

## DECISION NOTICE

### LICENSING ACT 2003 – TO CONSIDER AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR PINCHBECK STORES LIMITED, 75 CHURCH STREET, PINCHBECK, SPALDING, LINCOLNSHIRE PE11 3YA.

#### PRESENT

<b>Members of the Panel:</b>
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Councillor M Booth Councillor A Casson Councillor J Tyrrell (Chairman)
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<b>Officers:</b>
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H Lawson (Licensing Officer) S Wolstenholme-Smy (Legal Services Manager (Legal Advisor to the Panel)) F White (Democratic Services Assistant (Clerk to the Panel))
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<b>In attendance:</b>
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D Odedra and N Odedra (Applicant) Oisin Daly (Applicant's Solicitor) Councillor James Avery (Ward Councillor) Anda Lace (Resident Representative) Clint Todd (Resident Representative) Mr Scupham (Resident Representative) Duncan Craig (Representative on behalf of Blakemore Retail Ltd.)
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The Panel considered the application for the grant of a Premises Licence for Pinchbeck Stores Limited, 75 Church Street, Pinchbeck, Spalding, Lincolnshire, PE11 3YA

#### 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, the guidance issued under Section 182 of the Licensing Act 2003 and South Holland District Council's Statement of Licensing Policy.

The Panel grants the premises licence subject to the premises operating between 8.30am and 5.30pm and the supply of alcohol being between 10am and 5.30pm. The Panel considered the number of objections from relevant representatives namely increased crime and disorder due to the premises selling alcohol and increased risk of the sale of alcohol to minors, the location of the premises, the pedestrians and traffic usage of the road in front of the premises, particularly school children using the bus stop, issues of parking at the location and access and egress from the premises, neighbouring properties experience noise nuisance and the occupants children living near the premises and pub users causing disturbance at the shop.

The Panel considered that some of the above considerations were speculative, and had little weight in terms of the licencing objectives individually. However, collectively they had some relevance and in terms of public safety and prevention of public nuisance the Panel considered that the conditions agreed with the Police and the additional conditions to be stated below and the reduced opening times and supply of alcohol times would address these issues.

The responsible authority, namely the Police, made representations in terms of conditions around CCTV and training of staff members which have been accepted by the applicant and will form part of the conditions attached to the licence.

Furthermore, the Panel took into account the licencing objectives in particular concerning the protection of public safety and prevention of public nuisance and will impose additional conditions in respect of deliveries to the store which are to only take place when the premises are open and during working hours (namely 8.30am-5.30pm). Furthermore, vehicles of appropriate size for the location are to only be used for these deliveries. Low level lighting is to be installed at the front, side and rear of the premises.

#### **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 J Tyrrell (Chairman of the Panel)  
**Date:** 5 September 2022