

LICENSING HEARING

Minutes of the meeting of the Licensing Hearing held on 2 April 2012 commencing at 10.30 am

Present: Cllrs. Clark, Raikes and Walshe

Also present: Mr. P. Lloyd - Applicant's Representative
Mr. M. Ponnampalam - Applicant
Mr. A. Spackman - Applicant
Mrs. J. Bolton - Licensing Officer
Mr. D. Graham - Legal Adviser
Mr. D. Lagzdins - Democratic Services Officer

1. APPOINTMENT OF CHAIRMAN

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

2. DECLARATIONS OF INTEREST.

No declarations of interest were made.

3. MILL HILL SERVICE STATION AND LONDIS CONVENIENCE STORE, PETROL FILLING STATION, MILL HILL, EDENBRIDGE

The Hearing gave consideration to a report by the Community and Planning Services Director giving details of an application under the Licensing Act 2003 for a premises licence at the Mill Hill Service Station and Londis Convenience Store, Petrol Filling Station, Mill Hill, Edenbridge, Kent. 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 the applicant's representative who explained that the licence would allow the provision of a full range of convenience products for local people and therefore assist the viability of the applicant's business at a time when service stations were struggling to remain profitable. The agent felt that the representations made had not addressed the 4 Licensing Objectives and he noted that there were only 3 comments from the 34 dwellings in the immediate vicinity to the premises. He added that any existing problems from alcohol in the area were not due to the applicant and that any concerns about existing anti-social behaviour should be raised with the police.

The agent explained that the site manager was an experienced retailer with a personal licence who already sold age-restricted goods. The Applicant, Petrocell was also experienced and had other Licensed Premises. They had not failed any test-purchases and no licences had been revoked under the Licensing Act 2003.

The Sub-Committee noted that none of the objectors had attended the Hearing.

Members were concerned the CCTV might not cover the entirety of the alcohol cabinets. The Managing Director of the Petrocell was happy to move or add further cameras to remedy this.

Licensing Hearing - Monday, 2 April 2012

In response to questions the Agent confirmed they would run a Challenge 25 age-verification policy. Members were handed a copy of the training manual used to train staff. The current refusal book was used only once or twice per week.

The Agent for the Applicant clarified that in the period July to December 2011 the shop had 70,500 transactions which included shop items and 61,000 which included fuel. 21,000 of the transactions included both goods from the shop and fuel whereas 44,000 involved just fuel.

At 11.12 a.m. the Hearing Members and the Council's Legal Advisor withdrew to consider the issues raised.

At 11.54 a.m. the Hearing Members and the Council's Legal Advisor returned to the Council Chamber.

It was moved, seconded and unanimously-

Resolved: That a Premises Licence in respect of the Mill Hill Service Station and Londis Convenience Store, Petrol Filling Station, Mill Hill, Edenbridge, Kent, subject to the conditions contained in the licence attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 12.05 pm

Chairman

Notice of determination for application premises licence

To: PETROCELL HOLDINGS LIMITED, 274-278 WICKHAM ROAD, SHIRLEY,
CROYDON, SURREY CR0 8BJ

Of: MILL HILL SERVICE STATION AND LONDIS CONVENIENCE STORE, PETROL
FILLING STATION, MILL HILL, EDENBRIDGE, KENT. TN8 5NG

Ref: 12/00405/LAPRE

Sevenoaks District Council being the licensing authority, on the 6 February 2012 received an application for a premises licence in respect of premises known as Mill Hill Service Station and Londis Convenience Store, Petrol Filling Station, Mill Hill, Edenbridge, Kent TN8 5NG.

On the 2 April 2012 there being valid representations which were received and had not been withdrawn, a hearing was held to consider these representations and, having considered them, the Licensing Sub-Committee determined as follows:

To grant the Premises Licence:

Section M: To allow sale of alcohol every day from 06:00 hours until 22:00 hours for consumption off the premises.

Section O: Hours premises are open to the public every day from 06:00 hours until 22:00 hours.

To add the conditions on the Licence as follows:

Mandatory Conditions:

The supply of alcohol

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.

Other Conditions

- (1) All members of staff who sell alcohol shall be trained in accordance with the training manual, which the Applicant has submitted and entitled Alcohol Training Manual for Retail Sales Staff, or such other training manual as the Licensing Authority shall approve from time to time. The Licensee shall certificate in writing the satisfactory completion of this training for each member of staff. Each member of staff who sells alcohol shall undergo this training annually and undergo annual recertification.

- (2) Staff selling alcohol shall operate the following policy (“the Proof of Age Policy”)
- All customers appearing to a member of staff to be aged 25 or younger shall, when attempting to buy alcohol-containing products, be required to provide proof of age before they are sold the products. The member of staff shall not sell the products to that individual unless he or she is satisfied that the individual has attained 18 years of age.
- The following shall be the only acceptable forms of proof of age:
- (i) valid passport;
 - (ii) photo-card driving licence issued by an EU member state; or
 - (iii) such card as is accredited by the Home Office National Proof of Age Standards Scheme (PASS).
- (3) The Proof of Age Policy shall be prominently and legibly displayed on notices of at least A4 size, which shall be placed:
- (i) at the entrance;
 - (ii) at or within 2 metres of the shelves or cabinets in which the alcohol is displayed for sale; and
 - (iii) at the point of sale.
- (4) The Licensee shall ensure that at all times:
- (i) the shelves or cabinets in which alcohol containing products are displayed for sale are within the field of vision of a CCTV camera; and
 - (ii) there shall be a CCTV camera capable of clearly recording both audio and video footage of sale transactions.
- (5) All CCTV cameras shall:
- (i) be capable of recording footage and sound of sufficient quality to be used in a Court of Law; and
 - (ii) be maintained in full working order.
- (6) All audio and video recording shall be stored in a digital format and a backup copy of each day’s recordings shall be made at the end of each day. All recordings, both original and backup copies, shall be retained for 31 days.
- (7) The Licensee shall ensure that at all times when the premises are open there are sufficient staff to monitor the CCTV live footage relating to the alcohol-containing products.
- (8) There shall be a Panic Attack button in the counter area, which is linked to the local police control.
- (9) The Licensee shall maintain a Refusal Book to record all refusals of sale, which shall be installed before trading.

Reasons: In order to promote the Licensing Objectives of preventing crime and disorder and protecting children from harm as well as to further clarify the operating schedule, as proposed by the Applicant.

This licence granted at the Hearing is effective from the 2 April 2012.

Dated: 2 April 2012

Signed

Chair – Licensing Hearing

Signed

Designation –

Please address any communications to:

Licensing Regime
Community and Planning Services
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

