

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 17 APRIL 2024

Present: Cllrs Derek Beer, Emma Parker and Sarah Williams

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

Elaine Tibble (Senior Democratic Services Officer), Lara Altree (Senior Lawyer - Regulatory), Kathryn Miller (Senior Licensing Officer) and John Miles (Democratic Services Officer)

Also present: For Manor Park Convenience Store: Pater Savill (counsel), Jagadeesan Nallappan (Designated Premises Supervisor), Liam Voysey (HK Law), Michael Harden (Representation), Michael Richardson (Representation). For The Hillbrook: Mr Luke Sturman and Ms Melanie Sturman.

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

Proposed by Cllr Sarah Williams, seconded by Cllr Derek Beer.

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

211. Apologies

An apology for absence was received from Cllr Paul Harrison, substituted by Cllr Derek Beer.

212. Declarations of Interest

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

213. Urgent items

There were no urgent items.

214. New Premises Licence Application for Manor Park Convenience Store, 82 Mellstock Avenue, Dorchester

The Senior Licensing Officer outlined the application, for a new premises licence for Manor Park Convenience Store, for the sale of alcohol off the premises Monday to Sunday 0600 to 2300 hours.

There were no representations received from the Responsible Authorities, but five representations were received from members of the public. The applicant had offered to reduce the sale of alcohol to 0800 to 2200 hours but only if all the

representations were withdrawn before the hearing. Not all the representations were withdrawn so this offer was withdrawn and the original hours of 0600hours to 0300 hours applied.

On behalf of the applicant, Mr Savill informed the Sub-Committee that the applicant hoped this shop and his other shop in Chickerell would become an asset to the community. The applicant was an experienced licence holder and manager of premises, with over 10 years of experience. The applicant's business in Chickerell was a well-run business, with no complaints or issues and there was no evidence to show that the Manor Road premises would be any different. The operating schedule was clear and had a comprehensive set of conditions. The shop would be a part of the 'Premier' franchise, and the company would check that the Premises was being run properly. He highlighted that the application only related to the sale of alcohol and not whether the shop should be there or not. The Premises would have CCTV with a camera directed towards the outside area so any anti-social behaviour would be recorded and reported to the police. Closing at 11pm did not mean that the Premises would become a magnet for anti-social behaviour. The applicant was aware of the consequences for his business if there were any issues and he wanted to be a good neighbour. He had a good working relationship with Dorset police and other Responsible Authorities.

In response to questions from the Sub-Committee, Mr Nallappan confirmed that he would call the Police if there were any problems with people congregating outside the premises. There would be up to five members of staff in the premises, and they would all be trained before being allowed to sell alcohol.

Mr Harden supported the shop itself and agreed that it could be an asset to the area but raised concerns around the sale of alcohol until 11 pm each day. He recognised that CCTV could help with a prosecution but does not necessarily act as a deterrent. The CCTV system would not cover all around the shop. He informed that the Chinese takeaway in the parade of shops had been used as a comparison but viewed this as a different operation as food was delivered to customers and a few people came to collect their food and then left quickly. He understood that the takeaway was licenced to sell alcohol but only to 9.30 pm and was closed on a Sunday.

Mr Richardson raised concerns about antisocial behaviour especially if the licence was granted until 11 pm daily. A licence that extended to 11pm, 7 days a week went well beyond what was acceptable and reasonable for the area. He added that if alcohol could be sold up until 8 pm this would prevent problems occurring later in the evening.

All parties were given the opportunity to have their say and sum up.

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

Supply of alcohol (off the premises)
Monday to Sunday 0600-2300 hours

Hours open to the public
Monday to Sunday 0600-2300 hours

Conditions Consistent with the Operating Schedule

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premises is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premises. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

215. New Premises Licence Application for The Hillbrook, 1 Canon Woods Close, Sherborne

The Senior Licensing Officer outlined the report. For the sale of alcohol (on and off the premises) Monday to Sunday from 00:00 to 23:59 hours; live music (indoors and outdoors) Sunday to Thursday 11:00 to 23:00 hours and Friday and Saturday 11:00 to 01:00 hours; recorded music (indoors and outdoors) Sunday to Thursday 08:00 to 23:00 hours and Friday and Saturday 08:00 to 01:00 hours and late-night refreshment (indoors) Monday to Sunday 23:00 to 05:00 hours. The applicant had confirmed that they did not intend to have live or recorded music inside or outside after 23:00 hours. As a result, Environmental Health had withdrawn their representation. Dorset Police proposed two conditions on the licence if it was to be

granted. The sale of alcohol for 24 hours a day would be restricted to residents of the hotel and their guests. Except for booked functions, the sale of alcohol to the public would be restricted to 11 am to 23:00 hours. The Senior Licensing Officer stated that 4 representations had been received from members of the public.

The Sub-Committee heard from Mr Sturman on behalf of the applicant. He informed that the premises would be a fine dining restaurant and a luxury boutique hotel and fits well within the local area. Following questions from the Sub-Committee, he added that Ms Sturman and himself both manage a number of properties for different operators around the country and have been in the industry for all of their working careers. There had been no issues with licensing or the police.

The members of the public who had submitted representations but did not respond to the Applicant's revised application, did not attend the hearing. Their written representations referred to noise from music played outside and from customers generally.

All parties were given the opportunity to sum up and have their say.

Decision

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

Live music (indoors)

Monday to Sunday 1100-2300 hours

Recorded music (indoors)

Monday to Sunday 0800-2300 hours

Late night refreshment (indoors)

Monday to Sunday 2300-0500 hours

Supply of alcohol (on and off the premises)

Restricted to residents of the hotel and their guests and for booked functions.

Monday to Sunday 0000-2359 hours

Supply of alcohol (on and off the premises)

For the general public (excluding booked functions)

Monday to Sunday 1100-2300 hours

Hours Premises open to the public

Monday to Sunday 00:00 to 23:59

Conditions Consistent with the Operating Schedule

General

The Licensee will ensure that all times when the Premises are open for any licensable activity, there are sufficient competent staff on duty at the Premises for

the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

Prevention of Crime and Disorder

Access to and around the building is restricted using access control. Any incidents of a criminal nature that may occur on the Premises will be reported to the Police.

The Licensee will install comprehensive CCTV coverage at the Premises, which will be operated and maintained at the premises. The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Be capable of visually confirming the nature of the crime committed.
6. Provide a linked record of the date, time and place of any image.
7. Provide good quality colour images during opening times.
8. Operate under existing light levels within and outside the premises.
9. Have the recording device located in a secure area or locked cabinet.
10. Have a monitor to review images and recorded picture quality.
11. Be regularly maintained to ensure continuous quality of image capture retention.
12. Have signage displayed in the customer area to advise that CCTV is in operation.
13. Digital images must be kept for 31 days.
14. Police and Dorset Council Licensing Officers will have access to images at any reasonable time.
15. The equipment must have a suitable export method, e.g. USB/DVD writer so that the Police or Dorset Council Licensing Officers can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the Police or Dorset Council Licensing Officers on a standard computer. Copies must be made available to Police or Dorset Council Licensing Officers on request.

Public Safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O, wet chemical and CO2), fire blanket, internally illuminated fire exit signs, a comprehensive fire detection system and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

Regular certificated staff training will take place to ensure all fire and general safety procedures are in force and well briefed to staff. Personal Evacuation plans will be produced and in use for all persons requiring additional support in the event of an emergency. Disabled refuges on bedroom floors, with direct link to reception for use in an evacuation emergency.

Prevention of Public Nuisance

All customers will be asked to leave quietly. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

At times where larger numbers of guests are leaving the Premises members of staff will be deployed to ensure dispersal of guests is done sympathetically to our neighbours.

Staff will regularly patrol the exterior of the Premises to ensure it remains litter free.

We will engage with local pub watch and similar schemes.

Protection of Children from Harm

The Licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for underage sales prevention regularly.

A register of refused sales shall be kept and maintained on the premises.

Staff will receive human trafficking, exploitation and child grooming awareness training

Condition Added by the Sub-Committee

A direct telephone number for the manager at the premises shall be publicly available at all times that the Premises is open.

216. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 am - 12.00 pm

Chairman

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