

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

WEDNESDAY, 15TH FEBRUARY 2012 AT 10.00 A.M.

PRESENT: Councillors Mrs. R. L. Dent, S. J. Dudley and L. J. Turner

Officers: Mrs. V. Brown, Mr. C. Phillips and Mrs. P. Ross

Also in attendance: Mr. Tajinder Singh (Applicant)

1/11 **APPOINTMENT OF CHAIRMAN FOR THE MEETING**

RESOLVED that Councillor Mrs. R. Dent be appointed Chairman of the Sub-Committee for the meeting.

2/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

3/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

4/11 **PROCEDURE**

The Chairman opened the Hearing and introduced the Members of the Sub-Committee and officers present to the Applicant, so that the applicant was able to satisfy himself that no person who may be in a position to influence the Sub-Committee remained in the room when the Sub-Committee considered its decision at the conclusion of the Hearing.

The Chairman invited the Applicant to identify himself.

The Chairman reminded all parties present of the procedure to be followed during the Hearing and that the applicant could be presented by a legal representative at their own expense, or by a Ward Councillor.

5/11 **APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 37 STOKE ROAD, BROMSGROVE, B60 3EN**

The Sub-Committee was asked to consider an application for a premises licence in respect of 37 Stoke Road, Bromsgrove, B60 3EN. The application was subject to a Hearing in light of a representation which had been made by a local resident. The basis of their representation, which had been related to

the previous premises when open, included parking issues and youths loitering outside the premises at night.

The Technical Officer (Licensing) introduced the report and informed those present that no representations had been received from any of the Responsible Authorities. Members were asked to note that the previous licence holder had gone out of business.

The case for the application was then put forward by Mr. Tajinder Singh, the applicant. He informed Members that he had considered the representation received which had expressed concerns with regard to parking and felt that should any issues arise these would be dealt with by the police. He would also take steps to address any concerns regards youths gathering and would deal with any issues himself or with the assistance of the police if required.

Mr. Tajinder Singh responded to questions from Members with regard to his experience in selling alcohol. He also responded to questions from the Technical Officer (Licensing) regarding his failure to complete section P of the Application for a premises licence on the steps intended to promote the four licensing objectives.

Having had regard to

- The licensing objectives set out in the Licensing Act 2003
- The Council's Statement of Licensing Policy
- The guidance issued under section 182 of the Act
- The Report presented by Mr. Phillips the Technical Officer (Licensing)
- The application and representations made by the Applicant Mr. Tajinder Singh.
- The relevant representation made in writing by the Interested Party

RESOLVED that the application for a premises licence for the sale of alcohol for consumption off the premises be granted as follows:

Sale of Alcohol for consumption OFF the premises

- Monday to Saturday 08:00am to 11:00pm
- Sunday 10:00am to 10:30pm

Actual opening hours of the premises

- Monday to Sunday 07:00am to 11:00pm

The Sub Committee imposed the following conditions:

- That signs be placed prominently at the premises seeking the co-operation of customers to leave in a quiet, orderly and respectful manner.
- CCTV to be operational inside the premises
- A Challenge 21 Policy and a Refusal Register to be used

- The Shop Watch Scheme to be put into operation

The reasons for the Sub-Committee's decision were as follows:

- The Sub-Committee had considered the written application made by the applicant and noted Mr. Tajinder Singh had failed to complete section P of the Application for a premises licence in which details were requested of the steps intended to promote the four licensing objectives.
- Mr. Tajinder Singh acknowledged that this had been an oversight and that the steps he intended to promote the licensing objectives would include operating CCTV, Challenge 21 Policy, Refusal Register and signage making customers aware that they were in a residential area and to leave in a respectful manner.
- The Sub-Committee noted Mr. Tajinder Singh's experience and his commitment to working with his neighbours to ensure that any concerns they had were addressed.
- The Sub-Committee had considered the written representation of the Interested Party.
- The Sub-Committee noted that no representations were made by any of the Responsible Authorities.

The following legal advice was given:

- that the Licensing Objectives must be the paramount consideration;
- conditions must be necessary for the promotion of one or more of the licensing objectives; conditions may not be imposed for any other reason;
- that the Sub-Committee may only have regard to the representations which promote the licensing objectives; and
- that the Sub-Committee must consider only those matters directly relevant to the premises and in particular that the parking issues was not a matter that came within the licensing objectives.

The meeting closed at 11.45 a.m.

Chairman