

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 13 APRIL
2017, AT 2.00 PM

PRESENT: Councillor Michael McMullen (Chairman)
Councillors R Standley and N Symonds.

ALSO PRESENT:

Councillors P Ballam, R Brunton and T Page.

OFFICERS IN ATTENDANCE:

Peter Agbley	- Licensing Officer
Lorraine Blackburn	- Democratic Services Officer
James Ellis	- Legal Advisor

35 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor P Ballam and seconded by Councillor R Standley that Councillor M McMullen be appointed Chairman of the Licensing Sub-Committee for the meeting.

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

36 MINUTES - 11 JANUARY 2017

RESOLVED – that the Minutes of the meeting held on 11 January 2017 be confirmed as a correct record and signed by the Chairman.

37 APPLICATION BY TESCO STORES TO VARY THE PREMISES LICENCE FOR TESCO STORES, BISHOPS PARK CENTRE, LANCASTER WAY, BISHOP'S STORTFORD, CM23 4DD

The Head of Housing and Health submitted a report in respect of an application to vary a premises licence under the Licensing Act 2003 for Tesco Stores, Bishops Park Centre, Lancaster Way, Bishop's Stortford, CM23 4DD.

The Chairman outlined the procedure to be followed. All those present were introduced. The Licensing Officer explained the original issue in relation to the statutory "blue notice" which had necessitated that it be correctly displayed a second time. The Licensing Officer summarised why the matter had been reported to the Licensing Sub-Committee, what the current licensing arrangements were and what revisions had been requested by the applicant.

The Licensing Officer advised that the applicant had been provided with copies of the four objections.

The two objectors in attendance, summarised why residents did not support the variation, some of which went beyond the realms of licensing such as an alleged increase in littering. The Legal Adviser asked representatives to keep to issues relevant to licensing matters.

The applicant's solicitor provided a summary of the store's responsible approach to the sale of alcohol which had been embedded within a number of policies and enforced by the store's trained staff. The applicant's solicitor advised why the variation had been requested, which was to be able to sell alcohol when the store traded. He assured the Sub-Committee that this minor variation would not result in a huge increase in the sale of alcohol and reminded the Sub-Committee that no objections to the variation had been received from the Police or Environmental Health, as Responsible

Authorities. The applicant's solicitor stated that the application was consistent with policy and law and that the request for a variation was entirely appropriate.

At the conclusion of the representations, the Sub-Committee withdrew with the Council's Legal Adviser and the Democratic Services Officer to consider the application. Following this, they returned and the Chairman announced that the Sub-Committee, after considering the evidence put forward by all parties, and given the fact that there had been no objections from Responsible Authorities or any relevant evidence put forward, the Sub-Committee agreed to grant the variation as applied, including the additional conditions as detailed in page 21 of the report for the reasons now detailed.

The Legal Adviser explained that he took no part in the decision making process and was there to advise Members on points of law and what they could and could not do within the law.

RESOLVED – that the application to vary the premises licence be agreed.

Reasons:

- 1) The Sub Committee felt that the concerns put forward by the residents were not substantiated by any documentary evidence. Where there were concerns, the Sub Committee felt that the applicant addressed them fully.
- 2) The variation applied for was in line with Government guidance and East Herts Licensing Policy.

The meeting closed at 3.10 pm

Chairman

Date