

LICENSING COMMITTEE – LICENSING HEARING

Minutes of the meeting of the Licensing Hearing
held on 15 April 2010 commencing at 11:35 a.m.

Present: Sub-Committee C: Cllrs. Loney, McInnes and Pett (substituting for Cllr Davison)

Also present: Mr R. Barathon - Applicant
Mr R. Jordan - Applicant's agent
Ms L. Felton - Principal Solicitor
Mrs L. Leeds - Licensing Officer
Mr R. Keatley - Democratic Services Officer
Members of the public

1. ELECTION OF CHAIRMAN

Resolved: That Cllr. Loney be appointed Chairman of the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest in respect of any matter discussed or voted on at the meeting.

3. APPLICATION FOR A PREMISES LICENCE FROM THE KEMSING NEWS, 1 THE PARADE, DYNES ROAD, KEMSING, SEVENOAKS, KENT TN15 6RE FOR APPLICATION UNDER THE LICENSING ACT 2003

The Hearing gave consideration to the report by the Community and Planning Services Director giving details of an application for a premises licence at Kemsing News from Mr Rudramoorthy Barathan, 1 The Parade, Dynes Road, Kemsing, Sevenoaks, Kent, TN15 6RE.

The Hearing heard from the applicant's agent who explained that the applicant had over 20 years experience in the industry and in administering age related sales, including alcohol. The applicant had also held a personal licence since 2006.

The Hearing heard from the applicant who explained that he lived in the village in a dwelling above the premises and would be present in the premises during a significant proportion of its opening hours. The applicant also had friends and family in the industry.

At the discretion of the Chairman, the Hearing also heard from three "witnesses", the previous business owner, an employee at the premises and a customer. All three highlighted the responsible conduct of the applicant in the administration of his business.

The Hearing also heard that there were three takeaway food restaurants within close proximity to the premises which were open similar hours.

Following questions from Members it was explained that:

The applicant expected to be on the premises during most of the opening hours.

In the applicant's absence staff would be trained and authorised to sell alcohol on his behalf. If the applicant was to be away for a prolonged period of time, for example on holiday, he had family in close proximity who were also personal licence holders, who could help run the business on his behalf.

The applicant had 20 years experience in age related sales and had plans to introduce a robust refusals policy.

The premises already had CCTV in place inside. As part of the refitting of the premises it was planned to introduce additional CCTV measures outside of the premises.

At 11:55 a.m. the Hearing adjourned

At 12:10 p.m. the Hearing reconvened.

It was unanimously

Resolved: That the licence be granted:

- (a) To allow the sale of alcohol for consumption off the premises every day from 09:00 hours until 21:15 hours.
- (b) Hours premises open to the public every day from 06:00 hours until 21:15 hours.

To add the conditions on the on the Licence as follows:

Mandatory Conditions:

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

THE MEETING WAS CONCLUDED AT 12:14 P.M.