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LICENSING SUB-COMMITTEE

1 November 2010

Present:- Councillor Hambleton in the Chair

Councillors Mrs Lewis and Slater.

Mr Devgon – application

Mr & Mrs Swindell – objector

Councillor Clarke – representing local residents

Mr Blakeman – The Sentinel

445. * **DEVGON NEWSAGENTS – APPLICATION FOR ALCOHOL LICENCE**

Decision

The Sub-Committee having taken into account the Licensing Act 2003, the guidance issued by the government and the Council's own statement of licensing policy. The committee had also considered the letters of objection brought by the local residents on the grounds that to grant the application would exacerbate the problems of public nuisance in the area.

The Committee had listened carefully to the representations made by both sides and had deliberated for some time over their decision. The Committee had resolved to grant the application for the following reasons:-

If found that the premises did not fall within the cumulative impact zone and the presumption against the grant of new licenses was not appropriate in this case.

The Committee had taken into account paragraph 10.21 of the S182 guidance and 13.13 of its own policy which stated there would be a presumption that shops, stores and supermarkets would normally be free to provide sales of alcohol at any times when the retail outlet was open for shopping. The guidance stated that limitations may be appropriate following police representation in the case of shops known to be a focus of disturbance and disorder because youths gather but noted the police have not objected in this matter.

The Committee had a great deal of sympathy with the problems that the residents were experiencing but it had been acknowledged by the residents those problems were not attributable to Devgon news and no evidence had been presented to link the shop to problems in the area.

The Committee noted that the licence would be subjected to a number of conditions including the challenge 25 policy, the installation of CCTV and the use of litter bins, in addition the committee imposed a requirement that all alcoholic products would be indelibly/permanently labelled with the name of the outlet.

This decision was open to challenge/appeal by either side. Additionally the Committee had had regard to the review process that provided for the residents

and any responsible authority to bring the licence back before the Committee if it had evidence that the premises were offending the licensing objectives.

T HAMBLETON
Chair