MINUTES

of the

**LICENSING COMMITTEE
HEARING**

held on 24 July 2019 at 10am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, A.E. Davidson. D.G. Jones. and L. Millane

1. **Apologies for Absence**

   There were no apologies for absence.

2. **Declarations of Interests**

   All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda, none were made.

3. **Minutes**

   The minutes of the hearing held on 3 June 2019 were agreed as a correct record and signed by the Chair.

4. **Licensing Act 2003 - Application for a New Premises Licence – The Stores, The Village, Great Waltham, Chelmsford, CM3 1DE**

   The Committee considered an application for a new premises licence in respect of The Store, The Village, Great Waltham, Chelmsford, CM3 1DE.

   Supply of alcohol – On premises and Off Premises Sales:
   Sunday to Thursday 08:00 – 18:00
   Friday and Saturday 08:00 – 22:00

   It was noted by the Committee that there were three options namely;

   1. Grant the application, on the terms and conditions applied for.
   2. Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
   3. Refuse the application in whole or in part.

   The following parties attended this hearing and took part in it:

   The Applicant
   The Applicant's representative

The Chair advised that the written representations had been read and considered by the members of the Committee in advance of the meeting. The Chair invited the applicant to introduce their application.

The applicant's representative introduced their application and stated that it was currently a café premises. He stated that it was now intending to serve alcohol as an ancillary to food, but that customers would be allowed to purchase alcohol without buying food too. He informed the Committee that the objections were of little relevance to the Licensing Objectives and they instead focused on issues under the Road Traffic Act and other legislation. He stated that the application was not likely to cause crime and disorder, as customers for the café would likely be having one drink with a meal rather than how customers might drink in a pub. The Committee heard that issues regarding road safety were also not ones that the applicant could address and that they fell under other legislation.

In response to questions from the Committee the applicant stated that;

- The outside seating referred to was in a concealed courtyard area at the back of the premises.
- The CCTV was available to view whenever required.
- Refuse bins were available at the premises.

The Committee retired at 10.09am to deliberate on the matter and returned at 10.12am.

> **RESOLVED** that the Director of Public Places be authorised to grant the application on the terms applied for subject to the following condition.

The imposition of the following condition:

1) *The mandatory conditions pursuant to s.19 of the Licensing Act 2003.*

The Chair provided a summary of the reasons for the Committee's decision and advised that a formal decision notice would be sent out in due course to the relevant parties.

Having taken into account the two representations, the Committee was satisfied with the steps which the applicant proposed to promote the four licensing objectives. A decision to refuse an application needs to be based on actual evidence rather than fears of what might happen as a result of the licence being granted. The Committee also had regard to the fact that the responsible authorities had not made representations.

The Committee would remind the parties that if, subsequently, there is evidence of problems relating to one or more of the licensing objectives arising from the use of the premises during the operation of the licensable activities then it is open to people to request a review of the licence, in which case the matter would come back to the committee.

(10am to 10.13am)

The meeting closed at 10.13am.

Chair