

LICENSING HEARING

Minutes of the meeting held on 7 March 2023 commencing at 10.30 am

Present: Cllr. Bonin (Chairman)

Cllrs. Abraham and Waterton

Also Present: Santharaja Pirasath Applicant
(via virtual media link)
Suresh Kanapathi Applicant's Agent
(via virtual media link)

Alexander Jaye Respondant
Jessica Foley Senior Licensing Officer (SDC)
David Lagzdins Legal Advisor (SDC)
Andy Binnie Democratic Services Officer (SDC)

13. Appointment of Chairman

Resolved: That Cllr. Bonin be appointed as Chairman of the Licensing Hearing.

(Cllr. Bonin in the Chair)

14. Declarations of interest

There were none.

15. LICENSING ACT 2003 NEW APPLICATION - Oak's Wine Mart, 153 High Street, Sevenoaks, Kent. TN13 1XJ

The Chairman welcomed everyone to the Hearing.

The Hearing gave consideration to the report by the Senior Licensing Officer which gave details of an application for a new premises licence for Oak's Wine Mart, 153 High Street, Sevenoaks, Kent. TN13 1XJ. The Senior Licensing Officer provided an overview of the report and explained that five representations had been received from local residents objecting to the proposed premises licence and a letter of support for the representations had been submitted by the Local Ward Member.

The Applicant and his Agent addressed the Hearing. Member's attention was drawn to the tabled document submitted by the Applicant, which set out revised operating schedule conditions in answer to concerns raised by Respondents. The Applicant explained that the location of the store close to the town centre served the needs of local residents and the majority of customers walked to and from the

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store. The Applicant owned and operated various other businesses including a local petrol filling station which also sold alcohol.

In response to questions from the Sub-Committee Members, the Applicant advised that alcohol would be stored in fridges with doors and behind or near to the till and away from the door to prevent shoplifting. The Applicant advised that alcohol sales were refused to approximately three to four customers per day.

In response to concerns raised regarding deliveries to the premises the Applicant clarified that the store was a part of a food delivery scheme which saw occasional delivery drivers collect orders from the premises. As the Applicant bought products from wholesale he did not expect a large number of stock deliveries to the premises. The Legal Advisor clarified that disputes over use of a private accessway to the side of the premises would not be for consideration by the Sub-Committee. In response to a question on waste management, the Applicant also explained that the premises had two large bins for waste and that waste and rubbish was taken to another premises to be disposed of.

In response to questions and concerns around parking provision the Applicant confirmed that there was no designated parking for customers of the store but that the majority of customers walked to and from the store.

The Respondant addressed the Hearing. He explained that he had been a resident and neighbour of the premises for approximately five years and that the previous premises at the location had been a carpet shop. He raised various concerns regarding the proposal for the late night sale of alcohol at the location. The Respondant cited public nuisance and safety concerns over loud anti-social behaviour outside the store late into the night. He explained that there were ongoing anti-social issues with younger people at the Vine. To the rear there were also vulnerable people living in the almshouses. Members noted that the Respondant had submitted supplementary videos in support of his representation which highlighted his concerns. The Sub-Committee and Applicant had reviewed this additional exempt information prior to the Hearing.

The Respondant explained that such premises were not suitable in this location. The premises were already disruptive to themselves and those nearby. In response to a question from Members the Respondant explained that other businesses in the area were a very different nature and were open from 09:00 to 17:00 hours and that he would like to see the licensable hours reduced in keeping with other local businesses to prevent public nuisance concerns at the premises late at night.

At 11.29am the Hearing Members withdrew to consider the issues raised, accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

At 12:23pm the Hearing Members, Council's Legal Advisor and Clerk to Hearing returned to the Chamber.

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The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and interested parties, the revised operating schedule conditions tabled at the Hearing, the Licensing objectives, the Statutory Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy and, subject to minor amendments in proposed conditions for the purpose of enforceability had decided therefore to grant the premises licence application for the Supply of alcohol for consumption off the premises for the licensable hours:

Sunday to Thursday, 07:00 until 21:00 hours

Friday to Saturday, 07:00 until 22:00 hours

Subject to minor amendments to conditions for enforceability.

A full decision notice would be issued within five working days to all interested parties.

Resolved: That the Premises Licence in respect of Oak's Wine Mart, 153 High Street, Sevenoaks, Kent, TN13 1XJ, subject to the revised operating schedule, mandatory conditions and minor amendments in proposed conditions for the purpose of enforceability, contained in the Notice of Determination as attached as an appendix to these Minutes, be granted.

THE MEETING WAS CONCLUDED AT 12.24 PM

CHAIRMAN