

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 11 April 2022

At: 6.00 pm

PRESENT

Councillor Chris Gordon (Chair) in the chair; Councillors Shan Alexander and Dickie Davies.

1. MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 9 March 2022 were approved as a correct record and signed by the Chair.

2. DECLARATIONS OF INTEREST

Councillors and officers were invited to declare any interests which they had in any of the items on the agenda for the meeting.

No declarations were made.

3. PUBLIC QUESTION TIME

No public questions were submitted.

4. EXCLUSION OF THE PUBLIC AND PUBLIC INTEREST TEST

That notwithstanding the submission of information as part of Agenda Item 5 – ‘Licensing Act 2003: application for a premises licence at 208 Shaw Heath, Stockport’ which had been classified as ‘Not for Publication’ by virtue of it containing material which related to an individual, the Sub-Committee was satisfied that in the circumstances it was not necessary for the public to be excluded from the meeting.

5. LICENSING ACT 2003: APPLICATION FOR A PREMISES LICENCE AT 208 SHAW HEATH, STOCKPORT, SK2 6QZ

A representative of the Director for Place Management submitted a report (copies of which had been circulated) detailing an application received on behalf of Ryan Newsagent Limited for a new premises licence to be granted under the Licensing Act 2003 at 208 Shaw Heath, Stockport to permit the supply of alcohol off the premise from Monday to Sunday between 07:00 and 23:00 hours.

The applicant attended the meeting and answered Councillors’ questions in relation to the application.

Representatives of the Stockport Licensing Authority and Greater Manchester Police, having made valid representations, attended the meeting explained their objections to the proposals and answered Councillors’ questions in relation to the application.

The Sub-Committee, having heard the interested parties, proceeded to consider the licensing objectives in respect of the application, together with the relevant parts of the council's Licensing Policy and guidance from the Home Office. However, the decision was reached on consideration of all arguments given in relation to this specific application.

The Sub-Committee found the following:-

(i) Crime and Disorder

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the applicant had demonstrated an inability to promote the prevention of crime and disorder licensing objective by virtue of a consistent failure to apply and comply with conditions on the licences of other premises of which they were in control such that there was no confidence that the measures proposed as part of the operating schedule in respect of this licensing objective would be complied with.

(ii) Protection of Children

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the applicant had demonstrated an inability to promote the protection of children from harm licensing objective by virtue of a consistent failure to apply and comply with conditions on the licences of other premises of which they were in control such that there was no confidence that the measures proposed as part of the operating schedule in respect of this licensing objective would be complied with.

(iii) Public Safety

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the applicant had demonstrated an inability to promote the public safety licensing objective by virtue of a consistent failure to apply and comply with conditions on the licences of other premises of which they were in control such that there was no confidence that the measures proposed as part of the operating schedule in respect of this licensing objective would be complied with.

(iv) Public Nuisance

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the applicant had demonstrated an inability to promote the prevention of public nuisance licensing objective by virtue of a consistent failure to apply and comply with conditions on the licences of other premises of which they were in control such that there was no confidence that the measures proposed as part of the operating schedule in respect of this licensing objective would be complied with.

The Sub-Committee noted the content of the applicant's operating schedule with regard to the four licensing objectives, however it was of the view that these would not serve to suitably mitigate against the evidenced longstanding history of non-compliance by the

Director of the Company and proposed Designated Premises Supervisor with licensing and other regulatory standards that served to demonstrate an inability to support or uphold those licensing objectives.

Further the Sub-Committee determined that there were no additional conditions that could be imposed on the licence that would satisfactorily ameliorate the concerns that had been expressed by the objectors during the hearing.

It was then

RESOLVED – That in the light of the findings of the Sub-Committee, the application be rejected on the grounds that the granting of the application would fail to promote the prevention of crime and disorder, protection of children from harm, public safety and prevention of public nuisance licensing objectives.

The meeting closed at 8.34 pm