

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 19 APRIL 2022

Present: Cllrs Jon Andrews, Les Fry and Emma Parker

Also present:

Representing Tesco: Jeremy Bark – BLCP Solicitors, Hardish Purewal – Licensing Manager Tesco and Ian Hoare – Store Manager Tesco.

Objectors: Sarah Selley, Adrian and Linda Northover, Paul Barber, Peter Turner, Marjorie Snape and Robert Turner.

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

Elaine Tibble (Senior Democratic Services Officer), Philip Crowther (Legal Business Partner - Regulatory), Roy Keepax (Senior Licensing Officer) and Kathryn Miller (Senior Licensing Officer)

164. Election of Chairman and Statement for the Procedure of the Meeting

Proposed by Cllr Fry, seconded by Cllr Andrews.

Decision: that Cllr Emma Parker be elected Chairman for the duration of the meeting.

165. Declarations of Interest

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

166. Urgent items

There were no urgent items.

167. New Premises Licence Application for Tesco, Weymouth

The Senior Licensing Officer presented the report which sought approval for a premises licence at Tesco, 680 Dorchester Road, Weymouth, Dorset, DT3 5LD. Planning permission had already been approved and the application for a premises licence was before the sub-committee in response to objections from members of the public.

Members of the sub-committee and the objectors were given the opportunity to ask questions of the Senior Licensing Officer, following which, the solicitor representing Tesco putting the applicant's case forward.

The applicant's solicitor explained that the late refreshment part of the application was simply for the sale of Costa Coffee from a vending machine which would be paid for at the till.

The sub-committee heard that alcohol was only a small part of the products sold at Tesco, approx. 6-12% of total sales were alcohol and 95% of that total was for sales linked to purchases of meals and other items. It was intended to stock around 80-110 alcoholic products, mainly wine, beers and lagers with a limited selection of spirits which would be kept behind the till counter.

The store in Upwey was scheduled to open towards the end of 2022/beginning of 2023 and the solicitor highlighted paragraph 9.42-9.44 of the section 182 guidance which set out how the Authority should decide what actions were appropriate and paragraph 6.13 of the Dorset Council's Statement of licensing policy which stated "As a general rule, shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at all times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours." There had been no objections from the statutory authorities.

The solicitor explained a number of Tesco's policies, the process of opening a new store together with the extensive staff training and continual monitoring of all Tesco stores.

Sub-committee members and the objectors were given the opportunity to ask questions of the solicitor.

In response to questions asked, the solicitor confirmed that in relation to lottery tickets and scratch cards there were a number of comprehensive regulations that all stores adhered to. The Licensing Manager for Tesco had a considerable wealth of licensing experience and knowledge and the new Store Manager had worked for Tesco for 11 years.

Tesco hoped to build a good relationship with the local residents by engaging and encouraging dialogue, with the Store Manager attending resident's association meetings should the community wish.

There was concern from residents over additional noise, traffic and the late closure time, they urged Tesco to consider terminating the licence at 23.00hrs.

The Objectors were given the opportunity to put their case forward.

They raised concerns over the affect the new store might have on the two local pubs and grocery store which they felt would struggle to compete with Tesco.

The issue of patrons leaving the pub and then going to buy more alcohol at Tesco on their way home. They were of the opinion that the store would cause more noise and public nuisance in the village.

In response to concerns raised the solicitor offered to put a condition on the license that “late night refreshment was limited to the provision of hot drinks via a vending machine” and gave assurance that there would be no alcohol consumed on the premises.

All those present were then given the opportunity to sum up their cases, starting with the objectors, followed by the applicant and the Senior Licensing Officer.

The sub-committee retired to make their decision.

168. **Exempt Business**

Proposed by Cllr Fry, seconded by Cllr Andrews

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).

Decision: To GRANT a Premises Licence with the usual mandatory conditions and the conditions consistent with the Operating Schedule as amended by the Sub-Committee as set out below, to permit the following:

Late Night Refreshment: 23:00 to 00:00 every day
Supply of alcohol off the premises: 06:00 to 00:00 every day

Conditions consistent with the Operating Schedule as amended by the Sub-Committee

- The provision of late night refreshment shall be limited to the provision of hot drinks from a vending machine.

Duration of meeting: 10.00 am - 12.20 pm

Chairman

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