



Meeting of the Licensing Act 2003 Sub-Committee

held at the Council Chamber, Town Hall, Peterborough at 12pm on 13 June 2024

RECORD OF PROCEEDINGS

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

[\(Public Pack\)Agenda Document for Licensing Act 2003 Sub-Committee, 13 June 2024, 12pm \(peterborough.gov.uk\)](#)

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

[Licensing Act 2003 Sub-Committee, 13 June 2024, 12pm \(peterborough.gov.uk\) - \(Live Stream\)](#)

RECORD OF PROCEEDINGS

1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	None
3. Application	New Premises Licence
3.1 Application Reference	126345 – Butchers Arms - 68 Canterbury Road, Werrington, Peterborough, PE4 6PA
3.2 Sub-Committee Members	Cllr Allen (Vice Chair in the Chair), Hiller, Eisey
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 Matt Makin, Senior Democratic Services Officer
3.4 Applicant	Holli Posnett
3.5 Nature of Application	<u>Application Type</u> <u>Summary of New Premises Licence Application</u>

In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for Butchers Arms, 68 Canterbury Road, Werrington, Peterborough, PE4 6PA , which had attracted representations in objection and support to the application, the Licensing Authority was required to hold a hearing.

Sale of alcohol for consumption on & off the premises
Monday to Thursday 12:00 to 22:30 Friday 12:00 to 23:00
Saturday 10:00 to 23:00 Sunday 10:00 to 22:30 New Years
Eve 12.00 to 00.30

● Opening hours of premises Monday to Thursday 12:00 to 22:30, Friday 12:00 to 23:00 Saturday 10:00 to 23:00 Sunday 10:00 to 22:30 New Years Eve 12.00 to 00.30

A summary of the issues raised by persons objecting to application included:

- Concerns that any loud music or noise from the premises may affect nearby local residents within their homes
- Concerns that if the licence was granted with the timings applied for the applicants would be in breach of planning permissions and conditions Concerns with noise issues from customers leaving the premises.
- Concerns with customers drinking outside the premises causing difficulty for pedestrians to pass them on the footpath
- Concerns that staff at the premises staff are placing unauthorised no parking cones outside the premises
- Concerns with unauthorised seating (a bench) placed directly outside the premises.
- Concerns with the perceived late opening of the premises

A summary of the issues raised by persons in support to application included:

The premises would be a positive asset to the community.

- The applicants have always managed very well-run premises and do not allow any persons who may cause problems at the premises access to the premises
- The applicants have always been very positive members of the community and have regularly hosted events which fundraised for both local and national charities.
- The applicants regularly welcome community groups into the premises
- The opening hours applied for are not excessive

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>Ms Holli Posnett</p> <p><u>Objector</u></p> <p>Mr Ian Knell</p> <p><u>Supporters</u></p> <p>Andrew Reed Tracy Hollis</p>
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	There were no pre-hearing considerations.
3.9 Oral representations	<p>All parties were given the opportunity to present their case and oral representations were provided by:</p> <ul style="list-style-type: none"> • Darren Dolby, Regulatory Officer • Holli Posnett, Applicant • Mr Ian Knell, Objector. Mr Knell requested permission to show pictures of the premises in question, however, not all parties were in agreement and therefore the request was refused. • Andrew Reed, Supporter • Tracy Hollis, Supporter
3.10 Written representations and supplementary material taken into consideration	<p><u>Applicant</u></p> <p>Consideration was given to the application for a new Premises Licence, attached to the Sub-Committee report.</p>
3.11 Facts/Issues in dispute	<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>
4. Decision	<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 had been six representations against the licence being granted, Peterborough City Council Environmental Pollution Team as a Responsible Authority and five from "other persons". The Committee notes that none of the other statutory responsible authorities have made representations against the grant.</p> <p>There had been 132 emails in support of the application from "other persons".</p> <p>The Sub-Committee noted that mediation had not been attempted.</p> <p>The Sub-Committee read the committee papers and heard from the applicant in person and from the spokesperson for the other persons.</p> <p>The objections to the licence being granted are:</p> <ul style="list-style-type: none"> • An increase in late night noise in the vicinity of the premises to the detriment of residents as customers leave • Noise emanating from the premises • An increase in alcohol related anti-social behaviour in the vicinity <p>Comments in favour of the licence being granted:</p> <ul style="list-style-type: none"> • Positive asset to the community by holding events and fundraisers • Meeting place for community groups • Opening hours are not excessive

- No reported licensing issues with the temporary event notice
- Licensee operates other premises without issues

The applicant applies for the sale of alcohol on and off the premises during the following times:

- Monday through to Thursday 12 noon to 2230hrs
- Friday 12 noon to 2300hrs
- Saturday 1000hrs to 2300hrs
- Sunday 1000hrs to 2230hrs
- New Years Eve 12 noon to 0030hrs the following day

The additional proposed conditions can be seen on page 5 to 7 of the committee bundle.

Sub-Committee had disregarded matters that do not relate to the licensing objectives and those that fall outside of the committee's remit.

During 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
- Where relevant representations have been made, we can take one or more of the following steps to promote the licensing objectives:
- Grant the licence as submitted subject to the operating schedule, mandatory conditions, and additional conditions
- Add, amend, alter or delete a condition in the operating schedule
- Refuse to grant the licence

The Decision

The Sub-Committee considered the operating schedule to be sufficient in promoting the licensing objectives and therefore **GRANTED** the licence as applied incorporating the additional conditions.

The Sub-Committee, also strongly suggested that the applicant sought further advice regarding CCTV warning signage, and scope and direction of the camera siting. This had not formed part of the decision.

Chairman

Start 12pm – 1:10 End pm

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