

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE CHARIS CENTRE, WATER LANE,
BISHOP'S STORTFORD ON WEDNESDAY
24 APRIL 2013, AT 10.00 AM

PRESENT: Councillor Roger Beeching (Chairman).
Councillors M McMullen and B Wrangles.

ALSO PRESENT:

Councillors N Symonds.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Paul Newman	- Licensing Manager
George Robertson	- Legal Services Manager

44 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor M McMullen and seconded by Councillor B Wrangles that Councillor R Beeching be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor R Beeching be appointed Chairman of the Licensing Sub-Committee for the meeting.

45 MINUTES – 22 MARCH 2013

RESOLVED – that the Minutes of the meeting held on 22 March 2013, be confirmed as a correct record and signed by the Chairman.

46 APPLICATION BY TESCOS STORES LTD FOR A PREMISES LICENCE AT HAVERS LANE, BISHOP'S STORTFORD CM23 3PD (THE SITE OF THE FORMER ARCHERS PUBLIC HOUSE)

The Chairman outlined the procedure to be followed and general housekeeping rules regarding the venue. All those present for the premises licence application were introduced.

The Licensing Manager advised the Sub-Committee of the details of the application and that an amendment to the application had been received. The applicant had removed the request for late night refreshment and that the supply of alcohol off the premises be restricted to between the hours of 6am to 11pm daily. The Licensing Manager summarised the application as now amended. He advised the Sub-Committee that 36 members of the public had submitted representations, the contents of which were summarised along with Officers' comments within Essential Reference Paper "B" to the report now submitted. A petition had also been submitted and signed by 999 signatories. The Licensing Manager advised that he had telephoned the Police Licensing Sergeant regarding the application and they had advised that they had no objection to the proposals.

Mr Cutting, on behalf of the Havers Action Team, summarised objections to the proposal and advised that the petition had grown by a further 200 signatures. In summary, objectors were concerned about increasing levels of anti-social behaviour, litter and the consumption of alcohol in the area by youths. Mr Cutting provided a map showing the number of retailers within a 500 metre catchment area.

Councillor N Symonds, Ward Member, further summarised concerns on behalf of residents and the positive work already achieved in making the Havers Estate a good place to live. She referred to the abuse residents had received by local youths and of the need to

prevent public nuisance and antisocial behaviour. Councillor N Symonds commented that the proposal did not support the four licensing objectives.

A local resident living close to the former public house referred to referred to vandalism of her wall and of refuse container surfaces being used for taking drugs, noise and abusive language and how this had affected their health. A local resident stated that the local hairdresser had been forced to relocate because of the intimidating behaviour of local youths.

The Solicitor and the applicant were present at the meeting. The Solicitor provided a summary of proposals and the new conditions which were set out in paragraph 2.3 of the report now submitted. He addressed each of the concerns raised by local residents adding that what was proposed was not a pure off licence, but a convenience store. He referred in detail, to the various policies and procedures Tesco would introduce as part of their "best practice" initiatives to uphold the licensing objectives and of the rigorous staff training which Tesco employees undertook.

The Solicitor for the applicant referred to the proposed layout of the store referring to the "careful consideration" given to the display of alcohol and of the "state of the art" CCTVs which would be deployed within the store. The Solicitor for the applicant stated that Tesco would not sell half bottle sizes or "minatures" and gave assurances that Tescos would only be providing a small range of alcohol and produce and that beer and lager would not be sold as single units.

The Solicitor for the applicant sympathised with residents' fears and concerns and stated that no concerns had been raised by the statutory authorities. He stated that Tesco was an "excellent operator" and that the policies and procedures in place would promote the four licensing objectives.

Objectors were given a further opportunity to raise concerns with the applicant and were surprised that the Police had not raised any objections to the proposal. Mr Cutting stated that he would be writing to the Police to seek further information under the Freedom of Information Act. The Solicitor for the applicant explained the careful exercise which the Police must undertake in considering licensing objectives.

In response to a query from the Chairman, Councillor R Beeching, the Licensing Manager explained that the area was not subject to a Cumulative Impact Zone and explained what this was and where this might be put into practice.

Mr Cutting thanked Tesco for their submission and the Sub-Committee for their time. The Chairman, Councillor R Beeching thanked the Havers Action Team and other residents for their presentation. The Solicitor for the applicant thanked residents for the manner in which the proposal and their concerns had been presented and thanked the Licensing Manager, for his fairness, thoroughness and professionalism in processing the application.

At the conclusion of the representations the Sub-Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the evidence. Following this, they returned and the Chairman announced the decision of the Sub-Committee.

The Sub-Committee had considerable sympathy with residents' concerns and stated that should residents have concerns about the practices of other operators in the vicinity, then these could be raised with the Council and a review sought. However, from the comments put forward, the Sub-Committee felt that the policies and procedures which would be put in place by Tesco, would be sufficient to uphold the licensing objectives. Bearing in mind what had been heard, the Sub-Committee were hopeful that the situation would improve and granted the application

and agreed that the conditions set out in paragraph 2.3 of the report now submitted, be applied.

The Sub-Committee reiterated that residents should note that if there were concerns, then there were procedures in place to review this matter.

The Sub-Committee asked that Tesco give consideration to the installation of CCTV cameras to cover the external areas around the shop. In summary the Sub-Committee approved the application for a premises licence and that the conditions set out in paragraph 2.3 of the report now submitted be applied.

RESOLVED – that (A) the application, as amended be approved.

The meeting closed at 12.25 pm

Chairman
Date