

OPEN

Licensing Sub-Committee

18 November 2025

Application for a new Premises Licence Sainsbury's, Newcastle

Road, Shavington, Cheshire, CW2 5EB

Report of: Phil Creswell, Executive Director – Place

Ward(s) Affected: Shavington

Purpose of Report

- 1 To allow Members of the Sub-Committee to determine a contested application of a new premises licence made under the Licensing Act 2003 for the following premises:

Sainsbury's, Newcastle Road, Shavington, Cheshire, CW2 5EB

Executive Summary

- 2 The report provides details of an application for a Premises Licence, under section 17 of the Licensing Act 2003, sets out the relevant representations made, and outlines the evidence presented by the parties in relation to the application.

RECOMMENDATIONS
The Licensing Sub-Committee is requested to consider the application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.

Background

- 3 On 25 September 2025 an application was received by the Licensing Team for a new Premises Licence in respect of a premises Sainsbury's, Newcastle Road, Shavington, Cheshire, CW2 5EB.

- 4 The application was sent for consultation the same day 25 September 2025. The last date for representations to be made was 23 October 2025. A copy of the full application and plan is attached to this report at **Appendix 1**.
- 5 A map of the area in which the premises is located is attached to this report at **Appendix 3**, This is included to show the proximity of the premises to nearby properties.
- 6 The hours are applying for are as follows:

Supply of Alcohol – (off the premises)

Thursday to Saturday 07.00 to 23.00

Consultation and Engagement

- 7 Licensing records indicate that the public notice required under the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 was displayed at or near the proposed premises this was inspected by a licensing officer on the 16 October 2025 the notices were in place in accordance with legislative requirements. The Team is satisfied that advertising obligations under the Licensing Act 2003 have been fulfilled, including the publication of a public notice in the Crewe Chronicle on the 1 October 2025.
- 8 Responsible Authorities:

The Licensing Authority has received no representations from any of the Responsible Authorities.
- 9 Other Persons:

The Licensing Authority has received relevant representations from four members of the public. These consist of two representations raising concerns and two supporting representations. These are set out at **Appendix 2**.

Reasons for Recommendations

- 10 The Licensing Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.
- 11 Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives and where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

Other Options Considered

- 12 No other options have been considered because the process for determining contested applications is set by legislation.

Implications and Comments

Monitoring Officer/Legal

- 13 The Sub Committee must determine this application in accordance with section 18 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.
- 14 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority Sub Committee must, having regard to the representations, made in this application take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.
- 15 Section 18 (4) provides that the authority may:
- a) Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included on the licence in accordance with the Licensing Act 2003;
 - b) Exclude from the scope of the licence any of the Licensable Activities to which the application relates;
 - c) Refuse to specify a person in the licence as the Premises Supervisor;
 - d) Reject the application.
- 16 Members are reminded that should any conditions be added or amended, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

- 17 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and reoffending.
- 18 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to the application and the evidence presented by the parties in relation to the application.
- 19 Members must give reasons for their determination and notice of it must be communicated to the parties to this application. If Members depart from the Statutory Guidance or the Council's Statement of Licensing Policy then their decision notice must set out the reasons for doing so.
- 20 Finally, Members are also reminded that in determining the application, consideration also needs to be given to:
 - The rules of natural justice
 - The provisions of the Human Rights Act 1998

Section 151 Officer/Finance

- 21 There are no financial implications

Policy

- 22 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- 23 The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.
- 24 Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.

Risk Management

- 25 The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes

provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority

Other Implications

26 No other implications

Access to Information	
Contact Officer:	Amy Scott – Licensing Officers licensing@cheshireeast.gov.uk
Appendices:	Appendix 1 – Application & plan Appendix 2 – Relevant representations list Appendix 3 – Map of area
Background Papers:	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk) Council's Statement of Licensing Policy published under section 5 of the Licensing Act 2003 Licensing Act 2003 The Licensing Act 2003 (Hearings) Regulations 2005