



## **DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE**

### **NEW PREMISES LICENCE APPLICATION – Euro Shop 135 Dogsthorpe Road, Peterborough**

**4 October 2013**

We have considered the representations concerning the Licensing Objective of :

- Public Safety
- The Prevention of Crime and Disorder
- The Prevention of Children From Harm

In our deliberations we considered the various options available, these being:

- Decide to grant the licence in the same terms as it was applied for;
- Decide to grant the licence, but to modify or add conditions (to promote the licensing objectives);
- Exclude from the scope of the licence a licensable activity; and
- Decide to refuse to grant the licence.

The decision of this Licensing Act 2003 Sub-Committee is therefore to:

Refuse to grant the Licence.

The reasons for the Committees decision include:

The premises are situated within an area which is the subject of a special policy.

We understand that the policy is not absolute but creates a rebuttable presumption that such licenses will be refused.

It is for the applicant to address the special policy issues in that area by way of the operating schedules.

The business known as Euro Shop operates as a shop, selling mainly food stuffs. In addition the premises now wishes to operate as an off license, selling alcohol on an off sales basis.

Within the special policy area, there are some 93 licensed premises, 39 of which are off licences and 31 with on/off licenses.

The licensing authority by introducing a special policy recognises that the area is saturated with such premises.

We have not seen or heard anything today especially in the operating schedule that defeats the presumption not to grant.

We have heard that the applicant was a responsible person within the business from the end of 2011.

The applicant readily admits that she sold unlicensed alcohol on more than one occasion.

The premises has been visited by regulatory officers on four occasions since August 2011. Seizures of illicit alcohol and tobacco have been made, leading to prosecutions.

We believe that the applicant was complicit in these illegal sales.

We have referred to the Government guidance and our own statement of licensing policy, paragraphs 11.5 to 11.9.

It is for the above reasons that we refuse to grant a licences for the premises.

Any responsible authority or other person who is aggrieved by this decision, may appeal this decision to the Peterborough Magistrates court within 21 days.

Dated 4 October 2013

Signed.....(Councillor Thacker)

Sub-Committee Chairman