

MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE 'C'
10 MAY 2010

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING
27 MAY 2010

(To be read in conjunction with the Agenda for the Meeting)

* Cllr Victor Duckett Cllr John Sandy

* Cllr Peter Isherwood

* Present

*Cllr Mrs Gillian Beel attended on behalf of Cllr John Sandy

4. ELECTION OF CHAIRMAN (Agenda Item 1)

Cllr Peter Isherwood was elected Chairman for this meeting of Sub-Committee C.

5. MINUTES

The minutes of the meeting held on 23 November 2009 were confirmed and signed.

6. DISCLOSURE OF INTERESTS (Agenda Item 3)

There were no interests raised under this heading.

PART I – RECOMMENDATIONS TO THE COMMITTEE

There were no matters falling within this category.

PARTS II AND III – MATTERS OF REPORT

Background Papers

The background papers relating to the following report in Parts II and III are as specified in the Agenda for the meeting of Licensing Sub-Committee 'C'.

PART II – Matters reported in detail for the information of the Committee

7. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – TESCO EXPRESS, (FORMERLY THE RED LION), PORTSMOUTH ROAD, MILFORD, GODALMING, SURREY, GU8 5HW (Agenda Item 4; Appendix A)

7.1 The Chairman introduced the title of the application under consideration and explained the intention of the hearing.

7.2 The Licensing Manager outlined the application to open a new Tesco Express store with the proposed hours for the sale of alcohol of 6am to 11pm, seven days a week. The application had been advertised as required and one representation had been received and the objector was present at the meeting.

7.3 The Solicitor representing the applicant then outlined the application and explained that the proposed opening hours of 6am-11pm daily did include the

sale of alcohol. The applicant had offered to reduce the hours when alcohol could be sold to 8am-11pm, but the objector had not considered this sufficient to allay his concerns, which were particularly about the late evening sales.

- 7.4 The Solicitor representing the applicant then gave a comprehensive overview of the policies and procedures Tesco had in place to ensure that all their stores addressed the Licensing Objectives, and in particular their 'Think 25' policy relating to the sale of alcohol. The Solicitor representing the applicant explained how this worked and that the policy was regularly audited with a mystery shopper visiting the stores every 3 months to ensure staff adhered to the policy.
- 7.5 The Solicitor representing the applicant explained that all managers received conflict training to enable them to deal with aggressive customers and that the stores were covered by digital colour CCTV with monitors in place at the entrance to the store and at the manager's desk. A plan of the store was displayed that showed that alcohol sales were positioned at the rear of the store and covered by CCTV.
- 7.6 Following questions by members of the Sub-Committee, the Solicitor representing the applicant confirmed that there was always a member of the management team present during opening hours and that if the check-out operator was under-age for the sale of alcohol, it would need to be authorised by an older member of staff.
- 7.7 The objector to the application then made his representation. The objector was concerned that the opening hour to 11pm would attract people from outside the area and create traffic late into the evening. He considered that the opening hours were not appropriate for a rural convenience store.
- 7.8 Having received closing statements from both parties, the Sub-Committee then withdrew at 10.45 am.
- 7.9 Following the Sub-Committee's deliberation the meeting resumed at 11.01 am and announced its decision:-

The Sub-Committee did not consider that this application conflicted with the Licensing Objectives relating to Prevention of Crime & Disorder (LO1), Public Safety (LO2), Prevention of Nuisance (LO3) and Protection of Children from Harm (LO4).

The Sub-Committee therefore RESOLVED to grant the application as applied for. However, the concerns raised had been taken into account and the Sub-Committee reminded the objector that should there be any cause for concern in the future, legislation allowed for members of the community to contact the licensing authority with complaints over the operation of premises, which could lead to a possible review of the premises licence.

The meeting commenced at 10.00 am and concluded at 11.03 pm.

Chairman