

Statutory Licensing Sub Committee

A meeting of Statutory Licensing Sub Committee was held on Tuesday, 3rd March, 2020.

Present: Cllr Paul Kirton (Chairman), Cllr Eileen Johnson, Cllr Bill Woodhead (MBE)

Officers: Jonathan Nertney (HR,L&C), Polly Edwards, Sarah Whaley (MD)

Also in attendance: Local Residents, G Burns, M Oliver, J Parker, C Symmonds, Ward Councillor Marilyn Surtees, Applicant, Ananth Subbarayan (assisted and represented by Nira Suresh, Licensing Consultant)

Apologies: None

**SLS
15/19** **Evacuation Procedure**

The Evacuation Procedure was noted.

**SLS
16/19** **Declarations of Interest**

There were no declarations of interest.

**SLS
17/19** **Minutes from the meetings which were held on the 21st October, 5th
November and 26th November 2019**

Consideration was given to the minutes of the meetings which were held on the 21st October, 5th and 26th November for signature.

RESOLVED the minutes be signed as a correct record

**SLS
18/19** **LICENSING ACT 2003
APPLICATION FOR GRANT OF A PREMISE LICENCE
FAMILY SHOPPER
118-120 DURHAM ROAD
STOCKTON-ON-TEES
TS19 0DQ**

Members were asked to consider an application for Grant of a Premise Licence for Family Shopper, 118-120 Durham Road, Stockton-on-Tees, TS19 0DQ.

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

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

The Committee noted that the application was for the grant of a Premise Licence for the following-

- Monday to Sunday – Supply of alcohol between 09:00 – 23:00
- Monday to Sunday - Hours premise are open to the public 06:00 – 23:00

The Applicants representative outlined the basis of the application to the

Committee and explained that the applicant had read all of the representations made by local residents. The Applicant wished to reassure local residents that he took his licensing responsibilities seriously and had experience of running a business in Lincoln which was licensed to supply alcohol. The Applicants representative advised the Committee that a number of conditions had been set out in the Operating Schedule which showed that the premises would be run in a responsible manner and would not undermine the licensing objectives. The premise would have an extensive CCTV system and would operate a Challenge 25 policy ensuring they were mindful that individuals did not attempt to or make proxy sales.

The Applicants representative informed the Committee that the applicant was willing to amend his application and reduce the terminal hour to 22:00 hours.

The Committee noted that they had read all of the representations that had been received.

The persons who were in attendance and Ward Councillor Surtees were given the opportunity to address the Committee. The representations were summarised and included the following issues:-

- There were already a number of premises in the vicinity that supplied alcohol and there was no need for another one;
- The area experienced problems with cars parking illegally and this could be made worse if the licence was granted;
- Youths congregated within the vicinity of the shop causing anti-social behaviour and this could be made worse if the licence was granted;
- There were currently littering issues in the vicinity of the shop and this could be made worse if the licence was granted;

The Committee noted that representations had not been received from any of the responsible authorities. The Police had not objected and there was therefore no statistical data available to the Committee to demonstrate that the location of the premises was a hotspot for anti-social behaviour or any other issues which may be linked to the crime and disorder objective.

The Committee noted that Environmental Health had agreed three additional conditions to be attached to the licence if granted. These conditions sought to address and minimise any potential public nuisance relating to the operation of the premise.

All parties present were given an opportunity to sum up their case with the applicant being given the opportunity to speak last.

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 noted that the premise currently operated as a convenience store though it did not currently have a licence to supply alcohol. The premise currently opened at 06:00 hours and closed at 19:45 hours.

The Committee noted and had regard to the submissions made to them by all parties. The Committee noted that during the consultation process and the hearing itself the applicant had given consideration to issues and concerns that had been raised within the representations and had sought to address those by amending his application for the supply of alcohol between 09:00 and with a terminal hour of 22:00 hours.

The Committee took into consideration the issues expressed to them by the local residents and felt that it was appropriate to grant the application but with a terminal hour for the supply of alcohol till 21:00 hours.

The Committee noted that conditions would also be attached to the licence as detailed on the Operating Schedule along with the conditions agreed with Environmental Health.

The Committee also attached a further additional condition to prevent the sale of high strength beers and ciders, namely:-

- The premises would not stock, display or sell any lager, beer, cider or perry product with an ABV content above 6.5%.

RESOLVED that the application for grant of a premise licence for the Family Shopper, 118-120 Durham Road, Stockton-on-Tees, TS19 0DQ was granted as detailed above.