

LICENSING PANEL

WEDNESDAY, 30 JANUARY 2013

PRESENT:- Councillors Junab Ali, Andrew Bennett and Robert Wright

69. Appointment of Chair

Resolved – That Councillor Andrew Bennett Chair this meeting of the Panel.
(Councillor Bennett took the Chair.)

70. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

71. Application for a variation of a Premises Licence in respect of Queens Drive Service Station, Queens Drive, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a variation of the Premises Licence held by Texaco Service Station, Queens Drive, Swindon, (b) an objection to the grant of the variation received from Wiltshire Constabulary, (c) oral submissions by Wiltshire Constabulary in support of their objection (d) submissions received in support of the application received from Mr. Roy Light (Barrister to the applicant), Mr. Richard Baker (Consultant), and Mr. Vallipuram (applicant) in support of the application for variation, (e) questions from Members to the applicants, Wiltshire Constabulary and the representatives of the applicants and answers received, and (e) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

After considering: -

1. The application for variation to the licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority's Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of crime and disorder;

The Panel has determined the following: -

1. The permitted hours for the sale of alcohol shall be:
Monday to Sunday 0:00 until 24:00.

Reason

The Panel found that there was insufficient evidence to prove that the Prevention of Crime and Disorder Licensing Objective would be undermined by granting an extension of hours to the Premises Licence.

2. That Condition 3 (Annexe 2) of the current Premises Licence be amended to incorporate a Challenge 25 Policy as offered by the applicant.

Reason

The panel considered that the introduction of a Challenge 25 Policy, as offered by the applicant would strengthen management policies in the maintenance of the Licensing Objectives.

3. That Condition 6 (Annexe 2) of the current Premises Licence be amended to read: "The Garage shall only serve through the night hatch between 22:00 hours and 06:00 hours with no public access to the shop".

Reason

The Panel considered that this measure offered protection to staff members in the early hours of the morning and assisted management with the maintenance of the Licensing Objectives.

4. That the measures offered by the applicant and set out in paragraph 2.3 of the Licensing Manager's report be included in the operating schedule.

Reason

The Panel considered that the conditions offered by the applicant assisted management with the maintenance of the Licensing Objectives.

The Chair reminded both parties that they had the right of appeal to the Magistrates' Court against the determination of the panel and that any such appeal must be commenced within 21 days of this determination.