

LICENSING HEARING

Minutes of the meeting
held on 2 December 2013 commencing at 10.30 am

Present: Cllrs. Mrs. George, Orridge and Mrs. Parkin

Also present Mr. S. Patel - Applicant
 Mr. A. Burton - Objector (Sevenoaks School)
 Miss. H. Tebay - Objector (Sevenoaks School)
 Mrs. L. Leeds - Licensing Officer (SDC)
 Mr. D. Lagzdins - Legal Advisor (SDC)
 Miss. C. Shacklock - Acting Democratic Services Officer (SDC)

1. Appointment of Chairman

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

2. Declarations of Interest

There were no additional declarations of interest.

3. Application For A Premises Licence From (The) Old Post Office, 13 High Street, Sevenoaks, Kent. TN13 1HZ

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application under the Licensing Act 2003 for a premises licence at The Old Post Office, 13 High Street, Sevenoaks, Kent, TN13 1HZ. 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 who explained that the application was made due to economic circumstances and other options such as groceries and stationery had been tried previously but they were not viable. Business had slowed down since the closure of the Post Office section.

In response to a question from the Sub Committee, the Applicant confirmed that the alcohol would be stored behind the counter.

The hearing heard from a representative from Sevenoaks School who reported that there were 1,200 students whose ages were between 11 and 18. 300 of the students boarded at the school. Even if they were over the age of 18 they were not allowed to consume alcohol on the school's sites as they were under the school's protection. There was a good relationship between the Applicant and the Objectors as many of the students were regular users of the shop. Concerns had been raised with the school's Pastoral Deputy Head about alcohol being sold at such proximity to the site which would expose the children to risk. There had been reports of the use of fake IDs. There had also been incidents with members of the public of physical and verbal abuse from other licensed premises in Sevenoaks.

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The Hearing heard from the Applicant who explained that he had been running the shop since 1993, that he knew most of the students and did not sell cigarettes to students from the school.

The Sub Committee noted that there was a good relationship between both parties.

At 10.58 a.m. the Sub-Committee agreed to an adjournment to allow the Applicant and Objectors to discuss whether a solution acceptable to all parties could be put to the Sub-Committee.

At 11:12 a.m. the Hearing Members, Council's Legal Advisor and Clerk to the Hearing returned to the Council Chamber.

The Objectors explained that there had not been an agreement. The applicant was concerned that if the sale of alcohol were restricted to after school hours it mean the loss of passing trade and so would be detrimental to his business.

At 11.15 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 11.30 a.m. the Hearing Members, Council's Legal Advisor and the Clerk to the Hearing returned to the Council Chamber.

The Objectors explained that a new proposal had been reached that the premises would be licensed to sell alcohol on Monday to Saturday from 09.00 hours to 13:00 hours, 14:30 hours until 16:15 hours and 16:45 hours until 23:00. There would be no amendments to the proposed Sunday hours. Mr Patel agreed with the change of hours.

The Chairman informed 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. It was moved that the licence be granted subject to the agreed changes and it was unanimously,

Resolved: That a Premises Licence in respect of The Old Post Office, 13 High Street, Sevenoaks, Kent, TN13 1HZ subject to the conditions contained in the licence attached as an appendix to these minutes.

THE MEETING WAS CONCLUDED AT 11.35 am

Chairman

Notice of determination for application premises licence

To: OLD POST OFFICE (THE)
of: 13 HIGH STREET, SEVENOAKS, KENT, TN13 1HZ
Ref: 13/01611/LAPRE

Sevenoaks District Council being the licensing authority, on 4 October 2013 received an application for a premises licence in respect of premises known as Old Post Office (The), 13 High Street, Sevenoaks, Kent, TN13 1HZ

On the 2 December 2013 there being a valid representation which was received and had not been withdrawn, a hearing was held to consider the representation, and having considered them the Licensing Sub-Committee determined as follows:

To grant the Premises Licence:

Section M: To allow sale of alcohol for consumption off the premises on Monday to Saturday from 09:00 hours until 13:00 hours, 14:30 hours until 16:15 hours and 16:45 hours until 21:00 hours. On Sunday from 07:00 hours until 15:00 hours.

On Christmas Eve until 23:00 hours.

Section O: Hours premises are open to the public on Monday to Saturday from 07:00 until 21:00 hours. On Sunday from 07:00 hours until 15:00 hours.

On Christmas Eve until 23:00 hours.

To add the conditions on the Licence as follows:

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.

Mandatory Conditions in force from 6 April 2010

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request,

Minute Annex

before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

This licence granted at the Hearing is effective from the 2 December 2013

Dated:

Signed

Chair – Licensing Hearing

Signed

Designation – Licensing Officer

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

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.