

RECORD OF DECISION

LICENSING SUB-COMMITTEE

DATE OF HEARING: TUESDAY, 10 DECEMBER 2024

**MEMBERS: Councillors J Clarke, P A Jordan and N Wells
(Chair)**

**APPLICATION CONSIDERED: SAWTRY NEWS CABIN, 1 GREENWAYS,
SAWTRY, HUNTINGDON PE28 5UR**

We heard representations from the following persons:

The Applicants Representative and the Applicant
1 Other Party and his Representative.

We found the following facts:

- The Applicant has run this business for 2 years (without licence) and has held a personal licence for 19 years.
- The Applicant has run several other convenience stores, including in locations such as Rugby
- None of the Applicant's other stores have experienced issues with the Responsible Authorities. This store has not had any issues with the Responsible Authorities either.

In making our decision we considered the following:

- ❖ Statutory provisions, referred to in the report
- ❖ Statutory Guidance, referred to in the report
- ❖ The Licensing Act 2003
- ❖ The Section 182 Guidance
- ❖ Huntingdonshire District Council's Statement of Licensing Policy
- ❖ Licensing Officer's Report
- ❖ Submission from the Applicant
- ❖ Representations from those listed above
- ❖ Oral Submissions from the parties
- ❖ Responses to questions asked by Members and those attending the hearing.

We did not consider the following matters to be relevant:

- The interested party raised issues suggesting the application would pose a competition to his business and to other stores in the parade of shops, and in particular his alcohol licence.
- Hypothetical instances of antisocial behaviour suggested and/or noise nuisance if the Premises is granted a licence.
- Previous licensing decisions in respect of other Premises
- The Applicants support for the community.

Our reasons for this are:

The Applicant's representative assured us that there have been no issues at other stores. This is supported by the lack of representations from other Responsible Authorities. They have not made representations in relation to this application.

No instances of antisocial behaviour or noise nuisance occurring previously were evidenced. The hypothetical instances suggested by the interested party are not necessarily indicative of how this Premises will operate moving forwards.

Each licensing application must be determined on its own merits. This is recognised by the Licensing Authority's Statement of Licensing Policy and the Section 182 Guidance. Any previous decision made by another Sub-Committee must not affect the decision making of a future committee including this decision.

Our decision is as follows:

To GRANT the application for a new premises licence for Sawtry News Cabin, 1 Greenways, Sawtry PE29 5UR as follows:

Sale of Alcohol (Off-Sales)

Monday to Saturday – 0600hrs to 2300hrs

Sunday – 0600hrs to 2200hrs

Subject to the conditions contained within the Application and the following additional conditions:

1. The Premises Licence Holder shall ensure that the litter receptacle is emptied regularly and that this takes place between trading hours.
- 2.
3. The Premises Licence Holder shall ensure that the area outside the Premises is kept clean, tidy, and free from litter and shall conduct regular checks to ensure compliance with this condition.

Our reasons for reaching the decision are as follows:

This was an application for a new Premises Licence by Mayoore Satheeswaran represented by Anil Bhawsar. The Sub-Committee considered all the evidence

before them, both written and oral, and determined to GRANT the application as applied for, subject to two (2) additional conditions.

The Members were happy to agree the other conditions suggested within the Application as being appropriate and proportionate to promote the Licensing Objectives noting that these were agreed by the Applicant.

The Sub-Committee considered that the Applicant has a strong track record of managing similar licensed premises and noted the conditions offered with the application as being persuasive to the promotion of the licensing objectives. The Sub-Committee noted that there were no representations from Responsible Authorities and no challenge to the Applicant's credentials.

The Sub-Committee were sympathetic to the issues that had been experienced / raised by Other Persons previously, however, there was no causal link between those issues and this Applicant.

The Sub-Committee recognise that litter is unsightly and a public nuisance and have therefore imposed conditions to promote the licensing objective of the prevention of public nuisance. The Sub-Committee welcomed the commitment from the Applicant.

The Sub-Committee listened to the concerns about the hours of operation. The Sub-Committee's main concern is the promotion of the Licensing Objectives and did not consider that there was sufficient evidence to provide for a reduction in the proposed hours.

The Sub-Committee also noted that the Section 182 Guidance supports the sale of alcohol from retail premises during all hours they are open.

Date: 10 December 2024

PLEASE NOTE

You have a right of appeal to the Magistrates Court against the decision above. You MUST lodge any appeal with the Magistrates Court within 21 days from the date of this decision.

The address of the Magistrates Court is:-
Peterborough Magistrates Court
Bridge Street
Peterborough
PE1 1ED