

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

TUESDAY, 19TH NOVEMBER, 2019

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER - CIVIC OFFICE, on TUESDAY, 19TH NOVEMBER, 2019, at 9.30 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Bev Chapman, Nikki McDonald and Ian Pearson.

1 Declarations of interest, if any

There were no declarations made at the meeting.

2 Application for a premises licence - Food Plus, 54-56 Hexthorpe Road, Hexthorpe, Doncaster, DN4 0BD

The Sub-Committee considered an application for a new Premises Licence for 'Food Plus', 54-56 Hexthorpe Road, Hexthorpe, Doncaster, DN4 0BD.

The application was brought before the Sub-Committee, due to representations from neighbouring businesses, with concerns in relation to one or more of the four key licensing objectives.

The Sub-Committee Members, the Premises Licence Holder, the Agent acting on behalf of the Premises Licence Holder and the Objectors making representations had received the Agenda Papers prior to the meeting.

At the commencement of the hearing, the Chair made introductions and outlined the procedure to be followed.

The Licensing Officer introduced the report and outlined the salient points.

The Applicant, Kamila Chmielewska, and the Agent, Frank Fender acting on behalf of the Applicant, addressed the Sub-Committee and outlined the key points, and answered questions.

The objectors who had made written representations were not in attendance at the meeting.

All parties were then asked to leave the room whilst the Sub-Committee deliberated on the Application and reached a decision.

RESOLVED that having considered the application for a new Premises Licence for 'Food Plus', 54-56 Hexthorpe Road, Hexthorpe, Doncaster, and having taken into account the written representations made and the evidence presented, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Statement of Licensing Policy, the Sub-Committee has

decided to grant the Licence in the terms set out in Appendix B, as amended, subject to the following Conditions:-

1. All areas to which the public have access to be covered by CCTV. Cameras to specifically cover areas where the alcohol is displayed and sold. A split screen monitor to be used.
2. That all tills show an electronic prompt for the retailer to check for challenge 25 when alcohol is sold.

The application is for a shop which is not open yet as it is being refurbished and it will be mainly selling Eastern European products, and some alcohol to compliment the products. It was stated that the ratio would be 10% alcohol. The Sub-Committee notes that the Applicant holds a personal licence and has experience in running a shop. The Sub-Committee note the Applicant confirms she has engaged with the Police and the application was tailored to deal with issues raised.

The Sub-Committee noted the conditions already on the Licence in relation to CCTV and noted that when asked, the Applicant confirmed that the areas of the premises accessible to the public, would be covered with CCTV with a fixed camera on all locations where alcohol was on display or for sale. The Sub-Committee also noted that the Applicant would monitor the CCTV with a split screen. The Sub-Committee agrees these are important and has dealt with this by way of Condition.

The Sub-Committee noted that the Applicant will have 3 members of staff in addition to the Applicant.

The Applicant submitted that the 2 representations are both shops suggesting it is relevant that the Police have not put in a representation. Further, the representation mentions the need for another Licence. It was submitted that the question of need was not relevant. There is also mention of escalating Anti-Social Behaviour (ASB). No evidence of this has been given by the representations and the Applicant submitted that if there were issues, then the Police and others would have made a representation. The Sub-Committee agrees that need is of no relevance to this Sub-Committee, but do not accept that there is no ASB in the area, and that this is a matter that impacts on the Licensing Objectives. The Sub-Committee noted the Applicant stated that good relations with the Police and PCSOs (Police Community Support Officers) was important to deal with ASB. The Sub-Committee entirely agrees.

The Applicant also submits the representations are based on business rivalry and this is an irrelevant consideration, and very little weight if any, should be given to this. As the representation again mentions need, the Sub-Committee agrees this is irrelevant and has given no weight to this element. There is an allegation that illegal cigarettes will be sold from these premises. The Sub-Committee has attached no weight to this as there is no evidence this will take place, and note the premises' is not yet open.

The Sub-Committee also noted that the Applicant stated it was easy to insert the relevant till prompts to ensure that a reminder to use Challenge 25, was asked on each occasion alcohol was sold. The Sub-Committee believes this helps to ensure alcohol is not sold to underage persons, and have dealt with this by way of a Condition.

The Sub-Committee believes the application, together with the Conditions imposed, will ensure the Licensing Objectives are promoted.

CHAIR: _____

DATE: _____