

## **LICENSING SUB-COMMITTEE**

### **MINUTES OF MEETING HELD ON THURSDAY 4 MAY 2023**

**Present:** Cllrs Jon Andrews, Derek Beer and Emma Parker

**Also present:** Mr Parviz Panjalizadeh-Marshes (Agent for Mr Zorel), Mr Zorel (Applicant).

**Officers present (for all or part of the meeting):**

Elaine Tibble (Senior Democratic Services Officer), Philip Crowther (Legal Business Partner - Regulatory), Kathryn Miller (Senior Licensing Officer), Kirsty Gatehouse and John Miles (Democratic Services Officer Apprentice).

**1. Election of Chairman and Statement for the Procedure of the Meeting**

Proposed by Cllr Derek Beer, seconded by Cllr Emma Parker

**Decision:** that Cllr Jon Andrews be elected as chairman for the duration of the meeting.

**2. Apologies**

Apologies for absence were received from Cllrs Cathy Lugg and David Morgan, substituted by Cllrs Emma Parker and Derek Beer.

**3. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

**4. Urgent items**

There were no urgent items.

**5. New Premises Licence Application for 54 St Thomas Street, Weymouth**

The Senior Licensing Officer introduced the report to consider a new premises licence for 54 St Thomas Street, Weymouth.

The application was for the provision of late-night refreshment only indoors, Monday to Sunday 23:00 to 04:00 hours. Although the application states a start time of 15:00 hours, the provision of late-night refreshment commences at 23:00 hours. Dorset Police requested conditions to be added to the licence.

The premises had been operating after 23:00 without a licence when a Licensing Officer had visited the premises. Following the visit, the applicant had closed the premises, made this application, and then opened the premises under Temporary Event Notices (TEN).

The Agent Mr Parviz Panjalizadeh-Marshes spoke on behalf of the applicant.

The committee was informed by the agent that the applicant had been operating similar businesses for 20 years with no issues. The applicant assumed that he already had the late-night licence as the premises used to be a kebab shop owned by his brother-in-law. He had discussed the application with the Police and agreed conditions, fire officers had checked the building and proposed some alterations which the applicant is in the process of implementing.

In response to questioning, the agent informed that the applicant had attempted to discuss the matter with the person he believed was the objector, but that person had refused the offer to discuss.

The training provided to staff would cover the four licensing objectives, fire training for escape and evacuation, first aid and the protection of children. The agent would carry out the training and would provide the council and the police with a training template and refresher training would be provided every 6 months. The agent said that whilst the application was for the premises to be open until 04:00, they would normally shut at 02:30 on Friday and Saturday nights. The applicant was prepared to amend the closing time to 03:00.

All parties were given the opportunity to sum up their case.

6. **An Application to Review the Premises Licence for Polish Deli (now known as Weymouth Market) in Weymouth**

The Senior Licensing Officer introduced an application to consider a review of the premises licence for Weymouth Market. The review was called by Dorset Police under the Prevention of Crime and Disorder Licensing Objective.

Dorset Police and Trading Standards on the 11th of October 2022 discovered a large quantity of cigarettes and rolling tobacco which had not been subject to UK duty. Several hundred vapes were seized as they exceeded over 600 puffs per vape which was over the legal limit, along with 8 large nitrous oxide canisters.

The Premises Licence permitted the sale of alcohol off the premises Monday to Saturday 09:00 – 21:00 and Sunday 10:00 – 16:00. The Premises Licence is currently suspended due to the non-payment of the annual licence fee, the premises is not currently selling alcohol nor is there a designated Premises Supervisor (DPS) named on the Licence.

Kirsty Gatehouse was given the opportunity to present her case and made the committee aware of the criminality witnessed in the shop. She stated that the main reason for the review application was the criminality in the shop albeit not related to the sale of alcohol. Whilst alcohol is not currently sold, the Premises Licence

Holder could pay the fee and appoint a DPS and would then be able to sell alcohol again.

The Police were also concerned that no age verification was being undertaken by the shop and so if the Licence remains in place there were concerns about alcohol sales to under eighteens in a busy location near to Weymouth Station where young people congregate.

All parties given the opportunity to sum up their case.

## 8. **Exempt Business**

Proposed by Cllr Emma Parker, seconded by Cllr Derek Beer.

### Decision

That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

### **54 St Thomas Street, Weymouth**

**Decision:** To GRANT a Premise Licence together with conditions consistent with the Operating Schedule and the conditions proposed by Dorset Police as amended by the Licensing Sub-Committee and as set out below, to permit the following:

### **Provision of Late-Night Refreshment:**

Monday – Sunday 23:00 to 04:00 hours.

### **Conditions consistent with the Operating Schedule and conditions proposed by Dorset Police, agreed by the Applicant and modified by the Licensing Sub-Committee.**

1. All staff working at the premises shall be trained in the four licensing objectives and shall receive refresher training at least every six months. Such training shall be provided by an appropriately qualified body. A record of all staff training shall be maintained and kept on the premises and made available on request to an authorised Officer of the Council or the Police.
2. A closed-circuit television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises.
3. The CCTV system will contain the correct time and date stamp information.
4. The CCTV system will have sufficient storage retention capacity for a minimum of twenty-eight days continuous use.

5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or Authorised Council Officer recent data or footage the absolute minimum of delay when requested.
6. The holder of the Premises Licence will ensure that prominent and clear notices and instructions are displayed at all relevant exit points instructing customers and staff to respect the needs of local residents and not to cause unnecessary noise when they leave the premises.
7. An incident book shall be maintained and checked and signed by one the management staff on a weekly basis. The incident book will be kept on the premises and available on request to the Police or an Authorised Officer of the Council.
8. When the premises are providing services to children and staff may come in to contact with children in the course of their working day, a suitable and sufficient safe-guarding policy shall be prepared by the Premises Licence Holder in accordance with the expectations of the Dorset Safe-Guarding Children Partnership. A copy shall be made available to the Licensing Authority upon reasonable request.
9. As soon as possible, and in any event within one month from the grant of this licence, the premises shall join the Weymouth Charlie 4 Scheme.

**Application to Review the Premises Licence for Polish Deli (now known as Weymouth Market) in Weymouth.**

**Decision:** To Revoke licence

**Duration of meeting:** 10.00 - 10.40 am

**Chairman**

.....