

**LICENSING PANEL
2 AUGUST 2017
2.00 - 2.33 PM**



Present:

Councillors Allen (Chairman), Thompson and Tullett

1. Declarations of Interest

There were no declarations of interest.

2. The Procedure for Hearings at Licensing Panels

The procedure for hearings at Licensing Panels was noted.

3. Application for a new Premises Licence for Co-operative, Sparrowhawk Way, Jennett's Park, Bracknell

The Panel carefully considered all the information presented, both written and oral, from:

- the Licensing Officer who outlined the issues;
- the Applicant,

Whilst the Interested Parties did not attend to give oral evidence, the panel read the submissions and gave consideration to them as part of their decision making. No adverse inference was drawn from the interested parties' non attendance.

In addition, the panel considered the appropriate Licensing objectives, the Council's own Licensing Policy and the Secretary of State's guidance. At the conclusion of the proceedings all participants present confirmed that they had been given the opportunity to say all they wished to say.

The Panel noted that there had been no representations made by the Police, or any of the other Responsible Authorities. The Panel bore in mind the promotion of the four licensing objective: promotion of public safety, prevention of noise nuisance, protection of children from harm and prevention of crime and disorder. In this particular case they gave particular attention to the objectives of crime and disorder, public nuisance and noise as they were set out in the interested parties' representations as their key objections.

The Panel decided that granting the licence would not have an adverse impact on the promotion of the four licensing objectives, and agreed to grant the Licence with no additional conditions. The Licensing Section will send you a copy of the Licence in due course.

Reasons

While the Panel noted the possibility of crime, disorder and public nuisance, there was no evidence to suggest that this was an existing issue as the premises had not

yet opened and the Panel were not convinced that this would be a problem in the future. The Panel wished to remind objectors of the robust review process under the Licensing Act, which could be brought into effect through the Council's Licensing Team should a problem arise concerning the licensing objectives listed above namely crime, public nuisance or noise.

The Panel recognised that a previous licensing application for the same premises had been granted on similar terms, although this had since been surrendered.

The Panel noted residents' concerns regarding the increase in traffic and health concerns, however they were reminded that these concerns did not come under the licensable objectives and were considerations for the Council's Highways and Planning teams.

The Panel noted that the Jennett's Park community was in desperate need of a shop, and the applicant commented that of the predicted turnover for this unit, 85% was expected to be grocery sales with only 15% predicted alcohol sales. The applicant was keen to explain that the premises was not a dedicated off-licence, but did wish to sell all its products to customers at all opening hours.

The Panel were also informed that the proposed opening and licensing hours were in line with that of other community convenience stores in Bracknell, which had raised no notable issues.

The Panel were satisfied by the robust training provision from the Co-Operative group, including the Challenge 25 procedure, alcohol sales training and exams for all staff and the provision of three staff members trained as enhanced licence holders. All staff trained to sell alcohol would be held on 'lock down' until they had satisfied the store manager of their confidence and ability to fulfil the alcohol sales procedures.

In summary, the Panel granted the new premises licence for the sale of alcohol between the hours of 06:00 and 23:00 Monday to Sunday, and suggested that any subsequent issues relating to the licensing objectives should be raised with the Licensing Authority. The Licensing Act regime on the factual circumstances of this application pointed to issuing the licence as requested. The possibility of the concerns advanced by the objectors requires the licence to be granted, as a review procedure can be triggered if their concerns ever come about.

The Panel's decision is binding upon you and the Licensing Authority.

CHAIRMAN