



Record of Decision

Licensing Sub Committee

Date of Hearing: Tuesday, 22 October 2024

Members: Councillors M Humphrey (Chairman), D Cutler and A Miscandlon

In Attendance: Councillor P Murphy

Application for the Review of a Premises Licence made under the Provisions of the Licensing Act 2003 - The Wheatsheaf, Wisbech

The application has been submitted by Councillor Hoy who is the Ward Councillor. The relevant licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance.

The application to review relates to an incident that took place at the premises on 29 August 2024 between 11pm and 12 midnight.

The application can be found on pages 11 to 20 of the committee bundle. The reasons for the application to review can be found on page 15.

The premises licence holder is JD Wetherspoon PLC, and the Designated Premises Supervisor is Martin Baldwin. The licence can be found on pages 18 to 24 of the bundle along with the condition attached to the licence.

We note that the review is not supported by any of the responsible authorities.

Present today are:

- The applicant, Councillor Hoy
- The premises licence holder, represented by Mr Nigel Connor
- Witnesses for the applicant
- Manager of the premises, Mr Baldwin
- Area Manager, Mr Mattocks.

We have read the papers before us, viewed CCTV footage supplied by the premises licence holder, and heard from both parties.

In brief, the applicant and witness state in support of the representation:

- Persons in question felt intimidated and threatened with violence
- Staff were not helpful or sympathetic to raised concerns
- Staff at first did not provide a safe area to avoid physical confrontation
- Staff sneered at or belittled
- No senior manager on duty
- Premises could have handled situation differently.

The representative of the Premises Licence Holder, in brief states:

- Long established premises
- Stable and experienced management team
- Well-developed policies adhered to on the night
- No escalation, violence avoided due to manager intervention
- No further incident
- Exit from premises supervised by staff
- Staff trained in dealing with vulnerable persons
- No crime or breach of licensing conditions.

The sub-committee has disregarded matters that do not relate to the promotion of the licensing objectives, and any other irrelevant matters.

In order to promote the licensing objectives, the sub-committee can take the following steps:

- Modify the conditions and or times of the licensable activities
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence in its entirety
- Issue an informal warning or take no action.

In our deliberations we were referred to:

- ❖ Our own Statement of Licensing Policy
- ❖ The statutory Government guidance issued under Section 182 of the Licensing Act 2003

Our decision is as follows:-

We sympathise but note that no criminal offence has been prosecuted and we have not heard any information regarding a breach of a licensing condition.

We do not believe there is any wider risk to members of the public.

We are of the opinion that there may have been different ways in dealing with the situation according to who was on duty that night, not necessarily the wrong or right ways.

Our decision, therefore, is to take no further action.

PLEASE NOTE

Any person aggrieved by this decision can apply to appeal the decision within 21 days by making a complaint to:

Peterborough, Huntingdon and Fenland Magistrates Court
The Court House
Bridge Street
Peterborough
PE1 1ED

There may be a fee to pay.