

Minutes of a meeting of the
Adur Licensing Committee
12 August 2021
at 7.00 pm

Councillor Paul Mansfield (Chairman)

Councillor Catherine Arnold
Councillor Vee Barton
Councillor Mandy Buxton
Councillor Jim Funnell

Councillor Joss Loader
Councillor Steve Neocleous
Councillor Carol O'Neal
Councillor Rob Wilkinson

Absent

Councillor Andy McGregor

ADC - LC/6/21-22 Declaration of Interests / Substitute Members

There were no declarations of interest

ADC - LC/7/21-22 Public Question Time

There were no questions from the public

ADC - LC/8/21-22 Minutes

Resolved: that the minutes of the meeting held on the 21 June 2021 and the Licensing Regulatory Sub Committee meeting of the 6 July 2021 be approved as the correct record

ADC - LC/9/21-22 Items Raised Under Urgency Provisions

There were no urgent items

**ADC - LC/10/21-22 Licensing Act 2003 – Application for a New Premises Licence at:
One Stop South Street Lancing**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 5. The report before members detailed an application that was subject to formal representation and therefore it fell to the Committee to determine.

The Licensing Officer outlined the application for members and provided an update on representations and mediation. The applicant's representative confirmed that the outline had been accurate.

Members questions for the reporting officer

Members questioned the Licensing Officer about opening times in the vicinity of the premises. The information was provided, however, the Licensing Officer told the Committee that each case must be considered on its own merits.

A Member asked if Police representations had considered the safety of employees and was told that the premises would have to have a risk assessment. More specific representations would depend on the type of application and the area the premises was in.

Members asked questions about determining the application and adding conditions concerning opening hours and were told that any non-mediated amendments would need to be accompanied with good reasons.

Members also asked about the extent of responsibility of the premises to manage patrons once they had left the premises.

Applicant's representation

The applicant's representative made a representation which is summarised as follows:

- The director of the proposed premises had significant experience, including premises in ;
- The Premises would be selling a wide variety of products, alcohol would account for about 10-15% of the business;
- The business was to be a franchise and the licence hold would have a responsibility to maintain the reputation of the franchise;
- Staff training was of a quality level and would be provided by the franchise;
- The Licence holder was investing in security equipment such as digital remote CCTV;
- There would be seven staff employed at the premises and the Licence Holder would be based at the store. The Licence Holder lived 15 minutes from the premises;
- The Licensing Act was about flexibility and any decision had to be justified
- There were relatively low risks associated with the premises;
- There would be challenge 25 operating in the premises this would be underpinned by training on underage sales;
- Other important measures would be put in place including an incident log.
- With reference to representations made about the premises, parking was irrelevant to the Licensing Act however there was a car park that would be used;
- A review of the premises could be called for if issues at the premises emerged;
- The mediated agreement with the police was key, the representation of the police had been withdrawn following mediation with the proposed licence holder.

Questions for the Applicant from Members

The applicant's representative was questioned concerning the safety of staff and was told that conditions would only be added if there was a grave risk. However the operator was responsible, risk assessments would be made and the respect for safety would be observed.

Questions for the applicant from those making representations

A member of the public asked where the 15% figure had come from and was told that this was an across the board convenience figure that had come from decades of experience.

The applicant was asked about proposed closing times.

Representation by Members of the Public

Members of the public made a representation which is summarised as follows:

- The area was subject to anti-social behaviour and late night alcohol licence would exacerbate the problem. These issues included bottles being smashed and fighting;
- The late night opening would create noise which would cause disturbed sleep;

Members questions for Members of the public

A Member asked what a reasonable time for the premises to close would be. Members were told that residents were not against the premises but that between 9-10pm were more reasonable hours.

A Member asked if there was an issue with the 7am opening time and residents responded that traffic in the area at that time meant that the 7am time was no issue with noise.

Summing up

The parties did not accept the offer to sum-up

The committee adjourned to consider its decision

In reaching its decision the Licensing Committee has given due regard to the following: The statutory licensing objectives, Adur District Council's Statement of Licensing Policy, Guidance under section 182 by the Home Secretary and Licensing Act 2003. The application, written/oral representations made at the hearing and in writing. The Committee also gave regard to human rights legislation and the rules of natural justice.

In discharging its functions the Committee did so with a view to promoting the Licensing objectives, the relevant objectives here were the prevention of crime and disorder, the prevention of public nuisance and protection of children from harm.

Resolved: that the premises licence should be granted. incorporating the conditions agreed with Sussex Police and with the amended hours offered by the applicant.

The reason for the decision is:

The licencing committee have listened carefully and considered all written and oral representations that have been made. They believe that together with the amended hours that were offered by the applicant and the additional conditions agreed with

Sussex police the licencing objectives will continue to be promoted and not be undermined.

Advice to parties:

Those who have made representations in connection with this application are reminded that they may appeal against this decision within 21 days by giving notice to the Magistrates Court.

Interested parties are reminded that they may apply for a review of this licence “after a reasonable interval” pursuant to Section 51 of the Licensing Act.

Any licence granted under the Licencing Act 2003 does not override any planning restrictions on the premises nor any restrictions that may be attached to the lease of these premises.

The applicant is reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises when you do not have a licence in place and you may be prosecuted.

The meeting ended at 8.20 pm