



RECORD OF DECISION

To be completed and signed before Members return to open session to announce their decision.

RECORD OF DECISION: APPLICATION UNDER LICENSING ACT 2003

Taxi Licensing Sub-Committee
Hearing Date: 20th May 2025

Members:

1. Cllr Wade
2. Cllr McPherson (Chair)
3. Cllr Clough

To consider the application of **SS Foods Centre Limited** in regard to the premises **King Street Supermarket, 84 King Street, Cambridge, CB1 1LN** licence to **provide the following licensable activities:**

- Supply of alcohol (off the premises)
Monday – Sunday 07:00 to 00:00

We heard representations from the following persons:

Mrs Sultan Altun
Mrs Sule Kumas
Mr Mahir Kilic
Mr Robert Sutherland
Police Sergeant Miski
PC Clare Metcalfe
Councillor Bick, Ward Councillor for Market

The reason you appeared before the Sub-Committee:

Cambridge City Council received an application under section 17 of the Licensing Act 2003 to apply for a Premises Licence for the sale by retail of alcohol with respect to King Street Supermarket, 84 King Street, CB1 1LN has been received. The application was served on Cambridge City Council on 3 April 2025. In accordance with the regulations, the application was advertised on the premises and in Cambridge News on 14 April 2025 to invite representations from responsible authorities and other persons. The last date for submitting representations was 1 May 2025.

The proposed premises is located within a Cumulative Impact Area (CIA) and is therefore subject to the Cumulative Impact Assessment. Appendix 5 details a map and supply of alcohol information of premises licences in surrounding area, within the Market ward, excluding restaurants. The onus is on the applicant to demonstrate why the granting of the licence would not add to the cumulative impact already being experienced within the area.

As part of the consultation the Responsible Authorities as determined by the Licensing Act 2003 were consulted on the application. Cambridgeshire Constabulary opposed the application and that it was necessary to refuse the application in order to promote the licensing objectives. During correspondence between the applicant and Cambridgeshire Constabulary, the applicant proposed a set of conditions, to which Cambridgeshire Constabulary suggested additional conditions. However, no final agreement was reached, and the Constabulary re-iterated their opposition and a hearing was required.

During the period for representations a total of seven valid representations were received from 'other persons'

In making our decision we considered the following:

List:

Statutory provisions (Licensing Act 2003)

Statutory Guidance

Cambridge City Council's Statement of Licensing Policy

Reports

Advice from Legal Officer

Representations from

Evidence from

Decision

Having listened to all the evidence and considered the above the Members determined to REFUSE the Premises Licence. We found the following facts:

1. The premises opened 16 April 2025 and is in a Cumulative Impact Zone.
2. The police maintain their opposition to the Application.

3. There are seven licensed premises concentrated in a tight area in the King Street area. These have the potential to impact on the promotion of the licensing objectives including the prevention of crime and disorder and prevention of public nuisance. The applicant initially gave evidence that there were only five such premises (Agenda 6, page 2) but accepted there were seven in the vicinity, and the closest was approximately 170 meters away. The Applicant additionally identified the following five establishments: Tesco Express – Approximately 0.2 miles away (322 meters); Sainsbury's Local – Approximately 0.3 miles away ((483 meters)); Cambridge Wine Merchants – Approximately 0.4 miles away; Bacchanalia – Approximately 0.5 miles away Thirsty Cambridge – Approximately 0.6 miles away. Members concluded this represents a significant concentration of off-licence options within walking distance of the proposed premises, which may contribute significantly to cumulative impact concerns.
4. The premises backs onto Christ's Pieces, one of the City's premier green flag spaces. It includes a small playpark, used by mothers and their children, and tennis courts. The police stated that the proximity of Christ's Pieces to the Premises was a cause of concern as it suffers from alcohol related anti-social behaviour primarily caused by members of the street community. They frequent the area to congregate and drink alcohol. There is an additional problem of drug taking.
5. The police identified in statements and in oral submissions at the hearing the following significant problems of crime and nuisance in the specific area covered by the CIA and made a direct link to the concentrated availability of alcohol as a contributing factor. The following crime statistics and information were provided:
 - a. Alleyways along King Street have become 'no-go' areas. The Street community were camping out in, for example, Manor Place and Malcom Place. These included tight stairwells where the public struggled to get passed drinkers day and night.
 - b. Recently an individual was stabbed close to the tennis court in Christ's Pieces and alcohol was a causative factor. This is very close to the premises.
 - c. Aggressive and prolific shoplifting occurs in this area.
 - d. Police Sergeant Kevin Misik gave evidence that staff in adjacent shops in the vicinity feel their life is blighted by street drinkers. They suffer significant racial abuse, threats of violence and fear going to work in the area. The police linked this directly to street drinkers and the prevalence of alcohol. He referred Members to a photo of the area with 4 or 5 Street drinkers setting up a '*camp*' outside the premises close to the Applicant's.
 - e. Support services confirm the passageways are routinely taken over by street drinkers.
 - f. The police Street Outreach Team confirmed there are always people drinking in this area from early in the morning, blocking

- pathways and causing ASB. The people they find in the area have substance misuse issues.
- g. The manager of the business against crime partnership has highlighted the same issues.
 - h. The Applicant's Operating Schedule, the physical limitations of the premises, and the lack of relevant retail experience with street drinkers supported PS Misik in his view that, if granted, then the problems described would be exacerbated.
6. Police Sergeant Misik confirmed that due to serious, immediate concerns for ASB in the vicinity, he intended to increase the patrols there, but that this could only be a temporary measure. This reactive, 'dispersal work'. ASB, crime and nuisance issues linked to alcohol would return to the vicinity when police patrols stop.
7. Local residents also raised extensive complaints, including through ward representative, Councillor Bick. He explained that:
- a. This was a mixed residential street. It included Manor and Malcom Place. There is extensive social housing for vulnerable tenants. Families with young children live in the vicinity.
 - b. A much higher set of problems concentrated in King Street than anywhere else in the ward.
 - c. Residents' windows butt up against the pavement line. This leaves already vulnerable residents very exposed to ASB in the street close to the proposed premises.
 - d. Residents attend ward surgeries and report they are intimidated by street drinkers.
 - e. Advertising for alcohol on hoardings and windows in front of shop had been in place 2 or 3 months before the hearing.
 - f. Representations referred to amplified music and public nuisance in the Princess Diana Rose garden
8. Members welcomed the Applicant's offer during the Hearing to alter proposed conditions by limiting the sale of alcohol between the hours of 11:00 – 20:00 hrs. However, Members did not accept the Applicant's linked submission that street drinkers created ASB, crime and nuisance mainly between 20:00 to 05:00 hrs and therefore it would be closed at during the period of *impact*. Members preferred police evidence that the street group congregated in the area and created problems at all times of day and night. The Applicant will add to supply of alcohol.
9. When asked to compare the proposed application to other licensed premises Members noted that other Applicants had attempted to mitigate potential breaches of the licensing objectives by offering conditions which included dedicated security staff, to deal with aggressive beggars and shoplifting. The Applicant did not make such, or similar, proposals (although it had agreed not to sell alcohol in single cans or with a high ABV). The agent maintained that security staff would not be appropriate for this small premises. The size of shop

made it difficult to have a cordoned area behind the counter for all alcohol sales to be controlled, although a lockable fridge would discourage some aggressive beggars shoplifting. Members had concerns with the degree of control that the Applicant could exert given the nature of problems, The Applicant did not dispute the description of the neighbourhood or incidents given by PS Misik.

10. Members noted the proposal to use CCTV. The Applicant conceded that the CCTV monitors would not be viewable by staff in the rear of the shop. The Applicant conceded that the advertising in a front window and a display in another impeded staff from seeing what is going on outside the premises and, similarly, a large display of vape products inside obscures the view of the alcohol cabinet from the rear. The Applicant did not challenge the Members suggestion that they would need better visibility to prepare against crime prevention and shoplifting.
11. The Members listened carefully to the Applicant's suggestion that an off licence approximately 170 meters away had an older style licence and that such a licence would not include a condition limiting the ABV of 5.5% on individual cans / drinks sold would mean that street customers would choose that off-licence over the applicant's store, and therefore the Applicant would not add to the cumulative impact. The Members noted no real evidence was offered to support this contention. The Members felt that it was just as likely that street drinkers be attracted to the Applicant's store because of its closer and more convenient location to Christ's Pieces and the alleyways. Neither proposition had been satisfactorily evidenced, and it was not persuasive.
12. Members questioned the retail experience of the proposed staff in the UK, this was limited given the challenging customer base and the sensitive location where ASB and shoplifting are real issues. The Applicant explained its intention was to employ family members only. Their background experiences included running a similar supermarket in Turkey, work as a nurse and work in accountancy.
13. Members understood that the Applicant wished to present itself as a *community store*, but the dominating images of alcohol, including a large Hennessy bottle in the shop window undermined that community emphasis. While the Applicant suggested it was targeting a different clientele, the advertising suggested that the street drinkers were at least an equal target. When Members probed the '*footfall*' to ascertain the alternative profile suggested the Applicant merely indicated that low numbers were currently using the store.
14. The Applicant conceded that it had already made extensive preparation and incurred costs associated with the sale of alcohol. Its application for a Temporary Events Notice to sell alcohol to coincide with a beer

festival taking place a considerable distance from its King Street location concerned Members. It suggested the Applicant would be more focused on supplying alcohol than intimated by the Applicant's submissions that it was a small, responsibly managed grocery store in which alcohol represented a minor component. The Applicant's agent confirmed in his final submissions that the enterprise would not survive as a business unless it could sell alcohol. Members felt that it was fair to infer that the Applicant needed to drive sales of alcohol to survive, which added risk and alcoholic volume. Such a conclusion was not at odds with the Applicant's submission that alcohol would encourage people into the shop and allow cross-selling of other products.

15. The Members were not persuaded that the applicant had shown that if granted, the application would not negatively add to the cumulative impacts experienced in the relevant cumulative impact area.
16. Members noted Statutory Guidance at 14.29 that where there is evidence of a cumulative impact in crime statistics, or via oral and written testimony, on the promotion of the licensing objectives, which relates to the relevant problems identified in the area, the licensing authorities are able to draw upon this as evidence of cumulative impact. Guidance also directs the licensing authority to take account of complaints raised by local residents or residents' associations. The Members found the evidence satisfied the threshold.
17. Where a successive number of applicants obtain alcohol licences within the area of a small CIA, and the police oppose the application suggesting that the area is densely concentrated with outlets selling alcohol, Members need to have a correspondingly sharp focus on the licensing objectives and whether the operating schedule is sufficient to uphold them.
18. Members considered that it was open to them to grant the Application if it demonstrated through its operating schedule that it would not add to the cumulative impact being experienced. However, Members and the police questioned why, in all the circumstances, so little pre-application advice had been sought given the location in such a sensitive area. Members probed the Applicant's proposals for training staff and felt they were vague and unsatisfactory. There was no granular evidence as to how the proposed on-line course would equip the staff to deal successfully with challenging customer behaviour or theft.
19. Members considered Cambridge City Council's Licensing Policy states that if the number of premises licences and/or club premises certificates in one or more parts of the area... is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives, as required by the Statutory Guidance at 14.26, it should reject the application.

20. Members concluded that the Applicant did not show that the application, if granted, would not negatively add to the cumulative impacts experienced in the relevant cumulative impact area.

Signed
Cllr Wade

.....
Cllr Russ McPherson

.....
Cllr Hugh Clough

.....
Dated 27 May 2025

The applicant or those who made a relevant representation has the right of appeal to a Magistrates Court within 21 days from the date of this decision notice by contacting:
Cambridgeshire Magistrates Court, The Court House, Bridge Street, Peterborough, PE1 1ED.