

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Upper Guildhall, Andover
on Monday 6 October 2014 at 9.30 a.m.

Attendance:

Councillor I Andersen (P) Councillor J Budzynski (P)
Councillor A Hope (P)

Also in attendance:

Mr K Jose (Applicant)
Mr W Brown (Applicant's Solicitor)
Mr M Grist (Objector)

1

Appointment of Chairman

Resolved:

That Councillor Hope be appointed Chairman for the duration of the meeting.

2

Application for a new Premises Licence – Andover Stores, 1 Shakespeare Avenue, Andover SP10 3DR

The Sub-Committee considered an application by Mr K Jose and Mrs V Smithamol for a new premises licence for the premises known as Andover Stores, 1 Shakespeare Avenue, Andover SP10 3DR.

The premises do not currently hold any form of licence under the terms of the Licensing Act 2003. The applicants have applied for a Premises Licence for the sale by retail of alcohol for consumption off the premises from 0700 to 2300 hours Monday to Saturday and from 0800 to 2200 hours Sunday. This application has attracted a representation necessitating the application to be determined at a hearing.

The premises were formerly a beauty salon. It is located in a small parade of shops in an established residential area of Andover. Adjacent premises include a chip shop, launderette, chemist and hairdressers. The premises have now opened as a 500 square foot general convenience store trading under the 'Premier' brand and wishes to sale alcohol for consumption off the premises. The shop will open for hours to suit the needs of local residents and will also provide an on-line shopping and delivery service.

The Applicant's Solicitor, Mr Brown, was invited to address the Sub-Committee. He contended that there was no evidence to support the comments raised by the objector and the application had not attracted any objections from other responsible authorities. The suggested conditions to the Licence contained in Annex 2 of the report were sufficiently robust to meet the concerns.

A Member questioned what would happen if a home delivery including alcohol was made and the person in receipt of the order was under age. The Applicant's solicitor confirmed that the person would be required to produce proof of age or the delivery would not be made.

The Sub-Committee then heard representations from Mr M Grist who reiterated the points made in his letter of objection in Annex 3 of the report. He argued that the grant of the Licence would add to the existing problems of young persons drinking in open spaces and litter.

The Licensing Manager confirmed that the issue of cumulative impact could not be taken into consideration as TVBC had no cumulative impact policy.

The Sub-Committee were then given to opportunity to ask questions of the representatives of each of the parties and the parties of each other.

The Chairman adjourned the meeting to enable the Sub-Committee to consider the matter.

Upon return, the Chairman informed the meeting that the Sub-committee, in reaching its determination upon the matter, had had regard to the National Licensing Guidance issued under Section 182 of the Licensing Act 2003, Test Valley Borough Council's own Licensing Policy, together with the representations made at the Hearing and in writing.

DECISION

The Sub Committee had carefully considered the objections from Mr Grist. However, as the Borough Council does not have a cumulative impact policy the issue of increased availability was not a factor of which it could take account. Moreover, the other matters raised by Mr Grist in relation to crime and disorder and public nuisance were purely speculative.

Resolved:

That the premises licence be granted subject to the conditions contained in Annex 2 of the report.

(Meeting terminated at 10.22 am)