

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

APPLICATION OF THE PREMISES LICENCE – EUROPOLI SUPERMARKET, 282 LINCOLN ROAD, PETERBOROUGH, PE1 2ND

18 JANUARY 2019

This Decision Notice refers to the application of the premises licence Europoli Supermarket, 282 Lincoln Road, Peterborough, PE1 2ND.

The Sub-Committee considered the representations made at the hearing and in writing against the application by:

- Dr Richard Ferris;
- PC Grahame Robinson on behalf of Cambs Constabulary;
- Clair George on behalf of the Prevention and Enforcement Service (PES);
- Katie Johnson on behalf of Public Health;
- MANERP (Millfield and New England Regeneration Partnership); and
- Councillor Ali.

A Summary of the issues raised in representations and to the Sub-Committee included:

- The premises was located within the cumulative impact (CI) boundary, an area identified as being saturated with licensed premises which had had a negative impact on the licensing objectives;
- The area suffered with anti-social behaviour fueled by alcohol, exacerbated by the rapid growth of off sales licensed premises;
- The impact of alcohol being sold at the premises was in a high density residential area;
- There had been a strong relationship between alcohol outlet density and problems associated with social disorder which affected the health and wellbeing of the population;
- Application had not provided any details on how the sale and display of alcohol would be managed from 9pm (when the sale of alcohol was requested up to) to 11pm when the premises would close;
- The application, if granted, would add to the availability of off sales of alcohol and exacerbate the negative impact on all the objectives, particularly the prevention of crime and disorder and public nuisance; and
- The CI area was already subject to significantly higher frequency of cleansing due to alcohol related litter. The addition of another premises would add to the litter.

The Sub-Committee were informed that the Applicant also submitted additional conditions. These were:

1. No alcohol shall be sold before 12 noon each day;
2. No more than 10% of the shop floor shall be given over to the sale of alcohol;
3. All alcoholic drinks displayed for sale shall be in sight of the till;
4. All spirits shall be kept behind the counter;
5. No beer or cider over 5.5% ABV shall be sold;
6. Cans of alcohol shall not be sold singly;
7. Bottles of beer of under one litre shall not be sold singly;

8. No alcopops (a ready-made drink that resembles a soft drink but contains alcohol) shall be sold;
9. There shall be no advertisements for alcohol in the shop window;
10. There shall be no display boards or other advertising for alcohol showing on the shop floor; and
11. At times when alcohol is not permitted to be displayed for sale, it shall not be accessible to members of the public either through use of shutters or locks on refrigerators.

The Applicant also agreed to an additional condition. That being:

‘There would be no sale of alcohol without the purchase of food. For the purposes of this condition only, confectionary was not considered to be food’.

The Sub-Committee were referred to the Statement of Licensing Policy and the Government Guidance, in particular:

14.36 A special policy should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

The Sub-Committee believed that Operating Schedule as amended, would not further add to Cumulative Impact.

The Sub-Committee therefore **GRANT** the licence for the premises, known as Europoli Supermarket, 282 Lincoln Road, Peterborough, PE1 2ND, subject to the operating schedule and additional conditions.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days of receiving this formal notice at:

Peterborough Court House, Bridge Street, Peterborough, PE1 1ED. Tel No. 01223 376000. There is a fee to pay.

Councillor Ayres

Sub-Committee Chairman