

**LICENSING ACT 2003  
APPLICATION FOR A NEW PREMISES LICENCE  
Jozef Kitchen - 66 Huntingdon Street, St Neots PE19 1DU**

**1. INTRODUCTION**

1.1 Huntingdonshire District Council as the Licensing Authority has received an application for a new premises Licence:

from **Yusuf Cimikoglu**

for the premises **Jozef Kitchen, 66 Huntingdon Street, St Neots PE19 1DU**

The Application was received on the **14<sup>th</sup> May 2024**. As required under the Licensing Act 2003, notice of the application was advertised by blue notices displayed at or near the premises from the **15<sup>th</sup> May 2024** and in the local newspaper on the **15<sup>th</sup> May 2024**. The newspaper notice was found to be printed incorrectly with the application date and end of consultation date incorrect. It was agreed that this would not invalidate the application. The 28-day consultation period ended on the **11<sup>th</sup> June 2024**.

1.2 A copy of the application is attached as **Appendix A** (application) & **Appendix B** (plan).

**2. INFORMATION**

2.1 The Premises Licence application is applying for the following activities:

a. **Late Night Refreshment – indoors and outdoors**

Monday to Thursday – 2300hrs to 0000hrs

Friday & Saturday – 2300hrs to 0200hrs

Sunday – 2300hrs to 0000hrs

b. **Supply of Alcohol for Consumption ON and OFF the Premises**

Monday to Thursday – 1030hrs to 0000hrs

Friday & Saturday – 1030hrs to 0200hrs

Sunday – 1030hrs to 0000hrs

c. **Hours premises are open to the public**

Monday to Thursday – 1000hrs to 0000hrs

Friday & Saturday – 1000hrs to 0200hrs

Sunday – 1000hrs to 0000hrs

2.2 Section 'M' of the application form addresses the four licensing objectives. Any proposals made in this section are normally translated directly into enforceable conditions that will be attached to the premises licence. Paragraphs 8.41- 8.49 and Section 10 of the Home Office guidance issued under section 182 refer to the operating schedule and licence conditions

### **3. REPRESENTATIONS**

3.1 As part of the consultation the Responsible Authorities as determined under the Licensing Act 2003) were consulted on the application. Their responses can be seen in summary at **Appendix C**.

3.2 During the period for representation a total of 32 valid representations were received from 'other persons'. The representations and any subsequent correspondence are attached as **Appendix D**

3.3 During the period for representation a total of 17 representations received from 'other persons' were rejected as they were deemed either not relevant to the licensing objectives or were frivolous representations.

3.4 During the period of representation, a total of 5 'letters of support' were received from 'other persons'.

3.5 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

3.6 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.

### **4. MEDIATION**

There were additional conditions proposed by the Licensing Officer which were agreed with the applicant, found in **Appendix C**, however due to the volume of representations and the varying reasons for objection, mediation was not possible.

### **5. GENERAL DUTY/POLICY CONSIDERATION**

4.1 The licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives, each objective has equal importance, the objectives are:

- a. the prevention of crime and disorder,
- b. public safety,
- c. the prevention of public nuisance, and
- d. the protection of children from harm.

4.2 The sub-committee must also have regard to:

- a. its statement of licensing policy, and
- b. any statutory guidance issued under Section 182 of the Licensing Act 2003.
- c. the Human Rights Act 1988
- d. Live Music Act 2012

4.3 The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

## **6. DETERMINATION**

5.1 In making a decision, this application must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.

5.2 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Grant the application as applied for
- Refuse the application
- Add additional conditions to the premises licence
- Exclude any licensable activities applied for
- Amend dates and times of licensable activities applied for.

5.3 Any decision made by the sub-committee must be reasonable and proportionate and promote the Licensing objectives.

## **BACKGROUND INFORMATION**

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.