

Statutory Licensing Sub Committee

A meeting of Statutory Licensing Sub Committee was held on Monday, 5th February, 2018.

Present: Cllr Paul Kirton (Chairman), Cllr Derrick Brown, Cllr Chris Clough

Officers: Jonathan Nertney, Simon Mills, Sarah Whaley (DCE)

Also in attendance: Anthony Johnson, Kathleen Simpson, Vanda Ingram (Local Residents) Councillor Marylin Surtees, Mr Catterall (Solicitor for applicant), Mr Bush (NISA), Mr Lester, Mr Hodgson (D&B Licening)

Apologies: None

**SLS
60/17 Evacuation Procedure**

The Evacuation Procedure was noted.

**SLS
61/17 Declarations of Interest**

There were no declarations of interest.

**SLS
62/17 Draft Minutes from the Statutory Licensing Committee held on the 21st
Nov 2017**

Consideration was given to the draft minutes of the Statutory Licensing Sub Committee meeting which was held on the 21st November 2017 for approval and signature.

RESOLVED that the minutes be agreed and signed by the Chairman as a correct record.

**SLS
63/17 Licensing Act 2003
Application for Grant of a Premise Licence
Nisa, Wrensfield Community Centre, Wrensfield Road, Stockton on Tees**

Members of the Statutory Licensing Sub Committee considered an application for Grant of a Premise Licence for Nisa, Wrensfield Community Centre, Wrensfield Road, Stockton on Tees.

An application for grant of a premise licence had been received from Kash Retail UK Limited, in relation to Nisa, Wrensfield Community Centre, Wrensfield Road, Stockton on Tees. TS15 9BG

The applicant had applied for a licence for the following:

- To permit the supply of alcohol off the premises between 08:00 to 23:00 hours Monday to Sunday
- Opening hours of the premise between 06:00 to 23:00 hours Monday to Sunday

In relation to representations from Responsible Authorities conditions had been agreed with Trading Standards and Cleveland Police.

In relation to interested parties one representation had been received supporting the application and three representations had been received objecting to the application.

The representations related to the prevention of crime and disorder, prevention of public nuisance, protection of children from harm and public safety objectives.

Mr Catterall, Solicitor for Kash Retail UK Limited trading as NISA, Mr Bush representing NISA, Mr Lester and Mr Hodgson from D & B Licensing Consultants were all in attendance at the meeting and given the opportunity to make representation.

Local residents Anthony Johnson, Kathleen Simpson and Vanda Ingram were all in attendance at the meeting and given the opportunity to make representation.

At the request of the local residents who had made representations Ward Councillor Marilyn Surtees attended the meeting to assist them in making their representations to the Committee.

The Chair introduced all persons who were present and explained the procedure to be followed during the hearing.

A copy of the report and supporting documents had been provided to all persons present and to members of the Committee.

Mr Catterall on behalf of the applicant stated that the premises was currently a Community Centre and his client would be investing in the area. NISA was a large company with approximately 2000 off licences and 7 in the local area. The applicant had extensive due diligence procedures in place. They were a responsible retailer and undertook their own test purchasing to ensure that premises fulfilled their legal responsibilities. NISA operated a Challenge 25 policy and a number of conditions had been agreed with Trading Standards and following discussion with Cleveland Police the hours originally sought had been scaled back.

Mr Catterall called Mr Bush representing NISA to give evidence to the Committee.

Mr Bush explained that NISA operated their own in house training scheme. They had regular updated training sessions and operated refusal registers and had till prompts to ensure under age sales did not occur. The investment would bring a minimum of 8 jobs and would result in at least £200,000 being invested.

The Committee heard from Mr Johnson, Mrs Simpson, Mrs Ingram and Councillor Surtees.

The objections were that the premise was not needed as there were already similar premises within the area and there would be an increase in traffic to the area. The premise was located near to a school and the availability of alcohol early on a morning should not be allowed.

All parties present were given an opportunity to sum up their case with the

applicant been given the opportunity to make the final submission.

Members had regard to the Committee papers, and to the oral submissions made at the meeting.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), the Guidance Issued under Section 182 of the Licensing Act 2003 (as amended) and the Council's Licensing Policy.

The Committee considered the submissions made by the local residents who were in attendance at the meeting. The Committee noted that the objection of Mr Johnson was effectively based on the protection of his own commercial interests and as such the Committee attached little weight to that. The other representations were based on residents' fears and given that the applicant had extensive due diligence procedures the Committee were not persuaded by the evidence of the objectors.

The Committee were satisfied from the evidence presented to them that the licensing objectives would not be undermined if the application was granted.

After considering all of the evidence the Committee decided to approve the application.

The Committee wished to remind local residents that if they had evidence that the licensing objectives were being undermined by the premise then they had the right to seek a review of the premises licence.

RESOLVED that the application for Grant of a Premise Licence Nisa, Wrensfield Community Centre, Wrensfield Road, Stockton on Tees be granted as detailed above.