

Unconfirmed



Minutes of a Meeting of the **Licensing Sub-Committee** held via Zoom , on **Wednesday, 7 October 2020 at 10.00am**

Members of the Sub-Committee present:

Councillor Edward Back, Councillor Janet Craig, Councillor Mark Newton, Councillor Rachel Smith-Lyte

Other Members present:

Councillor Mary Rudd

Officers present:

Martin Clarke (Housing Projects Lawyer), Karen Cook (Democratic Services Manager), Leonie Hoults (Licensing Officer), Matt Makin (Democratic Services Officer)

Others present:

The applicants

1 Election of a Chairman

The Sub-Committee was comprised of Councillor Back, Councillor Craig and Councillor Newton. The reserve Member was Councillor Smith-Lyte.

It was proposed by Councillor Newton, seconded by Councillor Craig and, there being no other nominations, unanimously

RESOLVED

That Councillor Back be elected as Chairman for this meeting of the Licensing Sub-Committee.

2 Apologies for Absence

There were no apologies for absence.

3 Declarations of Interest

There were no declarations of interest.

4 Declarations of Lobbying and Responses to Lobbying

There were no declarations of lobbying.

5 Application for a new Premises Licence: Co-operative store, Sycamore Drive, Rendlesham

The Chairman invited all those present to introduce themselves and all parties confirmed they had received the formal report.

The Chairman asked the Licensing Officer if there had been any additional documentary evidence. The Licensing Officer confirmed that all information provided by the applicant was included with the report; however, she did add that since publication of the report, one objection has been withdrawn.

At the invitation of the Chairman, the Licensing Officer summarised the formal Committee report ES/0514, stating that an application had been made for a new premises licence for the Co-op at Sycamore Drive in Rendlesham. The reason for this hearing was that two relevant representations were made within the required 28 days statutory period. The representations were against the application. The applicant was provided with a copy of the representations, and they were attached as Appendix B to the report. The applicant also provided additional information on 24 September 2020, which included a new block plan for the site and a training aid for Co-op staff. This was sent to the persons who had made representations, and was included within the report as Appendix C. Since publication of the report one of the representations had been withdrawn and both the applicant and the Sub-Committee had been made aware of this.

The Chairman invited questions from the Sub-Committee to the Licensing Officer.

Following a question it was confirmed that there was one other licensed premises in the near vicinity to the Co-op, on Walnut Avenue, which was close to Sycamore Drive; the opening hours were Monday to Saturday 8 am to 11 pm, and Sunday 10 am to 10.30 pm.

The Chairman invited questions from the applicant's representatives to the Licensing Officer; there were none.

The Chairman invited questions from the Legal Adviser to the Licensing Officer; there were none.

The Chairman invited Mr A, the applicant's representative, to address the Sub-Committee. Mr A, firstly, provided some background in respect of the Co-op brand and he also outlined its aspirations going forward. Mr A then commented that, all being

well, and he said that today was a significant part of all being well, a new retail unit which was being built in Sycamore Drive would open as a Co-op convenience store at the end of 2021. Mr A referred the Sub-Committee to the block plan within the agenda pack; this he said was a location plan that would provide an idea of the immediate locality, which he hoped would be of assistance. Being a convenience store, Mr A said, part of the convenience to customers, whether they were popping in for the family shop or “topping up” was for them to be able to buy alcohol as well as everything else that they might need. Typically though, Mr A stated, with a store of that sort of size and in that locality, alcohol would only represent around 15% of turnover.

Mr A advised the Sub-Committee that the Co-op understood its responsibilities and was well aware of what was expected by the licensing authority, the responsible authorities and neighbours etc. As such, it invested a lot of time to ensure that it did not let anybody down; it had very sophisticated policies and procedures in place, and he outlined those in detail which included staff training procedures. Mr A was confident that the Co-op had sufficient supervision of each individual member of staff which protected them, the Co-op, and the community.

Mr A referred to CCTV, and advised that there would be 15 internal cameras and five external cameras. He said that a very good system was in place which was being continually developed. It was his view that it was the best system in the industry, being very sophisticated.

Mr A then referred to the tills and commented that each individual product was bar coded and when scanned through the till, the till recognised it as, for instance, alcohol, and the screen then prompted the cashier to go through the process that would satisfy themselves that the person that was stood in front of them was able to purchase alcohol and was somebody that the Co-op wanted to sell alcohol to. It was only when that the process was complete that the till would allow the transaction to be completed.

Mr A referred to the layout of the store and said that it would be very simple, one way in and one way out, and would be easy to supervise and easy for the customers to move around.

Mr A referred to staff and commented that up to 20 members of staff would be employed and there would be three personal licence holders in place.

Mr A stated that the Co-op was very community minded, having regional committees of its local members, and they decided which local good causes they wished to support.

Turning to trading hours, Mr A advised the Sub-Committee that the intention would be

to trade between the hours of 6.00 am and 11.00 pm, and the wish was to sell alcohol throughout that period. Mr A acknowledged that not many people wished to purchase alcohol at 6.00 am in the morning, but he referred to those people who might wish to do their shop early in the morning, because it was convenient for them, then the Co-op wished to be able to sell alcohol at that time and for the convenience of its customers.

Mr A referred to the fact that there were no objections from any responsible authorities; he commented that he had spoken with the local licensing police officer, and he quoted his words "No anti social behaviour to speak of round there, used to get problems because of a nearby bar, but that was because of the previous owner, long gone, nothing much happens there." Mr A commented that the local licensing police officer described the Co-op as "top notch and brilliant around here".

Mr A commented that there was one local objector, with one objection having been withdrawn.

At this point in the meeting, the meeting host advised that the Chairman had very briefly lost connection to the meeting; the meeting host was currently re-admitting them.

Upon admittance to the meeting, the Chairman confirmed that he had lost connection for approximately five minutes.

Clarification was provided as to exactly when the Chairman had lost connection, and how much of Mr A's presentation he had missed. Mr A repeated that part of his presentation for the benefit of the Chairman.

Mr A turned to the one objection which had been withdrawn, and commented that, in his view, it was linked to the other representation which had not been withdrawn. The objector, who had withdrawn his objection, was the licensee at the local off license, just around the corner. Mr A commented on the licence held by that objector and said the licence contained one condition only, stating that alcohol should not be consumed on the premises; this was the law anyway.

Mr A commented in detail on the contents of the objection made by the objector, which had been withdrawn. Mr A disputed/countered much of the content.

The Chairman invited questions from the Sub-Committee to Mr A.

A member of the Sub-Committee asked if there would be live CCTV monitors within the

store and if the screens would be constantly monitored. Mr A, in response, confirmed that there would be live CCTV; the monitors would be visible at the tills by the cashiers.

A member of the Sub-Committee referred to the checkouts being adjacent to where the alcohol would be displayed for sale and Mr A confirmed this stating that the entire area would be licensed because sometimes promotions would take place. Spirits would generally be kept behind the counter.

A member of the Sub-Committee referred to the self checkouts and asked what the procedure would be if somebody tried to check out an age related product. Mr A, in response, commented that all products would be bar coded and so if this happened a buzzer would go off. A member of staff would then attend the till and deal with the matter.

The Chairman invited questions to the applicant's representative from the Licensing Officer; there were none.

The Chairman invited questions to the applicant's representative from the Legal Advisor, who asked if the CCTV system would cover the entire car park area, Mr A responded that he was unable to answer that question; however, he commented that that area was not the subject of the licensing application.

In response to a further question in respect of high strength, low cost alcohol, the Legal Advisor asked if the Co-op had a policy in respect of this. Mr A stated that the Co-op tended not to sell low cost high strength, but it did sell high strength. He provided examples of beers and ciders.

The Legal Advisor asked if the Co-op operated a minimum price per unit policy; it was confirmed by Mr A that it did not.

Finally, referring to the complaints procedure that was operated by the Co-op, the Legal Advisor asked if this would be advertised within the store. Mr A confirmed that there were two ways that customers could provide feedback, firstly something called Your Store – Your Say, that was actively promoted within the store, and secondly, the customer care line referenced on till receipts.

At this point referring to the point within the meeting that the Chairman had lost connection, the Democratic Services Manager asked the Legal Advisor if he was content that the Chairman had heard the complete presentation by Mr A. The Legal Advisor provided confirmation that he was content, albeit the summary provided by

Mr A was slightly more brief the second time; however, the essential points had been made.

The Chairman invited the Licensing Officer to sum up; she confirmed that she had nothing to add.

The Chairman invited the applicant to sum up; he confirmed that he had nothing to add.

At this point the Sub-Committee, with the Legal Advisor and the Democratic Services Manager, adjourned to consider its decision.

DECISION NOTICE

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"The Co-operative Group Food Limited applied for a premises licence on 18 August 2020 at the Co-Op, Sycamore Drive, Rendlesham, IP12 2BF to permit the sale of alcohol from 06.00 hours to 23.00 hours seven days per week.

This Sub-Committee meeting has been held as representations were received against the application.

The Sub-Committee heard from Leonie Hault, Licensing Officer, on behalf of the licensing authority, Mr A, Solicitor, and Mr B, Area Manager, on behalf of the Co-op. The Sub-Committee also considered an objection dated 14 September 2020. A further objection dated 14 September 2020 was received but was withdrawn prior to the hearing and therefore the Sub-Committee has not considered this objection.

The Licensing Sub-Committee has also considered the Licensing Act 2003 and the need to promote the four licensing objectives, the Secretary of State's 182 Guidance on the Licensing Act 2003 and East Suffolk Council's Statement of Licensing Policy.

The Sub-Committee's decision

After considering the application and the representations, both written and oral, the Sub-Committee is satisfied that the applicant has demonstrated that it is able to promote the four licensing objectives and that the conditions proposed in the application are sufficient to ensure that the licensing objectives will be met.

In particular the Licensing Sub-Committee noted that a sophisticated CCTV system will be installed, with recordings stored for a minimum of 28 days; that a robust challenge 25 scheme will be implemented with regular refreshment training for staff members; that it is intended that there will always be a person present on the premises who has a personal licence; and that there will be a complaints procedure available for members of the public.

In relation to the objection raised, the Licensing Sub-Committee noted that any objection must be evidence based. In relation to the issue of potential street drinkers, there is no evidence that there is a problem with street drinking in the area local to the premises. In relation to the school, the school has not made an objection, and it is noted that this is a primary school, and therefore the Sub-Committee considers it highly unlikely that any of the children would be able to defeat the applicant's challenge 25 system.

The objector also commented in respect of traffic and noise; however this is not a matter for the Licensing Sub Committee. The applicant did, in relation to litter, indicate that it would provide bins. Given this, the Licensing Sub-Committee is of the view that the applicant has successfully shown that it can manage the issues raised by the objector.

The Licensing Sub-Committee notes, and the applicant has pointed out, that if there are any incidents which cause the licensing authority concern that the licensing objectives are no longer being met, the licence can be reviewed.

Therefore, the Sub-Committee has decided to grant the applicant's application for a premises licence to serve alcohol from 06.00 hours to 23.00 hours for consumption off the premises seven days per week. This licence will be subject to the conditions proposed by the applicant in its application.

Any person aggrieved by the granting of this licence may, within 21 days of the date of this Notice, appeal to the Magistrates' Court. Any person can make an application to the licensing authority for a review of the premises licence if they believe the licensing objectives have been compromised by the applicant at any time.

Dated: 7 October 2020"

The meeting concluded at 12.06pm

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Chairman