

LICENSING ACT 2003 SUB-COMMITTEE

Thursday, 30 August 2012

Present:

Councillors S Niblock
 D Roberts
 H Smith

29 **APPOINTMENT OF CHAIR**

Resolved - That Councillor S Niblock be appointed Chair for this meeting.

30 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

31 **APPLICATION TO VARY A PREMISES LICENCE - TERRACE C, 184 TELEGRAPH ROAD, HESWALL.**

This application was withdrawn prior to the hearing.

32 **APPLICATION FOR THE GRANT OF A PREMISES LICENCE - BHULLAR'S OFF LICENCE, 72 TOWN MEADOW LANE, MORETON.**

The Acting Director of Law, HR and Asset Management reported upon an application that had been received from Gurdev Singh Bhullar for the grant of a Premises Licence in respect of Bhullar's Off Licence, 72 Town Meadow Lane, Moreton, under the provisions of the Licensing Act 2003.

The premises had not previously been licensed however the applicant currently holds a Premises Licence at a premises located at 82-84 Meadow Lane, Moreton which was due to be demolished. Members of the Sub-Committee were advised that these premises had been subject to a review on 22 February 2012 following the sale of alcohol to an underage person and due to illicit alcohol and tobacco being found at the premises. Members of the Sub-Committee on 22 February 2012 resolved to impose a number of conditions onto the Premises Licence.

The applicant was required to submit an operating schedule setting out how they would conduct/manage their business in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the licence be granted.

In respect of this application a representation had been received from a local resident. A representation had also been received from Ward Councillors, Chris

Blakeley, Steve Williams and Simon Mountney. The representations related to the history of the current licence held by Mr Bhullar in respect of 82-84 Town Meadow Lane, Moreton. Copies of the representations were available.

No representations had been received from any of the Responsible Authorities.

Mr Gurdev Bhullar attended the meeting together with Mr Rajeev Bhullar and Harpinder Bhullar and their representative, Mrs Sherratt.

Mr Crumpton, a local resident who objected to the application was also in attendance.

The Licensing Manager confirmed that all documentation had been sent and received and that Councillor Blakeley was unable to attend the meeting.

Mrs Sherratt addressed the Sub-Committee and explained that she was in attendance on behalf of the Bhullar family. She informed Members that they had been in business for 21 years and that the current premises they operated was due to be demolished. She advised that the new premises would be a convenience store and would reflect the existing hours currently operated. She referred to the review of the Premises Licence that took place on 22 February 2012 when conditions were imposed and reported that no problems had occurred since. She also advised that these conditions would be incorporated into the new Premises Licence. She reported upon the measures that had been taken by all staff at the premises and the systems that would be in place in the new premises. Mrs Sherratt reported that she had spoken to Sergeant Jenkins who was content with the application and produced an email from Sergeant Jenkins. Mr Crumpton had no objections to the email and this was therefore distributed to Members.

Mrs Sherratt and Mr Bhullar responded to questions from Members of the Sub-Committee, Mr D K Abraham, Legal Advisor to the Sub-Committee and Mr Crumpton.

Mr Crumpton addressed the Sub-Committee and advised that he believed there was no requirement for another licensed premises in the area and that the new premises were situated in close proximity to a residential area. He advised Members that there were currently problems of smashed glass on the streets, vandalised bus stops and children congregating in the area. He requested that should the application be granted that it not be granted to such a late hour.

Mr Crumpton responded to questions from Members of the Sub-Committee and Mr D K Abraham.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy and the Statutory Guidance issued under section 182 of the Licensing Act 2003.

Members considered the written and oral representations made by the applicant and his representative Mrs Sherratt.

Members also considered the written representations of the Ward Councillor and the verbal and written representations of Mr Crumpton, a local resident.

Members had regard to the fact that there were no representations from the Responsible Authorities, in particular, Merseyside Police.

In determining the matter Members also had regard to the lack of direct evidence that the licensing objectives would be undermined should the application be granted.

Members considered the representations made in respect of how the premises would be operated and how the licensing objectives would be maintained. Members noted in particular that the comprehensive conditions placed on the current Premises Licence had been incorporated as part of the Operating Schedule of these premises.

Resolved -

(1) That, in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the application for a Premises Licence in respect of Bhullar's Off Licence be granted with the following hours:

Supply of Alcohol

Monday to Saturday 08:00 to 23:00

Sunday 10:00 to 23:00

Hours Open to the Public

Sunday to Saturday 07:00 to 23:00