

## LICENSING SUB-COMMITTEE

### MINUTES OF MEETING HELD ON THURSDAY 29 JUNE 2023

**Present:** Cllrs Jon Andrews, Susan Cocking and Brian Heatley

**Also present:** Mr Richard Taylor (Solicitor for the Applicant), Mr Neil Eccles (Asda's Senior Licensing Manager) and Mr Larry Austin (Local resident).

**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 Apprentice)

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

Proposed by Cllr Susan Cocking, seconded by Cllr Brian Heatley

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

**37. Apologies**

Apologies for absence were received from Cllrs Cathy Lugg and David Morgan, substituted by Cllrs Brian Heatley and Susan Cocking.

**38. Declarations of Interest**

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

**39. Urgent items**

There were no urgent items.

**40. New premises licence application for Asda Express, 512-514 Wimborne Road, Ferndown**

The Senior Licensing Officer presented the report to consider a new premises application for Asda Express. For the supply of alcohol off the premises Monday to Sunday from 6 AM to midnight. From 1<sup>st</sup> to the 31<sup>st</sup> of December, 24 hours Monday to Sunday if permitted by trading restrictions. Late night refreshment indoor and outdoor, hot beverages only Monday to Sunday 23.00 to 24.00 hours and on 1<sup>st</sup> to the 31<sup>st</sup> December 23.00 to 05.00 Monday to Sunday, if permitted by trading restrictions.

The Solicitor addressed the Sub-Committee on behalf of the applicant. He covered the background of Asda adding that there were 600 stores in England and Wales, the premises was a convenience store, the company had substantial experience operating these stores, and would not be subject to Sunday trading legislation. A range of control measures would be implemented to promote the licensing objectives such as, CCTV, annual staff training, staff trained in conflict management and challenge 25 policy. Planning permission had already been granted for the store and opening times were between 6 am and 11 pm. The extended hours applied for would enable some flexibility but without an amendment to the planning permission they would not be able to take advantage of all the hours sought in the licensing application. Therefore, he added that the applicant would accept hours between 6 am and 11 pm.

The Solicitor covered issues raised by objectors such as, traffic, noise, parking, issues with other shops and added that these were all matters that could not be taken into account for licensing purposes. There was no evidence that anti-social behaviour or noise would occur as a result of the store selling alcohol. Staff would ensure that people did not drink alcohol outside the premises and CCTV would be installed throughout the entire store.

Mr Austin raised concerns about anti-social behaviour as the area was mainly residential, and the local residents would be impacted by the midnight closing time and 24 hours opening in December. He requested that the sub-committee limit the hours to 6 am to 10 pm.

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

#### 41. **Exempt Business**

Proposed by Cllr Brian Heatley, seconded by Cllr Susan Cocking.

##### 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 to permit the following:

##### Supply of alcohol (off the premises)

Monday to Sunday 0600-2400 hours

##### Late night refreshment (indoors and outdoors) – hot beverages only

Monday to Sunday 2300-2400 hours

##### Hours the Premises are open to the Public

Monday to Sunday 0600-2400 hours

## **Conditions Consistent with the Operating Schedule**

Staff shall be trained in the premises licence holder's procedures which include liquor licensing, and all checkout operators shall have additional training in the sale of alcohol. All spirits will be displayed behind the counter. No miniature bottles of spirits of 20cl or below shall be sold from the premises. Please note this does not apply to pre-packaged gift packs which may contain a spirit miniature.

## **The Prevention of Crime and Disorder**

A CCTV system will be installed and maintained at the premises. Cameras will cover internal areas and the external area immediately in front of the store. The system will be capable of continuously recording and copies of such recordings shall be kept for a period of not less than 31 days and handed to the Police or authorised person upon production of a compliant 'Access Request'. All spirits will be displayed behind the counter.

## **Public Safety**

The premise licence holder seeks to comply with the requirements of the health and safety legislation.

## **The Protection of Children from Harm**

The store will have a till prompt system for alcohol products. When prompted, staff will adopt a Challenge 25 proof of age scheme. Only recognised forms of photographic identification such as Passport, Photo Driving Licence, 'Proof of Age' card, Military ID or any other form of identification agreed with the police will be accepted as proof of age. If the appropriate proof of age is not produced there will be no sale. Notices are to be prominently displayed advising customers of the Challenge 25 policy.

**Duration of meeting:** 2.00 - 3.00 pm

**Chairman**

.....