

LICENSING HEARING

Minutes of the meeting
held on 9 May 2014 commencing at 10.00 am

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

Also present	PC 9923 Mark Beresford	-	Applicant
	Mr. S. Parameswaren	-	Objector
	Mrs. V. Parameswaren	-	Objector
	Miss. E. Dring	-	Objector's Legal representative
	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. Clark be appointed as Chairman of the meeting.

2. Declarations of Interest

There were no additional declarations of interest.

3. Application For A Review Of The Premises License Under The Licensing Act 2003 For Sans Minimarket, 2 Station Parade, London Road, Sevenoaks, Kent. TN13 1DL

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application for a review of the premises licence under Section 51 of the Licensing Act 2003 for Sans Minimarket, 2 Station Parade, London Road, Sevenoaks, Kent, TN13 1DL on the grounds of the licensing objectives the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

The Chairman advised the Hearing that the Sub-Committee had been shown the CCTV footage prior to the meeting. Both parties confirmed that they had seen also seen the footage and were happy for the meeting to continue.

The application stated that on 21 February 2014 a 20 year old male entered the store and purchased alcohol. He left the store and purchased alcohol. He left the store, joining a group of youths standing directly outside the entrance, who were under 18 years old and that it was very likely this alcohol was supplied to them. Staff failed to take reasonable steps to either confirm who the alcohol was going to be supplied to, their ages or to refuse the sale.

The Hearing heard from PC Beresford, the applicant on behalf of Kent Police who tabled a timeline of incidents for the Hearing's consideration and heard from Miss Dring (Legal representative for Sans Minimarket).

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The Panel were shown a still image of the CCTV footage with regards to the communication between the youths. In response to questions from the Sub-Committee PC Beresford confirmed that five arrests were made from that group of youths. One was arrested before the sale at Sans Minimarket and the 4 other youths were arrested after the sale. Criminal damage had been made in the Sevenoaks area.

A witness statement from Mr. Parameswaren was tabled for the Hearing's consideration.

The Hearing heard from the legal representative for Sans Minimarket. They accepted the severity of the incident and had cooperated with the Police investigation. She advised the Sub-Committee that Mr. Parameswaren had held the premises license for Sans Minimarket for 12 years with no incidents and had also held one for 25 years in Greenhithe again with no incidents. Many of the conditions suggested had already been implemented.

In response to questions she confirmed that in due course four personal licences would be held by employees, as an application had been submitted by the Manager and Mr Parameswaren son. It was confirmed that the youth had been banned from the shop.

It was suggested by the Panel that in the future it could be worth considering the shop safe and Bottlewatch scheme PC Beresford Confirmed he was happy with the removal of the proposed conditions 3 and 5.

At 10:45 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 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 summarised the conditions and that the suggested conditions of 1, 2, 4 and 7 had already been implemented before the hearing. The Sub-Committee agreed that suggested condition 3 should be on the premises licence, however would allow for the time delay on the condition.

It was therefore unanimously,

Resolved: That the six additional conditions as set out in the licence attached as an appendix to these minutes be added to the premises licence.

THE MEETING WAS CONCLUDED AT 11.40 am

Chairman