



Meeting of the Licensing Act 2003 Sub-Committee

Bourges/Viersen Rooms held at the Town Hall, Peterborough on 23 February 2024,
11.30am.

RECORD OF PROCEEDINGS

To be read in conjunction with the agenda for the meeting.

[\(Public Pack\)Agenda Document for Licensing Act 2003 Sub-Committee, 23 February 2024, 11.30am \(peterborough.gov.uk\)](#)

Should you wish to listen to the debate had, please visit download the audio recording at:

[Licensing Act 2003 Sub-Committee - 23 February 2024, 11.30am \(audio recording\)](#)

1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	
3. Application	Uni Off Licence, 32 St Johns Street, Peterborough, PE1 5DD
3.1 Application Reference	125340
3.2 Sub-Committee Members	Cllr Rylan Ray (Chair) Cllr Wiggin Cllr Khan
3.3 Officers	Darren Dolby, Regulatory Officer Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Karen Dunleavy, Democratic Services Officer – Clerk to the Sub-Committee
3.4 Applicant	Polish Shop Ltd
3.5 Nature of Application	<u>Application Type</u> New Premises <u>Summary of Premises Licence Application</u> In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for

	<p>Uni Off Licence, 32 St Johns Street, Peterborough, PE1 5DD, 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"> • The granting of the licence would increase anti-social behaviour in the vicinity of St Johns Street which could lead to an increase in the requirement of Police to deal with acts of anti-social behaviour in the vicinity of the premises • There are already 3 'off' licences in the near vicinity of the proposed premises • There is a nearby school that may be affected by another 'off' licence in the vicinity • Insufficient parking available in the vicinity of the premises.
3.6 Licensing Objective(s) under which representations were made	<ol style="list-style-type: none"> 1. The Prevention of Crime and Disorder 2. The Prevention of Public Nuisance 3. The Protection of Children from Harm 4. Public Safety
3.7 Parties/Representatives and witnesses present	<p><u>The Licensing Authority</u></p> <p>The Regulatory Officer, who presented the case on behalf of the Licensing Authority.</p> <p><u>Applicant</u></p> <p>Polish Shop Limited – Mr Zarif Akbari</p> <p><u>Other Persons/Witnesses</u></p> <p>Mr Nandan Kumor, accompanied by a witness Julie Blackwell Mr Dominic Perera Mr Vilvarajah</p>
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	<p>There were no pre-hearing considerations.</p>
3.9 Oral representations	<p>All parties were given the opportunity to present their case and oral representations were provided by:</p> <p>Darren Dolby, Regulatory Officer Mr Zarif, Polish Shop Ltd, Applicant</p> <p>Mr Kumar, Other Persons objecting</p>

	<p>Julie Blackwell, Mr Kumar's witness Mr Perera, Other Persons objecting Mr Vilvarajah, Other Persons objecting</p> <p><u>Summing Up</u></p> <p>All parties were given the opportunity to summarise their submissions.</p>
<p>3.10 Written representations and supplementary material taken into consideration</p>	<p><u>Applicant</u></p> <p>Consideration was given to the application for a New Premises Licence, attached to the Sub-Committee report.</p>
<p>3.11 Facts/Issues in dispute</p>	<p><u>Issue 1</u></p> <p>Whether the premises licence application would further support the 'Prevention of Crime and Disorder' Licensing Objective.</p> <p><u>Issue 2</u></p> <p>Whether the premises licence application would further support the 'Prevention of Public Nuisance' Licensing Objective.</p> <p><u>Issue 3</u></p> <p>Whether the premises licence application would further support the 'Protection of Children from Harm' Licensing Objective.</p> <p><u>Issue 4</u></p> <p>Whether the premises licence application would further support the 'Public Safety' Licensing Objective.</p>
<p>4. Decision</p>	<p>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:-</p> <p>There were three representations against the licence being granted. The Committee noted that none of the statutory responsible authorities had made representations against the grant, following mediation with Cambridge Constabulary.</p> <p>The Sub-Committee read the papers and heard from the applicant in person.</p> <p>Those submitting representations stated all four licensing objectives were engaged.</p>

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

Mr Akbari – the Applicant
Mr Kumar- Objector
Ms Blackwell
Mr Perera – Objector
Mr Vilvarajah - Objector

In brief, the objections to the licence being granted were:

- An increase in late night noise in the vicinity of the premises to the detriment of residents
- An increase in alcohol related anti-social behaviour
- Children attending a nearby school maybe affected
- Health and safety issues with an increase in traffic
- An increase in litter, vandalism and graffiti

The Sub-Committee, disregarded matters that had not related to the licensing objectives and those that fell outside of the committee's remit.

The applicant applied for:

- Off sales of alcohol – Sunday to Wednesday 0700hrs to 0200hrs the following day; and Thursday to Saturday 0700hrs to 0300hrs the following day

The applicant stated:

- The Company operates seven other licensed premises in Peterborough
- There are no significant issues with existing licences
- There are a number of other licensed premises in the area
- No objections from other retailers in the immediate area other than the petrol station
- More food sales than alcohol sales
- In its deliberations the Sub-Committee was referred to:
 - Peterborough City Council's Statement of Licensing policy

The Government guidance issued under section 182 of the Licensing Act 2003

	<p>Where relevant representations had been made, the Sub-Committee could take one or more of the following steps to promote the licensing objectives:</p> <ul style="list-style-type: none">• Grant the licence as submitted subject to the operating schedule, mandatory conditions, and any negotiated conditions• Add, amend, alter or delete a condition in the operating schedule• Refuse to grant the licence, or a licensed activity <p>The Decision</p> <p>The Sub-Committee, considered the operating schedule to be sufficient in promoting the licensing objectives, and therefore GRANTED the licence as applied for subject to the negotiated conditions.</p> <p>The Sub-Committee reminded those in attendance that should there be any issues associated with this premises, there was a review process whereby the licence can be reconsidered.</p>
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Chairman

Start 11.30am - 12:47pm End

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