

LICENSING HEARING

Minutes of the meeting held on 11 August 2014 commencing at 10.30 am

Present: Cllrs. Abraham, Mrs. George and Orridge

Also present	Mr. J. Wallsgrove	-	Solicitor for Marks and Spencer
	Ms. J. Milner	-	Marks and Spencer Representative
	Mr. A. Milana	-	Objector
	Mrs. L. Leeds	-	Licensing Officer
	Ms. S. Lee	-	Licensing Officer
	Mr. D. Lagzdins	-	Legal Advisor
	Mrs. C. Sinclair	-	Acting Democratic Services Officer

1. APPOINTMENT OF CHAIRMAN

Resolved: That Cllr. Orridge be appointed as the Chairman of the meeting.

2. DECLARATIONS OF INTEREST

There were no additional declarations of interest.

3. APPLICATION FOR A PREMISES LICENCE FROM MARKS AND SPENCER PLC, 35 NORTH WHARF ROAD, PADDINGTON, LONDON. W2 1NW FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application for a new Premises Licence under the Licensing Act 2003. The application was made by Marks and Spencer Plc for the premises of 66 London Road, Sevenoaks, TN13 1AU. It was noted that objections had been received and that accordingly the application had been referred to the Sub Committee for determination.

The Hearing heard from Mr. Wallsgrove the applicants Solicitor and from Mr. Milana who was an objector to the application.

Mr. Wallsgrove advised the Hearing that the hours that had been applied for were not the likely trading hours and that it was likely that the trading hours would be same as those for the Marks and Spencer Simply Food store currently in Blighs Meadow. The hours had been applied for to allow flexibility for extended hours during seasonable times in the year, particularly during the Christmas season, rather than applying for variations to the licence or for Temporary Event Notices. He advised that all new applications for premises licences made by Marks and Spencer Plc were from 6 a.m. to 12.00 a.m.

In order to promote the licensing objectives CCTV would be installed and a Challenge 25 policy would be in place. Staff were trained before they were allowed to work at a point of sale and staff in the restaurant area would have enhanced training.

Licensing Hearing - Monday, 11 August 2014

Members asked questions of clarification of the Applicants and were advised that due to Sunday trading hours they traded for 6 hours, however the hours applied for gave flexibility should there be a change in law.

The Hearing heard from Mr. Milana who was speaking on behalf of the residents of Pembroke Road. They objected to the application on the grounds that the supply of late night alcohol would result in crime and disorder and public nuisance to residents and children being disturbed by loitering after the closing of bars.

The Hearing was advised that the existing Marks and Spencer Simply Food store, Unit SU2 Blighs Meadow London Road Sevenoaks Kent. TN13 1DA opening hours were from 12 a.m. to 12 a.m. and the licensable hours were from 8 a.m. to 11 p.m. Monday to Saturday and on Sundays 9a.m. to 10.30 p.m.

At 11:08 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and the Clerk to the Hearing for the purpose of providing advice only.

At 11:40 a.m. the Hearing Members Council's Legal Advisor and the Clerk to the Hearing returned to the Council Chamber.

The Chairman advised the Hearing that the Sub-Committee had had regard to the Licensing Objectives, to the guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. He advised that the licence was to be granted subject to conditions. The licensing hours for sale of alcohol for consumption off the premises would be from 6a.m. to 11p.m. rather than until 12a.m. as was applied for. This was in the interests of the prevention of crime and disorder and the prevention of public nuisance.

It was therefore,

Resolved: That a Premises License in respect of Marks and Spencer PLC, 66 London Road, Sevenoaks, TN13 1AU subject to the conditions contained in the licence attached as an appendix to these minutes be granted.

Notice of Determination

THE MEETING WAS CONCLUDED AT 11.44 am

Chairman