

DECISION NOTICE

LICENSING ACT 2003 – TO DETERMINE AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR CITY STORES, 112 BRIDGE ROAD, SUTTON BRIDGE, PE12 9SA

PRESENT

Members of the Panel:

Councillor P Redgate (Chairman) Councillor G Rudkin Councillor G Scalse

Officers:

H Lawson (Licensing Officer) S Wolstenholme-Smy (Legal Services Manager) (Legal Advisor to the Panel)
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In attendance:

R Mohan (Applicant) S Panchal (Applicant's Representative) G McConville (Lincolnshire Police) Sgt I Cotton (Lincolnshire Police) Adam Keenaghan (Police's Barrister)
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The Panel considered the application for the grant of a Premises Licence for City Stores, 112 Bridge Road, Sutton Bridge, PE12 9SA

DECISION

The Panel considered the written and verbal evidence presented by all parties, in arriving at this determination.

The Panel took due notice of the Licensing Act 2003, and the Regulations made under it, in particular sections 16 – 18 of the Act, the guidance issued under Section 182 of the Licensing Act 2003 and South Holland District Council's Statement of Licensing Policy.

The Panel does not believe that there is sufficient distance between the applicant and the current Premises Licence Holder whose Premises Licence was revoked on the 20th October 2021, which is currently the subject of an appeal.

The applicant confirmed that he has been selling alcohol from the premises since it would appear that /he took over the business in November 2021 and is doing so under the current Premises Licence and with Mr Sarankan as the Designated Premises Supervisor. A Designated Premises Supervisor has overall responsibility for the sale of alcohol and therefore the existing licence holder and DPS must therefore still be connected with the business to ensure legal compliance.

The Panel is therefore concerned that as this nexus exists that criminal activity is likely to take place at the premises due to the history of what has occurred before,

and therefore the licensing objective of the prevention of crime and disorder will not be met.

The Panel are further concerned about the applicant's ability to manage the premises as a number of matters have yet to be attended to since it would appear that he has taken over the business such as updating his address on his personal licence, changing his address at Companies House, amending business rates and dealing with his food registration certification. The Panel were also concerned that the Applicant had not identified that a late night refreshment certificate was required given the operating hours/licensing hours applied for.

The application is therefore refused.

RIGHT OF APPEAL

Under Schedule 5 of the Licensing Act 2003 there is a right of appeal to the Magistrates Court. Any appeal must be commenced by notice of appeal given by the Appellant to the Magistrates Court within 21 days beginning with the day on which the Appellant was notified by the Licensing Authority of the decision appealed against.



Signed: Councillor P Redgate (Chairman of the Panel)
Date: 13 January 2021