

LICENSING SUB COMMITTEE

4 September 2017
10.00 am - 12.00 pm

Present: Councillors Gehring, Pippas and Smart

Officers

Licensing Officer: Luke Catchpole
Licensing Enforcement Officer: Trish Kaye
Legal Advisor: Richard Ricks
Committee Manager: Emily Watts

Present for the Applicant

Applicant: Mr Anwar Hussain
Applicant's Colleague: Mr Spencer Fowler

FOR THE INFORMATION OF THE COUNCIL

17/15/Lic Appointment of a Chair

Councillor Pippas was appointed as Chair for the meeting.

17/16/Lic Declarations of Interest

No declarations of interest were made.

17/17/Lic Meeting Procedure

All parties noted the procedure.

17/18/Lic Golden Spice Hearing

The Licensing Officer presented the report and outlined the application.

Applicant

Mr Hussain made the following points:

- i. Golden Spice was a family run business operating from this site since 2003. It valued strong community relations and made effort to employ people from the surrounding area.
- ii. The business had recently won a number of awards for its produce. This application to supply alcohol was in response to an increasing demand from customers.
- iii. Responding to the written objection relating to a supposition of gangs potentially congregating around the premises, he confirmed that he was unaware of any such behaviour with no reported incidents.
- iv. Affirmed that the application had been thoroughly considered. Before making it the police and licencing officers had been consulted to outline the licencing conditions.
- v. Outlined that alcohol could not be purchased on its own, a main meal needed to be purchased in order for alcohol to be supplied.
- vi. Stated that the fridge containing the alcohol was not in public view and alcohol was not permitted to be consumed on the premises.
- vii. Confirmed that all staff would be fully trained on the Challenge 25 protocol and no alcohol would be supplied without identification being checked first. Only the applicant and a senior colleague Mr Fowler would be physically dispensing the alcohol.

Member Questions

In response to Members' questions the Licensing Officer confirmed:

- i. If Members were minded to grant the license it would take effect from 4 September 2017.
- ii. Clarified that in granting a license to the applicant, other members of staff would also be able to dispense alcohol from the premises; separate licenses were not legally required for each member of staff.
- iii. If any of the conditions set out in the license were breached the license could be reviewed.
- iv. The forecourt was not currently included on the plan outlining the premises and therefore could not be considered as the part of the property in relation to the license and the consumption of alcohol. Members could add a condition and specify that the forecourt be included in the plan if they were minded to do so.

Applicant

In response to Member's questions Mr Hussain made the following points:

- i. When orders for alcohol were made over the phone the customer would be informed that identification would need to be shown to the delivery driver. If it could not be provided the alcohol would not be supplied and the customer would be refunded.
- ii. A maximum of four bottles of beer could be purchased per meal.
- iii. Confirmed that third party delivery drivers would never be used. All delivery drivers were employed directly and received trading standards approved training which would be refreshed every 6 months.
- iv. CCTV operated outside the premises. If customers appeared drunk when attempting to purchase alcohol they could be refused. If people began to congregate outside they would be respectfully asked to move on.

Members withdrew at 10:55am and returned at 11:55 am. Whilst retired, and having made their decision, Members received legal advice on the wording of the decision.

Decision

The Sub Committee resolved to grant the licence including all conditions of Appendix B save for the requirement to sell only a higher class of wine will be available. The sub-Committee felt that this condition was too vague to be practical.

The Sub Committees reasons for reaching the decision are as follows:

1. Long term responsible business
2. Acceptance of all conditions
3. Prior consultation with council
4. Satisfied that the licence objectives will be advanced.
5. Satisfied that conditions would take care of concerns expressed.

The meeting ended at 12.00 pm

CHAIR