

LICENSING SUB-COMMITTEE

27 SEPTEMBER 2021

PRESENT

Councillor D. Jarman (in the Chair).
Councillors J. Holden and S. Thomas

In attendance

C. Myers	Solicitor,
J. Boyle	Licensing Team Leader,
N. Owen	Governance Officer.

6. APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT A M MINI MART, 173 CANTERBURY ROAD, URMSTON, M41 0SE

The Head of Regulatory Services submitted a report informing Members of an application for the grant of a premises licence for A M Mini Mart, 173 Canterbury Road, Urmston, M41 0SE which had attracted representations from local residents and a Ward Councillor.

All parties present at the hearing were invited to address the Sub-Committee.

Representations were made in support of the application by Mr. I. Rushton, JL Licence and Retail.

RESOLVED –

- (1) That the application by Mr. I. Rushton, JL Licence and Retail on behalf of Mr. A. A. Ahmed be granted subject to compliance with the conditions outlined in the decision notice.
- (2) That the issue of the Licence be delegated to the Head of Regulatory Services.

LICENSING SUB-COMMITTEE DECISION NOTICE

Sub Committee Members: Councillor D. Jarman (Chairperson)
Councillor J. Holden
Councillor S. Thomas

Applicant: Ian Rushton, JL Licence and Retail on behalf of Ali Aftab Ahmed

Type of Licence: Grant of a new Premises Licence: A M Mini Mart, 173 Canterbury Road, Urmston, M41 0SE

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Representors: Local Resident – not in attendance
Mr. M. Smith

Parties Present: On behalf of Applicant – in attendance
Mr. I. Rushton, JL Licence and Retail
Mr. A. A. Ahmed, Applicant

Officers
Caroline Myers – Solicitor
Joanne Boyle – Licensing Team Leader
Natalie Owen – Governance Officer

Date of Hearing: 27 September 2021

Time Commence: 6.30 p.m.

Time Terminated: 7.00 p.m.

LICENSING SUB-COMMITTEE DECISION

The Sub-Committee decided that the representation received from a local resident was a relevant representation.

The Sub-Committee noted that other representations from a local resident and a Ward Councillor had been withdrawn prior to the hearing.

The Governance Officer confirmed that Mr Smith (Representor) had been sent details of the meeting and the link to attend via Zoom. The Sub-Committee delayed the start of the meeting by several minutes however Mr Smith did not attend.

The Sub-Committee decided, in accordance with regulation 20(2)(b) of The Licensing Act 2003 (Hearings) Regulations 2005 to proceed with the hearing in Mr Smith's absence and consider the written representations made by him.

To grant a new premises licence as follows:-

Supply of Alcohol (Off Sales)
Monday – Sunday 08:00 – 22:00

An extra hour until 23:00 on Bank Holidays, Christmas Eve, New Year's Eve and Sundays immediately preceding a Bank Holiday Monday.

Opening Hours
Monday – Sunday 08:00 – 22:00

An extra hour until 23:00 on Bank Holidays, Christmas Eve, New Year's Eve and Sundays immediately preceding a Bank Holiday Monday.

CONDITIONS

Any mandatory conditions which must be included under the Licensing Act 2003.

ADDITIONAL CONDITIONS

Prevention of crime and disorder

A CCTV camera system capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the shop. Images will be retained for a period of at least 28 days and be made available to the Police upon request within a reasonable time period (meaning 48 hours) and in accordance with data protection legislation.

All staff selling alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop for inspection.

Any incidents of crime and disorder at or immediately outside the premises, witnessed by staff, will be recorded in an incident book(s) kept at the premises.

This book will be kept available for inspection.

Spirits will be kept behind the counter.

Public safety

Appropriate fire safety equipment to be available;

The PLH shall comply with other legislative requirements to ensure that the shop is safe for customers and staff.

Public nuisance

The DPS and staff will be vigilant and monitor the area immediately outside the shop to check that youths are not causing annoyance by congregating.

Deliveries to the premises will be arranged so as not to cause any public nuisance.

Notices will be on display in the premises asking customers to leave the premises quietly.

Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of, any litter from the premises.

Protection of children from harm

Challenge 25 shall be adopted and signage shall be on display.

Anyone who appears to be under 25 years old who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.

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A staff training scheme shall be used for staff authorised to sell alcohol. The training will cover responsible retailing including preventing under age sales. Refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities

A refusals register will be kept and be available for inspection by responsible authorities.

Notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

LICENSING SUB-COMMITTEE'S REASONS FOR REACHING ITS DECISION

The Sub-Committee considered the Licensing Act 2003 and regulations, the Guidance and the Council's Licensing Policy and the application, together with the information provided by all parties at the hearing.

The Sub-Committee heard from the Licensing Officer who presented their report.

The Sub-Committee was satisfied that the statutory requirements regarding notices, advertisements and time limits had been complied with.

The Sub-Committee noted that the applicant had included a number of additional measures on the operating schedule to illustrate how they propose to promote the four licensing objectives.

The Sub-Committee heard the applicant's plans for the premises from the applicant's representative. The premises would offer a range of retail products with alcohol as a part of that "convenience" offering. The premises had previously been licensed and the licence had been surrendered when the previous occupant had vacated the premises several months ago. The Sub-Committee noted that the applicant had amended the proposed opening hours on the application in line with other licensed retail premises in the vicinity and in response to the representations received, two of which had been withdrawn as a result. The applicant's representative advised the Sub-Committee that the applicant was SIA licensed, held a taxi licence (in a different local authority area) and that he is working to obtain a personal licence.

The Sub-Committee noted that the concerns raised by a local resident were mainly on the grounds of crime and disorder in relation to anti-social behaviour. The Sub-Committee noted that the police, as a Responsible Authority, had not submitted any representation in respect of the application.

The Sub-Committee carefully considered the concerns raised by a local resident in his written representation in his absence, and balanced those concerns with the interests of the applicant and the licensing objectives.

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The Sub-Committee granted the licence with the additional conditions as set out in the operating schedule proposed by the applicant and set out under the heading "Additional Conditions" above.

The meeting commenced at 6.30 pm and finished at 7.00 pm