

RECORD OF DECISION

LICENSING SUB-COMMITTEE

DATE OF HEARING: TUESDAY, 9 JULY 2024

MEMBERS: Councillors M L Beuttell, S A Howell and N Wells (Chair)

APPLICATION CONSIDERED: JOZEF KITCHEN, 66 HUNTINGDON STREET, ST NEOTS PE19 1DU

We heard representations from the following persons:

The Applicant and his Agent.
5 Interested Parties.

We found the following facts:

1. The Premises is in a residential area.
2. The Premises is next door to East of England Ambulance Services .
3. The Premises is in close proximity to several schools.
4. Applicant has amended their opening time between 11.30 am and 10pm, with the sale of Alcohol between 12pm and 10pm, Mon-Sat and on Sundays 12-9pm.
5. The Applicant has agreed not to have late night refreshments and not to use the outside area for seating.
6. The number of representations received was relatively high.
7. The main objections from interested parties were in relation to Noise nuisance related to late night opening, Crime and Disorder and Public Safety.

In making our decision we considered the following:

- ❖ Statutory provisions referred to in the report
- ❖ Statutory Guidance referred to in the report
- ❖ Huntingdonshire District Council's Statement of Licensing Policy
- ❖ Licensing Officer's Report
- ❖ Advice from the District Council's Legal Representative
- ❖ Submission from the Applicant
- ❖ Representations from those listed above
- ❖ Written representations from those not present at the hearing

- ❖ Responses to questions asked by Members and those attending the hearing.

We did not consider the following matters to be relevant:

1. Parking outside the premises.
2. The reason for the application for the alcohol Licensing being to enhance the Applicant's income.

Our reasons for this are:

1. Parking is a matter for The Highways authority.
2. Income is not a Licensing objective.

Our decision is as follows:

To Refuse the Application.

Our reasons for reaching the decision are as follows:

- 1. The premises is unsuitable for the sale of alcohol due it's proximity to the Ambulance station, schools and local residents.**
- 2. The grant of a license would therefore impact the licensing objectives of Crime and Disorder and Public Safety.**

Date: 9 July 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, Huntingdon and Fenland Magistrates Court
Bridge Street
Peterborough
PE1 1ED