

LICENSING SUB-COMMITTEE

22 MAY 2020

PRESENT

Councillor A. Duffield (in the Chair).
Councillors D. Jarman and D. Butt

In attendance

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

9. APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT COSTCUTTER, 92-94 PARK ROAD, TIMPERLEY, ALTRINCHAM WA15 6TF

The Head of Regulatory Services submitted a report informing Members of an application for the grant of a premises licence for Costcutter, 92-94 Park Road, Timperley, Altrincham, WA15 6TF which had attracted representations from local residents.

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

Representations were made in support of the application by Mr. C. Lockett, Lockett & Company and Ms S. Clover, Kings Chambers. Representations were made against the application by Ms N. Waterworth and Mr. R. Huntington, local residents.

RESOLVED –

- (1) That the application by Mr. M. Brown from Corrigan Lockett Limited on behalf of ASM Retail Limited for the grant of a premises licence for Costcutter 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 A Duffield (Chairperson)
Councillor D Jarman
Councillor D Butt

Applicant: ASM Retail Limited

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Type of Licence: **Grant of a Premises Licence: Costcutter, 92-94 Park Road, Timperley, Altrincham, WA15 6TF**

Representors: Local Residents – not in attendance

Mr. M. Hardman
Mr. and Mrs. S. Harris.
Mr. C. Madden
Mr. R. Taylor

Local Residents – in attendance

Mr. R. Huntington
Ms N Waterworth

Parties Present: On behalf of Applicant – in attendance

C. Lockett – Lockett & Co.
S. Clover – Kings Chambers

Officers

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

Date of Hearing: 22 May 2020

Time Commence: 4.09 p.m.

Time Terminated: 5 51 p.m.

LICENSING SUB-COMMITTEE DECISION

The Sub-Committee decided that the representations received from Local Residents are relevant representations.

To grant a new premises licence as follows:

Supply of Alcohol (Off sales)

Monday to Sunday 06:00 – 23:00

Opening Hours

Monday to Sunday 06:00 – 23:00

Additional Conditions

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

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Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

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.

The Sub-Committee carefully considered the concerns raised by local residents and balanced those concerns with the interests of the applicant and the licensing objectives.

The Sub-Committee noted that no representations had been received from the Responsible Authorities.

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

The Sub-Committee noted that local residents concerns included:

- Traffic and parking around the premises
- Early morning bread/milk deliveries
- No requirement for a convenience store in the area
- ATM situated outside of the premises

The Sub-Committee held that these matters did not fall within the four licensing objectives and therefore they could not impose conditions on the licence in respect of any of these issues.

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The Sub-Committee further noted that the residents believed that the end hour applied for on the licence of 23.00 was too late. The Sub-Committee found that there was no evidence to suggest that this closing time would cause any issues connected to the licensing objectives.

Residents raised concerns that the granting of the licence would cause anti-social behaviour in the area. The Sub-Committee found that there was no evidence to suggest this. Ms Clover on behalf of the applicant had stated that staff would be trained to deal with issues such as youths congregating outside the premises and CCTV would also be in use. The Sub-Committee noted that there are other similar shops on this parade on Park Road, and that the police as a responsible authority had not raised any representations in respect of the application, indicating that there were no issues with street drinking and associated crime in the area. The Sub-Committee also held that bringing the premises back into use following it being empty since its closure as a bank, could also discourage anti-social behaviour in the area.

Residents also raised concerns that litter would increase in the area associated with the opening of the premises. The Sub-Committee found that there was no evidence that there would be an increase in litter associated with the premises as purchases would generally be taken away from the area, to customers' homes, to be consumed. The Sub-Committee heard from Ms Clover on behalf of the applicant that a litter bin would also be provided and Costcutter staff would carry out litter picks outside the store.

Residents raised concerns that there would be increased noise in the area due to the premises. The Sub-Committee found that there was no evidence that this would be the case as customers would not necessarily arrive by car, they would also arrive at the premises on foot. The Sub-Committee found that Park Road is also a busy local route off the A56 and close to the Metrolink station.

The Sub-Committee decided to grant the licence with no additional conditions to those already agreed and detailed above.

The meeting commenced at 4.09 pm and finished at 5.51 pm