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LICENSING HEARINGS

Date and Time: Wednesday 11 November 2020 at 10.00 am

Place: Council Chamber

Present:

Butler, Farmer and Wildsmith

Officers: Jaggard, Sanders, Shared Legal Services and Wood

1 APPOINTMENT OF CHAIRMAN

Councillor Butler was elected Chairman. Councillor Butler apologised for the late start due to technical issues.

2 DECLARATIONS OF INTEREST

None declared.

3 APPLICATION FOR VARIATION OF PREMISES LICENCE

Members were asked to consider and determine an application for a variation of premises licence for Morrisons Supermarket, Elvetham Heath Way, Fleet, GU51 1GY in accordance with the requirements of the Licensing Act 2003.

The Licensing Officer, summarised the report regarding the variation application for Morrisons Supermarket. Morrisons were asking to vary the licence to enable store opening, and thus sale of alcohol, for 24 hours. Morrisons intended that the extended hours would be used specifically over the Christmas period.

Members asked for clarification on some points and considered:

- Flexibility of opening hours
- Demand
- Covid considerations eg shopping at quiet times and when people feel more comfortable
- No representations from responsible authorities had been received
- Any evidence of links between alcohol sales at night and anti-social behaviour
- The need for extensive car park lighting. CCTV already extended to the car park
- Morrisons intention to employ at least one security guard from midnight to 6am
- Morrisons experience of operating stores over 24 hours
- Morrisons aspirations for this store's operation after the Christmas period
- Late night deliveries and any impact on residents

The Solicitor for Morrisons put forward a Condition that may give the Licensing Authority comfort in the area of security:

'Whenever the premises are open for alcohol sales from midnight to 6am then a minimum of one SIA qualified security guard will be employed at the premises'.

The Chairman agreed to consider the inclusion of this condition in the Decision Notice.

NB Members observed the two minute silence for Armistice Day, but did not adjourn the meeting.

The Chairman announced that the meeting would close to allow the Panel to deliberate on their decision, and that the Decision Notice would be published on the website.

4 DECISION NOTICE

The Decision Notice was read out and is attached.

The meeting closed at 11.18 am

DECISION NOTICE
OF THE LICENSING SUB COMMITTEE
AT
HART DISTRICT COUNCIL
ON 11 NOVEMBER 2020

20/00491/LAPRE: APPLICATION FOR VARIATION TO THE PREMISES LICENCE
FOR MORRISON'S SUPERMARKET, ELVETHAM HEATH WAY, FLEET, GU51 1GY

The Licensing Sub Committee has carefully considered all the evidence and listened to the representations from the Applicant. The committee has also had regard to the written representations. The committee has decided having regard to all the circumstances to vary the Premises Licence at Morrison's Supermarket, Elvetham Heath Way, Fleet, GU51 1GY:

- To permit the sale of alcohol for consumption off the premises 24 hours a day every day.
 - Monday to Sunday from 00:00 to 24:00

- To permit the sale of late night refreshment during the following hours:
 - Monday to Sunday from 23:00 to 05:00

The operation of the premises under the licence shall be subject to the existing conditions and the additional condition set out in the annex.

Licensing Objectives

The Sub-Committee has found that the licensing objectives of the prevention of public nuisance, prevention of crime and disorder, public safety and the protection of children from harm are relevant to this application.

REASONS:

The Sub-Committee noted paragraph 6.6 in Hart District Council's Licensing Policy in making its decision which provides:

"The Licensing Authority will generally consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises throughout opening times. However where there are reasons for restricting or amending hours, for example, where premises become the focus of disorder and disturbance, such restrictions or amendments will be considered where relevant representations have been made".

In addition, the Licensing Sub-Committee took into account the statutory guidance issued under section 182 of the Licensing Act 2003.

The Sub-Committee noted concerns with the sale of alcohol on the premises throughout the night and the possible resultant disturbance, noise, and nuisance including that associated with people arriving and leaving the premises, since the store is in close proximity to residential dwellings.

The Sub-Committee took into the account all the concerns of the residents but in particular noted that there was no evidence to show a link between reports of anti-social behaviour and the sales of alcohol at Morrison's.

The Sub-Committee noted there were no representations from any of the 10 responsible authorities.

The Sub-Committee took into account the applicant's comments on the desire to provide flexibility for shoppers and heard evidence that the majority of shoppers during the night in other stores across the country that operate a 24 hour service are key workers including paramedics, the police and members of the fire services.

You have 21 days from the date of receipt of the decision notice to appeal this decision.

Chair: _____

Date: 11 / 11 | 20 . _____

ANNEX

ADDITIONAL CONDITIONS

Whenever the premises are open between 00:00 - 06:00, a minimum of one SIA accredited security guard will be on duty at the premises.

