

LICENSING SUB-COMMITTEE

Minutes of the meeting held at 10.00 am on 11 January 2024

Present:

Councillor Tony Owen (Chairman)
Councillors Robert Evans and Melanie Stevens

Also Present:

5 APPOINTMENT OF CHAIRMAN FOR THE MEETING

Councillor Tony Owen was appointed Chairman for the meeting.

6 DECLARATIONS OF INTEREST

There were no declarations of interest.

7 APPLICATION FOR A NEW PREMISES LICENCE AT STOP N GO 61 ELDRED DRIVE ORPINGTON BR5 4PE

The Application

The application sought a premises licence for the off-premises sale of alcohol from 07.00 hours to 23.00 hours every day. During the public consultation, the Council received a total of thirty three valid objections which were attached to the agenda.

(i) The Case for the Applicant

The Committee was addressed by the applicant and by his representative. Members were advised that the proposed DPS had decades of experience running licensed premises in the Borough. He was a resident in the Borough and had a convenience store about half a mile from the premises. The application complied with the four licensing objectives. The applicant received advice from a licensing consultancy, staff were trained in the sale of alcohol which was repeated every 12 months, and a CCTV system would be installed with the images being retained for 31 days. The premises would be adequately staffed with three staff members, two of whom would be on the shop floor all the time. A Challenge 25 policy would be operated and spirits would be kept behind the counter. There was no objection from the Police--subject to the imposition of the agreed conditions. In response to a question as to whether the closing time of 11pm could be reduced, the Committee was informed that there would have to be a good reason. In the absence of any evidence that the terminal hour would cause harm to the licensing objectives, a requirement of an earlier closing time could be regarded as premature.

(ii) The Case for the Objectors:

In addition to the written representations, the Sub-Committee received verbal representations. The Committee was advised that there had been issues concerning anti-social behaviour in the local area, for example evidenced by empty beer bottles and laughing gas canisters being discarded and by the gathering of groups of individuals. The owner of the current convenience store decided to close his business at 9pm, which had helped to reduce issues around anti-social behaviour and to maintain a quieter time during the later evening. The police did not have the resources always to attend incidents. There was a concern that the later closing time of 11pm would act as an attraction to persons who may have an intention to cause nuisance. A petition containing over three hundred signatures was evidence of the concern felt locally.

Reasons for Decision

Members considered the amended application, the written and oral representations, the Council's Statement of Licensing Policy and statutory guidance. They concluded that the application with the additional conditions agreed with the police could be permitted without harm to the licensing objectives.

Neither the police nor any of the other Responsible Authorities had objected to the application. Members concluded that the conditions requiring a CCTV system, a Challenge 25 policy, training of staff and an incident register and refusals record should be adequate to assist the business in dealing with issues concerning the four licensing objectives. Members did take account of the concerns expressed about the 11pm closing time, but because the business had not yet begun trading, these could only be speculative in character. If contrary to their assessment, the 11pm closing time did result in unforeseen harm to the licensing objectives, then the licence could be subject to the review process.

Decision

That the application for a premises licence at Stop N Go, 61 Eldred Drive, Orpington BR5 4PE be granted subject, to the imposition of the conditions agreed with the Police.