

Licensing Panel

Monday, 9 November 2020

10.00 am

Present:

Cllr Steve Thompson (Chair)

Cllrs. Tony Rana
 Frank Wardle

Mandy Francis Licensing Manager
Vicky Nutley Assistant Head of Legal Services (Place)
Mr A Savescu Applicant
Mr R Singh Basra Objector
James Bridges Digital Developer
Lauren Wallis Committee Services Officer (minutes)

9. **Apologies for absence**

No apologies for absence were received.

10. **To declare any interest Members may have in the applications being considered. When declaring an interest a Member must state what their interest is.**

No declarations of interest were made.

11. **Consideration of an Application for a Premises Licence for Saviany, 60-61 New Road, Gravesend Kent DA11 0AD - 20/01333/LAPL01**

The Chair welcomed everyone to the meeting and went through the process he intended to follow during the Panel.

The Licensing Panel was asked to consider an application for a new premises licence under the Licensing Act 2003 in respect of the premises known as Saviany, 60-61 New Road, Gravesend Kent DA11 0AD. The Licensing Manager gave a brief overview of the application and background information to the Panel.

The application was submitted by Mr Alexandru Savescu for a New Premises Licence under section 17 of the Licensing Act 2003.

The application was for off sales of alcohol Monday to Saturday 10:00 to 20:00 hrs and Sunday 10:00 to 16:00 hrs.

The application has been correctly advertised in the local press and notices displayed on the premises for the required timescale.

During the 28 day consultation period a representation was received from a member of the public. Within the representation, the objectors made reference to cumulative impact and

they had been advised, prior to the hearing, that this was not linked to the Council's Licensing objectives. However the issue relating to street drinkers related to the prevention of public nuisance.

The applicant addressed the Panel and outlined the reasons for the application, some background history, stated that the alcoholic drinks being sold would all be of Romanian origin for purchase mainly by the Romanian community who lived in the vicinity of the store. The store had been trading for 18 months and was a family business.

The Chair opened the Panel to questions from Councillors; the below responses were received from the applicant:

- There was no CCTV camera sited outside of the store following the previous camera being removed following the installation of metal shutters on the storefront. There were 6 cameras in the store and one in the store room. The applicant agreed to the addition of a condition requiring the installation of a CCTV camera outside the store.
- This application had come about following the requests from customers for alcoholic drinks of Romanian origin.
- The applicant confirmed that the application followed the current opening hours of the store.
- It was explained that the front of the store had two large windows with the entrance door in the middle. There was no visual access from the outside of the store to the inside as large pictures of fruit and vegetable renders the windows obscure.
- The counter and the till was situated to the right of the entrance door and alcohol was stored behind the counter.
- The applicant agreed to the addition of a condition prohibiting the advertising of alcohol of the storefront windows.

The objector addressed the Panel and explained his objection to the application. His was a family business which had traded for over 20 years. Over that time he had noticed an influx of off-licenses come to the area which had brought issues related to the consumption of alcohol and had increased the stresses to the police, the local authority and the emergency services. He noted that Medway Council had a cumulative impact policy with regard to premises licences.

The Chair advised that it was not the role of the Panel to change the Council's Licensing Strategy which was reviewed via public consultation on a regular basis. The Chair invited the objector to respond to this consultation via the Licensing Team at the Civic Centre.

The Chair opened the Panel to questions from Councillors; the below responses were received from the objector:

- The objector confirmed that his business was located on Darnley Road near Watling Tyres and the train station.
- Following a question on examples of alcohol related issues in the vicinity of the application, the objector advised that, some years ago, benches in the vicinity had been removed because of issues with street drinkers using the benches and publicly urinating in the area. This meant there were no seats for elderly people to take a rest.
- The objector confirmed that his premises had a licence to sell alcohol, that that the conditions had a positive impact on public nuisance and that he had a close working relationship with PCSOs and Ward Councillors.

- The objector noted that he had not objected from an anti-competition viewpoint but from a community perspective.

The Chair moved onto final submissions and indicated to the Panel that those with final submissions had five minutes to address the Panel.

The applicant addressed the Panel.

The objector addressed the Panel.

Upon completion of final submissions, the Chair advised that the hearing had been completed and in line with the Licensing Act and the meeting would be adjourned so that the Panel Members could come to a decision on the application. The Panel was advised that only the three Councillors, the Assistant Head of Legal Services (Place)(for legal advice only) and the Committee Services Officer (for minute writing purposes only) would reconvene.

The Chair advised that the decision would be communicated in writing to all interested parties within 5 working days'.

The Panel was adjourned at 10:29 am and moved into Part B.

Determination

The Chair advised that, in coming to a decision, the Panel had considered all of the information provided in the report by the Licensing Manager presented to the Licensing Panel; the evidence presented by all parties attending the hearing; the advice of the Council's Legal Advisor; the Council's Statement of Licensing Policy; the statutory guidance of the Secretary of State; the Human Rights Act 1998; and the licensing objectives. The Panel came to the decision that in order to ensure the promotion of the licensing objectives that the application be granted with the following conditions and licensed opening hours:

Licensed Hours

Off sales of alcohol Monday to Saturday 10:00 to 20:00 hrs and Sunday 10:00 to 16:00 hrs.

Conditions for Licence

Condition 1

No alcohol is to be on display or visible from outside the premises. Additionally, no alcohol is to be advertised on the premise windows, doors or outside on the pavement.

Condition 2

The premises will display signs that read 'Challenge 25' and the policy 'Challenge 25' will be followed when selling alcohol to anyone within the premises; the policy states that anyone buying alcohol who appears to be below the age of 25, seven years above the age required to buy alcohol in the UK, can be asked to provide an acceptable form of ID.

Condition 3

The premises will display signs that request that customers keep the noise to the minimum when leaving the premises in order to respect the neighbours.

Condition 4

Whilst the premises is open during licensable hours, two members of staff must be on duty and one member of staff must be a personal licence holder.

Condition 5

That in addition to the CCTV cameras situated within the store, a further CCTV camera be installed outside the premises with a clear view of the external frontage and entrance to the premises.

Close of meeting

The meeting ended at 10.39 am