

## **LICENSING (2003 ACT) SUB-COMMITTEE**

**THURSDAY, 22 JUNE 2017**

### **DECISIONS**

Set out below is a summary of the decisions taken at the meeting of the Licensing (2003 Act) Sub-Committee held on Thursday, 22 June 2017. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Victoria Wallace.

### **APPLICATION TO VARY PREMISES LICENCE AT CO-OP STORES, CHURCH STREET, GAMLINGAY**

#### **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL LICENSING (2003 ACT) SUB-COMMITTEE**

<b>Date of Hearing:</b>	22 June 2017
<b>Members of Panel:</b>	Councillor Deborah Roberts - Chairman Councillor Kevin Cuffley Councillor Alex Riley
<b>Applicant's Name:</b>	Co-operative Group Food Limited
<b>Premises Address:</b>	Church Street Gamlingay
<b>Application:</b>	Variation of a premises licence

#### **Those present at the hearing:**

Sub-Committee:

Councillor Deborah Roberts (Chairman)  
Councillor Kevin Cuffley  
Councillor Alex Riley

SCDC Officers:

Myles Bebbington, Head of Service,  
Environmental Health and Licensing  
Suzanne Christie, Environmental Health  
Officer  
Virginia Lloyd, Senior Lawyer  
Victoria Wallace, Democratic Services  
Officer  
John Goodwin, Regulatory Enforcement

Officer (present as an observer)

Applicant:

Richard Arnott, Solicitor acting on behalf  
of the Co-operative Group

Paul Slade, Area Manager, Co-Op

Mark Bellamy, Store Manager, Co-Op,  
Gamlingay

### **The application**

The application for a variation of premises licence for the Co-Op Stores, Church Street Gamlingay, was served in accordance with the Licensing Act 2003.

The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The proposed variation if approved would extend the hours for the sale of alcohol to the public

A summary of the main changes are: -

- To amend the commencement hours of sale by retail of alcohol from 08.00 (10.00 on Sunday) to 06.00\* Monday to Sunday all year.
- To amend the terminal hours for sale by retail of alcohol from 22.30 (Sundays, Christmas day and Good Friday) to 23.00.

\*Since receiving the representee's objection to the proposal for an extension to the permitted hours for sale of alcohol, the Co-Op has applied to vary its application. The Co-Op is applying to amend its commencement hours for sale of alcohol from 07.00 to 23.00 Monday to Sunday all year.

### **Background**

The Co-op is located on Church Street running through the village and is generally located in close proximity to residential premises.

The current premises licence does not limit opening times to the public.

The current permitted hours for sale of alcohol are:

Monday to Saturday	08.00 to 23.00
Sunday	10.00 to 22.30
Good Friday	08.00 to 22.30
Christmas Day	12.00 to 15.00 & 19.00 to 22.30

The Sub-Committee must be mindful to focus only on the proposed variations when considering representations e.g. extension to alcohol sales.

### **Relevant representations**

A written representation from Mrs Kennedy who lives in close proximity to the Co-Op was received on 1<sup>st</sup> June 2017 concerning the proposed alcohol extensions. The representation is primarily concerned with the Public Nuisance objective relating to

noise from deliveries and customers. The Licensing Officer notified Mrs Kennedy in writing that the Co-Op had amended its application in light of her written representations. No reply has since been received.

The representative for the Co-Op made the following representations:-

- In light of the objection received from a local resident, the Co-Op applies to vary its application for an extension of permitted hours for sale of alcohol with commencement hours of sale from 07.00 to 23.00 Monday to Sunday all year.
- The Co-Op is not an off-licence but a convenience store that sells alcohol. Alcohol represents 15% of the Co-Op's turnover. There is a commercial incentive for extending the permitted hours of sale of alcohol in that it provides convenience to customers.
- Deliveries to the Co-Op in Gamlingay are currently made between 07.00 until 09.00 and this will not change.

### **The decision**

On the basis of these considerations the Sub-Committee decided to **GRANT** the variation to the premises licence to permit the sale of alcohol for the hours specified.

The Sub-Committee noted that the Co-Op had varied its application to extend permitted hours of sale of alcohol in light of representations from a local resident and that no further representations had been received from the local resident.

They noted that the decision was to be made in line with the four licensing objectives and that the objections raised by the local resident related to noise from deliveries and customers. The Co-Op has planning permission to operate 24 hours a day all year. The Sub-Committee can only consider representations in relation to the public nuisance objective where it relates to the sale of alcohol.

Local residents may apply for a review of the Licence on a ground relating to one or more of the licensing objectives should there be any relevant issues arising from the operation of the Licence at any stage after the date of this decision notice. The Sub-Committee hopes that local residents will feel able to bring any future concerns directly to the attention of the Applicant in an effort to reach an amicable solution. The four licensing objectives are: the Prevention of Crime and Disorder; Prevention of Public Nuisance; Public Safety; and Protection of Children from Harm.

The objector has a right of appeal to the Cambridge Magistrates' Court within 21 days of receiving notification of this decision.

Signed: Councillor.....  
(Chairman)

Councillor.....

Councillor .....

Dated: 22 June 2017

