

# Summary of Application No. 14/01185/LQN Sainsbury's, 2 Coombe Square, Chapel Street, Thatcham Decision taken on 8 September 2014

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## Part I

**Application No. 14/01185/LQN Sainsbury's, 2 Coombe Square, Chapel Street, Thatcham (Item 2(1))**

### NOTICE OF DECISION

The Licensing Sub-Committee of West Berkshire Council met on **Monday 8<sup>th</sup> September 2014** and resolved to approve Application **14/01185/LQN** in respect of premises known as **Sainsbury's, Coombe Square, Chapel Street, Thatcham, Berkshire** subject to a number of conditions which are set out below.

In coming to their decision, the Sub-Committee had regard to the four licensing objectives, which are:

1. the prevention of crime and disorder;
2. public safety;
3. the prevention of public nuisance; and
4. the protection of children from harm.

They also considered the Department of Culture, Media and Sport Guidance on the Licensing Act 2003 (issued June 2014) and West Berkshire Council's Licensing Policy.

The Sub-Committee heard representations made by:

1. The Applicants: Mr Robert Botkai, Solicitor for Sainsbury's  
(Ms Joanne Surguy and Mr Robin Oakenden also attending on behalf of Sainsbury's)
2. The Objectors: Mrs Shirley Clarke

The Licensing Sub-Committee also considered the representations of the following who did not make a verbal representation:

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**If you have any queries regarding this/these decision(s), please contact:**  
**Moira Fraser, Democratic Services Manager**  
Tel: (01635) 519045 or e-mail: [mfraser@westberks.gov.uk](mailto:mfraser@westberks.gov.uk)

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Mr Nigel Keith Amor, Mr A H Baddeley, Mr and Mrs S P Bateman, Mrs Aileen Blackley, Mrs Rhonda Chilton, Mr Leonard and Ms Margare Clark, Ms Sharon Clark, Mr & Mrs W & S A Clarke, Ms Amanda Cooper, Mrs B De Henri, Mr Stephen Glover, Ms Mary Hamerston, Mrs M E Matthews, Mr & Mrs G B McAllister, Miss Catherine Miller, Mr Stephen and Ms Wendy Morris, Mr Derek Oakham and Ms Linda Oakham, Mr R J Snelling.

### Decision:

The Licensing Sub Committee noted the amendment to the Application detailed by the Applicant during the hearing that the hours during which the supply of alcohol would take place each day would be reduced to 08:00 hours to 22:00 hours.

Having taken all relevant representations into account, the Licensing Sub-Committee RESOLVED that Application reference 14/01185/LQN be granted as amended with regard to the hours during which the supply of alcohol will take place, and subject to the conditions set out in the operating schedule and any relevant mandatory conditions as prescribed by the Licensing Act 2003 or secondary legislation.

### Reasons:

The Sub Committee noted that many of the issues raised by the objectors related to matters that were outside the Licensing regime. For example, the Sub Committee considered that highways safety issues and parking are both matters which may be more appropriately considered as part of the planning process. The Sub-Committee did not consider that those issues were relevant to the Application for a premises licence which is made under a distinct regulatory regime and which must be considered having regard to the licensing objectives. The Sub-Committee had regard in particular to Section 13 of the Council's Licensing Policy which states that "the Council will at all times separate its licensing and planning roles."

A number of representations raised objections on the basis of need, suggesting that there was no need for additional licensed premises at this location. However, the question of 'need' is not a matter for the Licensing Authority, as noted in paragraph 13.18 of the DCMS Guidance. Furthermore, it was noted that the Council had not adopted a special policy in respect of the cumulative impact of licensed premises in this locality. The existence of other premises in the locality of the application site was therefore not a relevant consideration for the Licensing Sub Committee.

The Sub Committee noted that the representations received had indicated concerns on the basis of all four licensing objectives. However, the Sub-Committee did not consider that the objections to this Application raised were supported by evidence which would be sufficient to justify refusal of the licence or the imposition of any additional conditions to those referred to above. It was noted that many of the objections related to existing or historical concerns, but that the application was in effect for a new licensed premises.

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In reaching its decision, the Sub-Committee also noted that none of the Responsible Authorities had raised objections to the Application on the grounds of public safety, the protection of children from harm, crime and disorder or public nuisance.

<b>Cllr Mollie Lock</b>	(Chairman)
<b>Cllr Paul Bryant</b>	
<b>Cllr Geoff Mayes</b>	
<b>Date:</b>	

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