed the Sub-Committee. The key points raised during their address, and responses following questions from the Sub-Committee were as follows:</p> <p>The open and closing hours for the Co-operative at Eagle Way, Hampton would be the same time as the proposed times on the sale of alcohol licence application and would be between 7 - 11pm.</p> <p><b><u>Summing Up</u></b></p> <p>All parties were given the opportunity to summarise their submissions.</p> <p>No further information was provided.</p>
3.10	<p>Written representations and supplementary material taken into consideration</p> <p><b><u>Applicant</u></b></p> <p>Consideration was given to the application for a New Premises Licence, attached to the Sub-Committee report.</p> <p><b><u>Other Persons</u></b></p> <p>Consideration was given to the written submission attached to the Sub-Committee report from one local resident.</p>

3.11 Facts/Issues in dispute	<p><b><u>Issue 1</u></b></p> <p>Whether the premises licence application would further support the ‘Prevention of Crime and Disorder’ Licensing Objective.</p> <p><b><u>Issue 2</u></b></p> <p>Whether the premises licence application would further support the ‘Prevention of Public Nuisance’ Licensing Objective.</p> <p><b><u>Issue 3</u></b></p> <p>Whether the premises licence application would further support the ‘Protection of Children from Harm’ Licensing Objective.</p> <p><b><u>Issue 4</u></b></p> <p>Whether the premises licence application would further support the ‘Public Safety’ Licensing Objective.</p>
4. Decision	<p><b>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:-</b></p> <p>The Sub-Committee considered the representations made at the meeting and in writing in relation to the application:</p> <ul style="list-style-type: none"> <li>• From the Applicant’s representative Richard Arnott; and</li> <li>• Two residents who were not present.</li> </ul> <p>The Sub-Committee considered the information put before it and took into account the following facts:</p> <ul style="list-style-type: none"> <li>• The local resident believed that granting an alcohol licence in the residential area which contained an extra care unit would have a detrimental effect on the local residents.</li> <li>• The local resident believed that the premises would lead to street drinking in the area and associated anti-social behaviour.</li> <li>• If a licence was granted there would be an increase in alcohol related incidents</li> <li>• An increase in littering in the vicinity of the premises.</li> <li>• Increased traffic in the area with an increase vehicular noise and of car headlights shining in residents properties.</li> </ul> <p>The Sub-Committee were reminded of the provisions within the Government Guidance when considering granting a licence where representations had been received.</p> <p>The Sub-Committee had not been presented with any information which caused them concern. The Committee also noted that there were no other representations from any other regulatory authority</p> <p>The Sub-Committee therefore <b>GRANTED</b> the licence as applied, for the</p>

	licence for the premises, known as Co-Op, Eagle Way, Hampton Vale Peterborough, PE7 8GS.
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Chairman  
1:30pm pm – 1:55 pm