



## **MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD ON 2nd NOVEMBER 2015**

PRESENT: Councillors M Clarke (Chair) , A Couchman and R Rogers

The following officers were present: Ryan Keyte (Senior Legal Officer), Stephen Lewis (Head of Environmental Health), Colin John (Public Protection Manager), Paul Holmes (Technical Assistant - Environmental Health) and Janice Cliff (Democratic and Elections Officer)

### **9 APPOINTMENT OF CHAIR**

Councillor M Clarke be appointed as Chair

*(Moved by Councillor A Couchman and seconded by Councillor R Rogers)*

### **10 APOLOGIES**

Councillor M Oates attended the meeting but didn't take part due to health reasons

### **11 DECLARATIONS OF INTEREST**

There were no Declarations of Interest

### **12 TO CONSIDER AN APPLICATION TO GRANT A PREMISES LICENCE IN RESPECT OF ENGINE LANE STORES , 26 ENGINE LANE, TAMWORTH, STAFFORDSHIRE, B77 2DH UNDER SECTION 17 OF THE LICENSING ACT 2003**

The Committee considered an application to grant a premises licence in respect of Engine Lane Stores, 26 Engine Lane, Tamworth under Section 17 of the Licensing Act 2003.

That the application to grant a premises licence under the Licensing Act 2003 by Mr Sadet Celik in respect of Engine Lane Stores, 26 Engine Lane, Tamworth, Staffordshire, B77 2DH.

BE GRANTED for the following reasons:

Members heard from the applicant's agent broadly that:

- 1) The objections re the notice have been covered already.
- 2) Anti social accusation / fears - similar to any business open late in any location
- 3) Underage Alcohol Sales – Police have made no objections, shop is not open very late.
- 4) Traffic – Any such facilities attract some traffic, generally used by locals who walk, is a small shop approx 60-65 sqm<sup>2</sup>. No objection from Highways.
- 5) Benefits – key Government objectives: i) promote small business; ii) promote local business that can walk too.

Difficult to run a small business, alcohol sales increase financial liability, and promote sustainability of the business, risk if not granted that business might fail which would be a shame for the applicant and local community.

#### **Questions Asked / Considered**

- Officers confirmed satisfied notice displayed satisfactory
- 12 conditions highlighted
- Temporary event notice for 1 week previously had no problems

In reaching this decision, the Sub Committee gave due consideration to the information in the application and petition, the objections by interested parties, guidance issued under S182 Act by the Secretary of State and the Licensing Policy of Tamworth Borough Council.

The main factors considered which support the decision;

- No problems during the operation under a Temporary Event Notice
- Believe most people would walk
- No objections by Responsible Authorities

The Committee considered modifying / omitting / adding conditions and for the above reasons did not feel it was necessary.

All parties are reminded that under the provisions contained within Schedule 5 of the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates Court, such an appeal to be made within twenty-one days of the date of the notification of the decision.

The determination of the Sub Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

Leader

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