

Cheltenham Borough Council Licensing Sub Committee-Alcohol and Gambling Minutes

Meeting date: 7 August 2024

Meeting time: 18:00-18:45

In attendance:

Councillors:

Tabi Joy, Julie Sankey and Dr David Willingham

Also in attendance:

Vikki Fennell (Senior Lawyer) and Jason Kirkwood (Licensing Team Leader) Jake Johnstone (Licensing Officer)

1 Election of Chair

Councillor Dr David Willingham was elected as Chair.

2 Apologies

There were no apologies.

3 Declarations of interest

It was declared that Councillors Willingham and Joy attended a site visit along with Councillor Steinhardt (as the reserve for the hearing).

4 Determination of a New Application for a Premises Licence

The Licensing Officer introduced the report as published.

There was one Member question to the Licensing Officer and the response was as follows:

- That the conditions agreed between the applicant and the police are mostly relating to the installation of CCTV.

The objector sent her apologies and sent in a statement which was read by the democratic services officer. The objector made the following points:

- She was concerned that with extended licensing hours this would cause an increase in noise and antisocial behaviour.
- There is quite often large groups at the petrol station at night waiting for their friends who have gone in to the shop and this creates noise.
- The problems that occur at the moment are usually worse in the school holidays and weekends.
- There was a concern that serving hot food will make people go late at night and make more noise.
- The area would not benefit from a late night drinking culture.

The Chair stated that had the objector attended he would have asked her if she had contacted the police with regard to the antisocial behaviour or if she had contacted the Council with a complaint with regard to littering.

The applicant was then given the opportunity to address the committee and made the following points:

- The objector could have approached them with their concerns/complaints and they have no record of having received anything, they have not received any complaints at all.
- The property is wholly owned by Asda, they have never faced prosecution in any of their stores under the licensing act, this is due to staff training.
- The shop has traded for 24 hours for approximately 22 years, they have never received any complaints.
- The property is on a main road and currently sells ready meals, household goods and normal convenience store goods.
- They are asking to sell a pack of beers or a bottle of wine.
- The application for late night refreshments is for for the coffee machine. There will be no hot food after 23:00 hours other than coffee.
- There will be full CCTV at the site.
- The company fully trains it's staff in relation to proxy sales.
- Spirits will be sold from the premises but they will behind the counter.
- There will be no split multipacks sold, no individual cans will be sold, they will also not hold hard liquor or anything that will encourage street drinking.
- There is a prompt on the checkout for staff to challenge 25.
- Night sales will be between the hours of 22.00-06.00 and they will be through the night hatch.
- The police have set conditions which the applicant is happy with.
- The applicant offered to meet with the objector, they had hoped that mediation would be an option but it was refused.

The responses to Member questions were as follows:

- There are usually 2 members of staff on duty at the shop, a manager and an assistant, however the night shift is only 1 member of staff.
- There was confirmation from the applicant that the late night refreshment would only be coffee, there are no drinks that are going to be sold that would attract alcoholics and the area that would be used to stock the alcohol is in sight of the cashier.
- There is currently no signage stating that it is a residential area and for patrons to respect their neighbours.
- The protocol if someone who is intoxicated tries to buy alcohol is to refuse the sale and should the customer have driven to the premises then the staff member would notify the police. There is also ANPR on the forecourt.

The matter then went to Member debate where the following points were raised:

- Would like to add a condition to add a sign stating being respectful of neighbours.
- Confirmation from the applicant that they will action the existing conditions and the new ones.
- A great application and have been reassured that there is a risk assessment in place with regard to race week.
- This is a really good application and all the worst case scenarios have been considered.

The applicant was then asked if they wanted to add anything in the final right to reply, they had nothing further to add.

The matter then went to the vote:

7.4 vote to approve: grant with the additional condition re notice
3 for – approved.

If there are any incidents the applicants are happy to be contacted at any time, by phone or email.

5 BRIEFING NOTES

There were none.

6 Any other items the Chairman determines to be urgent and which requires a decision

There were none.