

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

LICENSING SUB-COMMITTEE

15 MAY 2014

(10.00 - 10.47)

PRESENT: Councillors Chris Edge(in the Chair), John Bowcott and Philip Jones

ALSO PRESENT: Legal adviser – Guy Bishop
Licensing Officer – Stephen Beedell
Democratic Services Officer – Lynne Hartley

Post office shop, 56 Wimbledon Hill Road
Graham Hopkins (applicant's representative)
Hardeet Singh (manager)

1. DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 1)

No declarations of interest were made.

2. POST OFFICE, SHOP, 56 WIMBLEDON HILL ROAD, SW19 7PA (Agenda Item 2)

Opening the meeting the Chair outlined the procedure to be followed and clarified that all relevant documentation had been circulated.

Stephen Beedell explained that the police representation had been withdrawn as the applicant had accepted all of the proposed conditions and had offered further conditions. The other representation objecting to the application had not been withdrawn.

Graham Hopkins gave apologies for the absence of Mrs Patel and advised that she was in the process of applying for a personal licence. The application had been made with the intention of improving the service to current customers and attracting new customers. The intended customer base was people wishing to buy a beers or bottle of wine for consumption at home.

Mr Hopkins contended that the licence would not add to cumulative impact within the CIZ as the shop would not be open late into the evening and because the area designated for alcohol sales was a relatively small part of the shop, with spirits being kept behind the counter. He also referred to the case of Leeds City Council v Brewdog Bars Ltd where the magistrate ruled that policies should not be imposed simply because they exist.

Referring to the representation Mr Hopkins said that he had attempted to contact the objector but had received no response. He argued that the representation fell short of the evidential standards set by the Thwaites case and pointed out that no specific

concerns had been raised by the police about street drinking. He asked that the Sub-Committee attach little weight to the representation.

In response to questions from members of the Sub-Committee Mr Hopkins clarified the location of the alcohol sales area, confirmed the days of opening as Monday to Saturday and explained that the sale of alcohol in sealed containers was to prevent it being opened in the shop.

Guy Bishop queried the reference to Costcutter in part M(a) of the application and it was explained that this was a separate business, being used here as an example.

Stephen Beedell reiterated that there was a single representation to be considered, the police representation having been withdrawn.

The Sub-Committee then retired to consider its decision.

On resuming Guy Bishop said that he had advised the Sub-Committee on the Thwaites case ruling.

The Chairman then read out the decision of the Sub-Committee and it was –

RESOLVED: That the application is granted with the following conditions –

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. The staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
3. No super-strength beer, lagers or ciders Of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
4. A proof of age scheme, such as Challenge 21/25, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport/holographically marked PASS scheme identification cards.

5. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premise is open.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system or searching equipment or scanning equipment
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
7. All staff shall receive appropriate training for their role on induction and refresher training every six months. Written training records will be kept for each staff member and be signed by the staff member and trainer. They will be made available to Police and authorised Council Officers on request.
8. Appropriate notices will be prominently displayed at the point of entry/exit and point of sale re Challenge 25 and CCTV being in operation, asking customers to respect residents and leave quietly, to dispose of litter responsibly, not to loiter outside the shop and not to drink in the street due to the DPPO.
9. Notices will be displayed relating to the provisions of Challenge 25 and the Licensing Act relating to underage and proxy sales.
10. A minimum of 2 staff shall be on duty on the shop premises when alcohol is available for sale.
11. No alcohol shall be consumed on the premises and may only be supplied in sealed containers.