

# Public Document Pack



Meeting of the Licensing Act 2003 Sub-Committee  
held at the Town Hall, Peterborough on 9 May 2018

## 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	076843
3.2 Sub-Committee Members	Councillor Ayres Councillor Allen Councillor Saltmarsh
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	Sumeet Odedra
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></li> </ul> <p style="padding-left: 40px;">Monday to Thursday 07.00 to 21.00 Friday and Saturday 07.00 to 22.00 Sunday 08.00 to 21.00</p> <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 Werrington Green Post Office, 2 The Green, Werrington Village, Peterborough, PE4 6RU, 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 residents believed that the sale of alcohol from the Post Office until late at night would encourage and increase vulnerability to crime.</li> <li>● Sufficient numbers of other premises in the local area were authorised to sell alcohol to meet demand.</li> <li>● Parking issues would increase due to the Post Office being open late and their customers would be trying to park in the same area</li> </ul>

	<p>as customers of other licensed premises in the immediate vicinity.</p> <ul style="list-style-type: none"> <li>● If a licence was granted there would be an increase in alcohol related incidents including disturbances from customers purchasing alcohol.</li> <li>● An increase in littering in the vicinity of the premises.</li> <li>● An increase in access of alcohol to young persons either through theft from the store or through 'proxy buying' (where an under 18 year old persuades an over 18 year old to purchase alcohol on their behalf).</li> </ul>
<p>3.6 Licensing Objective(s) under which representations were made</p>	<ol style="list-style-type: none"> <li>1. Prevention of Crime and Disorder</li> <li>2. Prevention of Public Nuisance</li> <li>3. Protection of Children from Harm</li> <li>4. Public Safety</li> </ol>
<p>3.7 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</u></b></p> <p>The applicant Mr Sumeet Odedra</p> <p>The applicant's representative Councillor Julia Davidson.</p> <p><b><u>Other Persons</u></b></p> <p>Mr Toates, Mr and Mrs Williams, Mr Coxon and Mr Biddle.</p>
<p>3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters</p>	<p>There were no pre-hearing considerations.</p>
<p>3.9 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</u></b></p> <p>Councillor Davidson, the applicant's representative 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"> <li>● The applicant had installed 12 closed CCTV cameras inside and outside of the premises.</li> <li>● Security to the lower windows, metal grills and shutters had been installed.</li> <li>● There was also an external door and frame made from solid steel for extra security. These extra measures had been implemented due to burglary issues experienced by the previous premises owner. This was also to provide assurances to the business owners and local residents in regards to security measures.</li> <li>● Two panic buttons had been installed to the Post Office and shop,</li> </ul>

which linked directly to the police. This installation had been undertaken by a highly reputable business.

- The applicant's Criminal Records Bureau check was up to date and had been undertaken annually.
- The Odera family had operated successful businesses in Peterborough in the last nine years at Mountsteven Avenue and had no conviction activity associated to them, or with any authority, which included the police.
- The Post Office was now a commissioned based business. Granting the premises licence would help with the retail side of the business.
- Sales of alcohol had often been offered in these types of businesses with a wide variety of wine and beer. The business would serve to supply convenience products to local residents including the elderly.
- The nearest convenience store was Tesco, Cooperative and Morrisons nearest to the Werrington Green Post Office.
- There nearest Post Office was the Hodgson and the Lime Tree Post Offices, which were located over a mile away.
- Granting the premises licence would retain a much needed Post Office in the area.
- There had been a Werrington noticeboard on Facebook with over 2000 members. A majority of members offered support to the business and the Odedra family.
- Members of the Werrington noticeboard on Facebook had also posted updates about anti social behaviour, crime and other issues being experienced in the area.
- The Papyrus Road Post Office had not facilitated the administration of large parcels and these had to be submitted in the traditional way, which was a service that Werrington Green Post Office currently offered.

#### **Other Persons – Mr Toates**

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

- Mr Toates was representing the residents that had made representation, which included all signatories of the petition in objection to the application for a premises licence for the Werrington Green Post Office.
- The timing of the hearing had precluded many people that wished to attend.
- It had not been the residents aim to promote a temperance society.
- The Werrington Facebook site had sometimes posted miss information.
- The representations had been made against the principle of selling alcohol in the shop and the associated late opening hours of 10pm.
- Werrington village had been a conservation area for decades and residents wished for it to remain so.
- Another retail outlet within the Werrington Green area would be unacceptable and detrimental.
- There were around 11 retail outlets within a one mile radius selling alcohol. One more would likely create a nuisance and crime in the Werrington Green area.
- There were over 50 outlets within a small area of Milfield and issues within the area had been fuelled by the ease of purchase of alcohol.
- Local residents of the Werrington Green area had reported that they been offered money by young people to purchase alcohol both at

	<p>Werrington Centre and village area.</p> <ul style="list-style-type: none"> <li>● The CCTV installed at the Post Office would help to prevent damage and pilfering, however it was felt that the visibility range would only be bound by the restrictions of the shop ownership.</li> <li>● The CCTV installed at the Post Office would not provide information on any damage and nuisance caused to properties in the surrounding area.</li> <li>● The challenge 25 initiative would only work if the number of outlets selling alcohol were restricted to a reasonable number, otherwise owners would not be vigilant to underage drinkers.</li> <li>● Local residents felt that the shop should not be permitted to sell alcohol or to stay open until 10pm.</li> <li>● Local residents to Werrington Green Post Office would not be in agreement to a reduction in hours of alcohol sales.</li> <li>● It was felt that action needed to be taken to reduce the number of outlets being granted a premises licence to sell alcohol within the Werrington Green area, regardless of any reduction in the time of sales.</li> <li>● There was no judgement on the ability of the applicant operating the shop as it had looked well kept since the refurbishment.</li> <li>● The Werrington Green Post Office shop had closed at 5:30pm in the past.</li> <li>● There were two other shops within half a mile of Werrington Green that had offered the sale of alcohol.</li> </ul> <p><b><u>Summing Up</u></b></p> <p>All parties were given the opportunity to summarise their submissions.</p> <p>The applicant's representative Cllr Davidson addressed the Sub-Committee and the key points highlighted:</p> <ul style="list-style-type: none"> <li>● Concerns raised by residents had been appreciated.</li> <li>● The new proprietor had updated the Werrington Post Office shop.</li> <li>● The other Post Offices located at Lime Tree and Hodgsons lane also sold alcohol.</li> <li>● Mr Sumeet made improvements to building and security.</li> <li>● There was parking outside of the building and access rights to the side. There was also additional land at back of Werrington Green Post Office which had potential to develop into a car park. In addition parking was also available at the Bluebell public house on Werrington Green which had been made available.</li> <li>● Mr Sumeet had closed his shop in order to attend this hearing.</li> </ul>
<p>3.10 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 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 and petition attached to the Sub-Committee report from one local resident.</p>
<p>3.11 Facts/Issues in dispute</p>	<p><b><u>Issue 1</u></b></p> <p>Whether the premises licence application would further support the</p>

	<p>'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 hearing and in writing from one local resident and the Petition signed by 72 local residents.</p> <p>The Sub-Committee considered:</p> <p>The objections raised at the hearing and in the papers and acknowledge that there were a number of signatories to the petition whom had concerns.</p> <p>The Sub-Committee was content that the conditions within the application should addressed those concerns.</p> <p>Therefore, the application for a licence for the premises, known as Werrington Green Post Office, 2 The Green, Werrington Village, Peterborough, PE4 6RU, was <b>GRANTED</b>.</p> <p>Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days.</p>

Chairman  
Start 1:30pm – End 2:30pm

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