

Present

Councillor Mrs I Sanderson (in the Chair)

Councillor P Bardon

Councillor K G Hardisty

LAHP.11 **APPLICATION FOR THE GRANT OF A PREMISES LICENCE - SPAR GREAVES GARAGE, 36 GARBUTTS LANE, HUTTON RUDBY**

Hutton Rudby

**The subject of the decision:**

The Executive Director submitted a report seeking consideration of an application for a premises licence in respect of Spar Greaves Garage, 36 Garbutts Lane, Hutton Rudby, Cleveland, TS15 0DL. The application was for the sale of alcohol for consumption off the premises between the hours of 7am and 10pm every day. No relevant representations were made by any of the responsible authorities. One relevant representation was received from an 'other person'.

**Alternative options considered:**

- (1) To reject the whole or the part of the application.
- (2) To grant the licence subject to any modified conditions.

The Panel was satisfied that the licensing objectives were not likely to be adversely affected and could be promoted by conditions consistent with the applicant's operating schedule. Therefore, it was not appropriate to reject any part of the application or to impose any additional conditions.

**The reason for the decision:**

The Panel considered the relevant representations of the parties both written and oral, the Licensing Act 2003 as amended, the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.

The Panel gave appropriate weight to the representation relating to the licensing objectives, namely; the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm. The representation related to operating hours, underage sales and youth congregation.

Operating Hours

The Panel gave appropriate weight to a written representation relating to the operating hours of the premises and, in particular, that alcohol sales on a Sunday and on a morning would have an adverse effect. The concerns raised in this regard were unsubstantiated and the Panel was not satisfied that the sale of alcohol on a Sunday or on a morning would have a likely adverse effect on the licensing objectives.

Underage sales and congregation of youths

The Panel gave appropriate weight to a written representation relating to underage alcohol sales and the congregation of youths. The Panel was not satisfied that any references to other premises could be regarded as evidence to infer a likely adverse effect in this instance. The Panel was satisfied that the mandatory conditions relating to age verification policies, along with the proposed adoption of the Challenge 25 Scheme, would be sufficient to promote the licensing objectives. The Panel was not satisfied that the congregation of youths would be likely and, in any case, the Panel was not satisfied that any such congregation could be linked to the carrying out of licensable activities.

**THE DECISION:**

The Panel resolved to grant the application for the premises licence as applied for (subject to any conditions consistent with the operating schedule).

Having considered representations in relation to the above matters, the Panel was satisfied that the application could be granted as applied for without undermining the licensing objectives.

The meeting closed at 10.10 am

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Chairman of the Panel