

LICENSING SUB-COMMITTEE

Friday, 27th April, 2012 at 10.30 a.m.

Conference Room, Council House, Walsall

Present

Councillor Sears (Chairman)
Councillor Rochelle
Councillor Sarohi

In attendance

Mr P Samarakis – Solicitor for Midcounties Co-operative Society
Donna Hunter – Midcounties Co-operative Manager
Steven Knapper - Principal Licensing Officer, Walsall MBC
Paul Green - Legal Services, Walsall MBC

Appointment of Chairman

Resolved

That Councillor Sears be appointed Chairman of the Licensing Sub-Committee for this meeting only.

Councillor Sears in the Chair

Welcome

The Chairman extended a welcome to all persons present at the Licensing Sub-Committee which had been established under the Licensing Act, 2003.

Apologies

There were no apologies submitted for non-attendance.

Declarations of Interest

There were no declarations of interest.

Licensing Hearing

Application for a Premises Licence under Section 17 of the Licensing Act, 2003 – The Midcounties Co-operative, Hawes Close, Walsall WS1 3HQ

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and indicated that the application for the Premises Licence in respect of the Midcounties Co-operative had been received on 2nd March, 2012. The completed application included the proposed layout on the premises and the steps to be taken to promote the licensing objectives. He drew the Licensing Sub-Committee attention to Paragraph 3.3 of the report which showed the times when the sale of alcohol for consumption off the premises were proposed and the opening times for the premises.

Mr Knapper reported that the application had been advertised in the correct manner and that mediated conditions had been agreed with West Midlands Police. There had been no representations from other responsible authorities. There had been one representation from an interested party (Appendix 3 refers) which had not been mediated. Mr Knapper drew the Licensing Sub-Committee's attention to Paragraph 4.2 which explained the legal requirements for relevant representations under the act.

Mr Samarakis had no questions for Mr Knapper. Members had no questions for Mr Knapper.

Mr Samarakis (Applicants' Solicitor) was invited to present the Co-operative's case and informed the meeting that the application for the Premises Licence had been made by Midcounties Co-operative whose headquarters had been based in Walsall until recently. It was now in Warwick following a merger with the Oxford and Warwick area. He advised the meeting that Donna Hunter would be the Store Manager and would liaise with local residents once on site. The proposal was for a convenience store to serve local residents which would incorporate a Post Office. Wine and beer would be sold from an area clearly visible from the checkout point and full CCTV would be provided in accordance with Police requirements.

Mr Samarakis referred to Mrs Kausar's concerns contained in a letter dated 23rd March, 2012 (Appendix 3 refers) and stated that they would be dealt with. He drew the Licensing Sub-Committee's attention to the company's age restriction policy which refused to sell alcohol to anyone under 18 years of age. The company would also refuse to sell to adults whom it appeared might be trying to purchase alcohol for under age drinkers. The store would also try to deter young people from hanging around the premises.

Mrs Hunter (Store Manager) stated that she would visit Mrs Kausar and hopefully allay her concerns.

Mr Knapper had no questions for Mr Samarakis.

Councillor Rochelle referred to the problem of littering around the store and asked if a litter bin could be provided outside the premises and that staff could be encouraged to keep the frontage free from litter. Mr Samarakis replied that the store's frontage and curtilage would be kept clear of litter by staff. He added it was company policy to keep the premises clear to promote a good customer experience.

Donna Hunter confirmed that a litter bin would be provided outside the store.

Both parties were invited to sum up and Mr Knapper drew the Licensing Sub-Committee's attention to Paragraph 4.2 of the report. Mr Samarakis indicated that he had nothing further to add.

Both parties withdrew from the meeting at 10.45 a.m.

The Licensing Sub-Committee considered carefully all the written evidence submitted and the representations made at the hearing, following which it was

Resolved

That the Licensing Sub-Committee grants a Premises Licence under 17 of the Licensing Act 2003 in respect of The Midcounties Co-operative, Hawes Close, Walsall WS1 3HQ subject to standard licensing conditions and the mediated conditions agreed with West Midlands Police.

The Licensing Sub-Committee is satisfied that these conditions are necessary based on the evidence and are proportionate to promote the Licensing objectives.

Both parties were re-admitted to the meeting at 10.48 a.m. and advised of the Licensing Sub-Committee decision and right of appeal to the Local Magistrates Court within 21 days of receipt of the decision letter.

Termination of meeting

The meeting terminated at 10.50 a.m.

Chairman

Date