

Licensing Sub-Committee

Minutes - 9 September 2015

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Greg Brackenridge

Conservative

Cllr Mark Evans

Employees

Linda Banbury
Rob Edge
Sarah Hardwick

Democratic Support Officer
Section Leader - Licensing
Solicitor

Item No. *Title*

1 Apologies for absence

Councillor Mark Evans replaced Councillor Rita Potter as she was unable to attend the meeting.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a premises licence in respect of Family Shopper, Wood End Road, Wednesfield

In Attendance

For the Premises

S Kaur Sanghera – applicant
P Singh – applicant's husband
A Evans – Counsel

Responsible Authorities

Elaine Moreton – Licensing Authority

Other Persons

D Sedani
L Banga

The Chair introduced the parties and outlined the procedure to be followed at the hearing.

Rob Edge, Section Leader (Licensing) outlined the application for a new Premises Licence.

At this juncture, Mr Evans outlined the application on behalf of the applicant. He advised that Dave's Discount (Stores) Limited was a family business based in the West Midlands, that the premises had been closed for some time and that Mrs Sanghera would take on the role of Designated Premises Supervisor pending the appointment of a manager. The core business was convenience store and would include a post office. He summarised the measures to be taken to promote the four licensing objectives, as outlined at page 22 of the report circulated prior to the hearing. Modifications had been made to the application as a result of the mediation process with the Licensing Authority.

Responding to questions, Mr Evans advised that no single cans of alcohol would be sold over 6.5% volume. He further advised that the intended date of opening was the end of October.

Elaine Moreton, on behalf of the Licensing Authority, advised that proposed conditions/amendments to the operating schedule had been signed up to by the applicant and that, subject to these being added to the Licence, she was happy to withdraw any objections.

At this juncture Mr Sedani outlined his objections to the application, which related to his concerns that the new premises would have the ability to sell lower cost alcohol and therefore have an effect on other traders in the area.

On a point of clarification, the Council's Solicitor advised that the premises were not located in a Cumulative Impact Zone and that commercial considerations could not be considered by the Sub-Committee.

Responding to questions Mr Sedani advised that he did sell single cans of alcohol, although they were expensive and it was not encouraged. He further advised that he had produced the petition, which was left on the shop counter for people to sign.

Mr Banga indicated that his objections had been covered by Mr Sedani, adding that the petition had also been circulated in the neighbourhood.

At this point Tony Walton, local resident and petitioner, was afforded the opportunity to outline her objections to the application. She believed that existing businesses would be unable to compete with these premises.

All parties were afforded the opportunity to make a final statement.

4 Exclusion of press and public

Resolved:

That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of particular persons.

5 Deliberations and decision

The Sub-Committee discussed the issues which had been raised during consideration of the application for a premises licence.

6 Re-admission of press and public

The parties returned to the meeting and were advised of the decision of the Sub-Committee as follows:

7 Announcement of decision

The Sub-Committee have taken note of all the written concerns raised in respect of Family Shopper, Wood End Road, Wednesfield, Wolverhampton. They have listened to the arguments of those who have spoken at this hearing, both for and against the application.

Having considered the views of all concerned and with the powers available to them the Sub-Committee have decided that the application for a Premises Licence should be granted, as applied for, subject to the following conditions agreed between the applicant and the Licensing Authority dated 10 August 2015:

- The sale and supply of alcohol off the premises to be reduced by one hour to:
Monday to Saturday 0800 – 2200 hours inclusive (Sunday hours as applied for)
- No sale of single cans/bottles of beer, lager or cider with an ABV of 6.5 or above to be sold
- DPPO (Designated Public Place Order) notice provided by the Licensing Authority shall be displayed prominently on the premises, visible from outside the store advising that Police have powers to seize alcohol.

It is considered by the Sub-Committee that the above conditions should be attached in support of the prevention of crime and disorder, public safety and protection of children from harm licensing objectives.

Finally, such conditions as are specified on/or are consistent with the operating schedule will be attached to the licence, together with any mandatory conditions required by the Act.

All parties have a right of appeal to the Magistrates' Court within 21 days of receipt of this decision.