

LICENSING SUB COMMITTEE

28 MARCH 2024

Present: Councillors Edwards, Jobson, Sinden and Williams

29. APPOINTMENT OF CHAIR FOR THIS MEETING

Councillor Sinden proposed that Councillor Edwards should take the Chair, seconded by Councillor Jobson.

RESOLVED (unanimously): that Councillor Edwards be appointed as Chair for the duration of the meeting.

30. APOLOGIES FOR ABSENCE

None

31. MINUTES OF PREVIOUS MEETING

RESOLVED – (Unanimously) that the minutes of the meeting held on 8th September 2022 be approved as a true record.

32. DECLARATIONS OF INTEREST

None

33. NOTIFICATION OF ADDITIONAL URGENT ITEMS

None received.

34. APPLICATION FOR A PREMISES LICENCE WITH REPRESENTATIONS, HASTINGS QUEENS ROAD SERVICE STATION, QUEENS ROAD, HASTINGS, TN34 1RH

The Licensing Lead Officer, Mr Bryant, introduced his report.

This existing premises licence covers the use of the premises for Late night refreshment Monday – Sunday 23.00 – 24.00, Supply of alcohol Monday – Sunday 06.00 – 24.00, The operating hours of the premises are Monday – Sunday 06.00 – 24.00

The application requests to have Late night refreshment Monday to Sunday 23.00hrs to 24.00hrs (in line with the existing 'Morrisons' licence). To supply of Alcohol for sales "Off" the premises on Monday to Sunday from 06.00hrs to 24.00hrs (in line with the

LICENSING SUB COMMITTEE

28 MARCH 2024

existing 'Morrisons' licence). To extend opening hours of the premises, Monday to Sunday from 06.00hrs - 24.00hrs to a 24 Hours basis for Fuel and ancillary sales.

During the consultation several representations have been received from residents in relation to the application, objecting to the existing hours that the premises has operated under for the last two years and making comment regarding the extension of the fuel sales hours which is not relevant to this decision. As part of the consultation, the Senior Licensing Officer has been in contact with Sussex police to make checks on crime levels in relation to the petrol filling station and the licensing team has also agreed additional conditions with the applicant regarding 'reduce the strength' to which the applicant has agreed.

Cllr Jobson asked the Licensing Lead Officer how the strength of alcohol can be monitored. The Licensing Lead Officer answered the licensing team would monitor this.

Robert Botkai as the legal representative for the applicant explained that Motor Fuel Group are applying for a replica license of what Morrisons have held for the petrol filling station. It was explained the petrol filling station would not be opened 24 hours. Mr Botkai explained operating hours of the premises can be changed to Monday to Sunday 06.00 to 24.00 to be the same as the previous licence.

An objector to the application Kellie Sutherland explained the petrol filling station closes at 22:30 Monday to Saturday and 21:00 on Sunday. A change to these hours will be a big impact on the residents. The legal representative for the applicant answered that the plan for the petrol filling station would be it closing at 23:00.

An objector to the application Julia Hope explained the area is residential and already has premises selling alcohol late at night. There is no reason for the petrol station to be open later than it already is and there is an issue with rubbish in the area. The legal representative for the applicant answered that they are applying for a replica of the Morrisons license.

An objector Kellie Sutherland asked the applicant if the designated premises supervisor will be on site. The legal representative answered that the petrol filling station will have a local designated premises supervisor.

The Licensing Officer Mr Brown explained that the Police and Environmental Health had no objections to this application during consultation.

All parties summarised their positions.

The Sub-Committee retired to consider the application.

RESOLVED – (Unanimously)

LICENSING SUB COMMITTEE

28 MARCH 2024

APPLICATION GRANTED

-
We have listened carefully to all the representations from the Council's Licensing Team, the Applicant's representative, Ms Hope and Ms Sutherland who objected to the application.

The Licensing Sub-Committee is bound to be directed by the promotion of the Licensing Objectives:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

On balance, the Sub-Committee accepts the evidence provided in support of the application and therefore grants the licence as applied for with the acceptance of the conditions:

1. *There shall be no sale of beer, lager, or cider with an ABV content above 6% ABV save for craft and premium beer, lager or cider'.*
2. In addition, the Applicant has agreed to a contact line to be made available for the public once the licence is in operation.

Reasons for our decision:

1. The application for a premises licence is being applied for on exactly the same conditions (bar the exception of the additional conditions accepted by the applicant).
2. The existing licence has been in place on the same conditions since it was granted two years and operated without any concerns.
3. Sussex Police were consulted on the application and there was no concerns raised inline with the objections.
4. The grant of the licence would not undermine the licensing objectives.

Advisory note:

LICENSING SUB COMMITTEE

28 MARCH 2024

The Sub-Committee heard a number of issues and concerns from Ms Hope and Ms Sutherland about noise from the tanoy and opening hours, whilst these concerns are outside of the Licensing Act 2003 and the licensing objectives, it is suggested that the Applicant and residents can work together to address these concerns.

35. ADDITIONAL URGENT ITEMS (IF ANY)

None

(The Chair declared the meeting closed at. 3.41 pm)