

# **LICENSING SUB-COMMITTEE**

## **MINUTES OF THE MEETING HELD ON**

### **MONDAY, 13 NOVEMBER 2023**

**Councillors Present:** Phil Barnett, Billy Drummond and Paul Dick

**Substitute:** Clive Taylor

**Also Present:** Stephen Chard (Zoom Host) Philippa Heath (Interim Licensing Officer), Thea Noli (Acting Senior Paralegal) and Benjamin Ryan (Clerk)

## **PART I**

### **7 Declarations of Interest**

(Councillor Billy Drummond declared a personal and prejudicial interest in Agenda item 2(1) by virtue of the fact that he knew several of the objectors personally. As his interest was personal and prejudicial he left the meeting and took no part in the debate or voting on the matter).

### **8 Application No. 22643 - Newbury Premier, 3 Monument Close, Essex Street, Newbury RG14 6QW**

Councillor Drummond left the meeting and Councillor Clive Taylor stood in for the Councillor.

The Sub-Committee considered a report (Agenda Item 2(1)) concerning Licensing Application 22643 in respect of Newbury Premier, 3 Monument Close, Essex Street, Newbury RG14 6QW.

The Chairman stated that the Sub-Committee decided that the meeting would proceed in the Objector's absence in compliance with Regulations, when making this decision. the Sub-Committee considered that:

- Enough time had been given to the objector to attend (47 min)
- That the Objector had made a valid written representation therefore his views would be taken into account by the Sub-Committee.

In accordance with the Council's Constitution, Philippa Heath (Licensing Officer, West Berkshire Council), Mr Thusyanthan Thiyagarajah (Applicant), Mr Robert Jordan BSc (Agent) and Councillor David Marsh (Ward Member) addressed the Sub-Committee on this application.

The applicant made a request to provide late evidence to the Sub-Committee and it was explained that it was a document that detailed the training procedure for staff that would sell alcohol.

As the material had been submitted out of time, it was explained to all parties that the material could only be introduced, if this was unanimously agreed.

Councillor Dick proposed to allow the evidence to be introduced and this was seconded by Councillor Taylor. The vote was put to all parties, and it was agreed unanimously.

The Sub-Committee adjourned at 10:30 am to provide members of the Sub-Committee and all parties, with an opportunity to read the document and returned at 10:47 am.

## LICENSING SUB-COMMITTEE - 13 NOVEMBER 2023 - MINUTES

Ms Heath introduced the report to Members, which took account of all the relevant policy considerations and outlined the application timeline. Ms Heath explained there had been no representations made by responsible authorities.

Councillor Taylor questioned whether the Objector from Newbury Town Council represented the Town Council's view or was it personal and the Chairman advised that it was considered at the Newbury Town Council meeting, however this would have been covered in the consultation.

Mr Jordan, in addressing the Sub-Committee, raised the following points:

- There had been no responses from Responsible Authorities.
- The s182 Guidance at paragraph 10.15 states that stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours, and that the application was within retail hours.
- A lot of the representations made were speculative or not relevant.
- There were conditions suggested that were agreed by Thames Valley Police to help make the application acceptable.
- Environmental Health did not make a representation.
- The applicant had 12 years of experience of working in similar shops and had also experience as a DPS.

Councillor Dick queried whether the Thames Valley Police conditions were difficult to accept, and Mr Thiyagarajah explained that they were easily taken on board.

Councillor Dick asked about the number of people that would be employed by the Applicant and Mr Thiyagarajah stated there would be three full-time members of staff and one part-time.

Councillor Dick requested to know what areas the CCTV would cover, and it was explained that there would be two cameras one that would monitor the front of the site and the other would monitor the side.

Councillor Taylor asked what the applicant would do to minimise anti-social behaviour and it was argued that the conditions put forward by Thames Valley Police should be sufficient and that people would not be served who were already drunk.

Councillor David Marsh in addressing the Sub-Committee, raised the following points:

- That there were concerns over the late-night sale of alcohol and that there may not be a market for alcohol past 22:00 pm.
- There were already issues with public nuisance in the area and the site could make this worse, as residents who had got drunk in the pub may be inclined to buy alcohol after the pub closes.
- That the Sub-Committee should shorten the alcohol license hours.

Mr Jordan, in summing up for the Sub-Committee, raised the following points:

- Thames Valley Police had provided conditions and if these were to be followed there should be no public disorder.
- That all the claims of further public nuisance were speculative.
- That Environmental Health raised no objections.

The Sub-Committee retired at 11:10 to make its decision.

## LICENSING SUB-COMMITTEE - 13 NOVEMBER 2023 - MINUTES

Having taken the representations into account, including the written representations made by Blake Ludwig, Chris Hobbs, Chris Brown, Meg Thomas, David McTurk, Dorothy Hogg, Gemma Fuller, Hannah Hickson, Jennie Drake, Laura Carter, Marian Fenn, Mary Moffatt and Shelley Dancey the Licensing Sub-Committee **RESOLVED** that Application 22643 be granted, subject to the conditions laid out on the decision notice.

*(The meeting commenced at 10.10 am and closed at 11.11 am)*

**Name** Phil Barnett

**Date of Signature** 17.12.2023

**Name** Billy Drummond

**Date of Signature** 17.12.2023

**Name** Paul Dick

**Date of Signature** 17.12.2023