

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 23 NOVEMBER 2011**

COUNCILLORS

PRESENT (Chairman)Derek Levy, Anne-Marie Pearce and Toby Simon

ABSENT

OFFICERS: Mark Galvayne (Principal Licensing Officer), Dina Boodhun (Legal representative), Jane Creer (Democratic Services)

Also Attending: Applicants (Shell, Palmers Green) and representative (Lockett & Co acting for Shell UK)

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WELCOME AND INTRODUCTIONS

The Chairman welcomed all those present to the meeting.

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DECLARATION OF INTERESTS

There were no declarations of interest in respect of items on the agenda.

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**SHELL PETROL STATION, 148 -150 GREEN LANES, PALMERS GREEN,
N13 5UN**

RECEIVED an application made by Shell UK Oil Products Ltd for the premises known as and situated at Shell Petrol Station, 148-150 Green Lanes, Palmers Green, N13 for a new Premises Licence.

NOTED

1. The introduction by Mark Galvayne, Principal Licensing Officer, including:
 - a. This was an application for a new Premises Licence for Shell Petrol Station for 24 hour opening and supply of alcohol and late night refreshment.
 - b. The Police and the Trading Standards Service were now satisfied with the application as set out as all requested conditions had been agreed. The Police and Trading Standards had duly withdrawn their representations against the application.

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- c. In addition, the applicant had provided a copy of the due diligence package, which was a manual of all relevant information to correctly operate the licence. This evidence had been provided within appropriate timescales and had been copied to all parties and readied for Interested Parties to receive today.
 - d. Representations against the application had been received from two local residents.
 - e. He had written to the two Interested Parties on 21 October and 15 November. The applicant's solicitor also wrote to the Interested Parties on 31 October. This letter was set out on page 24 of the agenda pack. There had been no response to any correspondence from either of the Interested Parties.
 - f. The Interested Parties were not in attendance at this meeting.
2. The statement of Stephanie Butcher, Lockett & Co, acting for Shell UK, including:
- a. With reference to the representations, which were set out on pages 20 – 23 of the agenda pack, both Interested Parties believed that crime and disorder would increase if the licence was granted. However, the Police had no issues. The applicant had worked with the Police and Trading Standards in respect of conditions to mitigate crime and disorder.
 - b. There was national guidance to ensure prevention of crime and disorder outside such premises.
 - c. The premises had been refurbished and upgraded and its CCTV system had 16 cameras which covered the entrances and exits, and the surrounding area would be seen and recorded.
 - d. This was an experienced operator. The petrol station had been open at this site for 20 years and there had also been a retail operation for the last six years. The shop had experience of selling age-restricted products in the form of tobacco.
 - e. The business would be putting in place a Due Diligence Package which was very comprehensive. 'Challenge 25' would be operated so that ID would be requested from anyone who appeared to be under the age of 25 when purchasing alcohol. The site would operate a closed door policy between 23:00 and 06:00 seven days per week so that all trade would take place through a night hatch to maintain security and control. There would also be no sale of single cans of alcohol to the public.

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- f. It was not believed there would be an increase in noise from the premises if the licence was granted. The premises operated for 24 hours a day at the moment as a petrol station and shop.
 - g. The Designated Premises Supervisor was present at this meeting. He had held a personal licence since 2005. In addition, there would be two other staff with personal licence qualifications, so there should be one personal licence holder there at all times.
 - h. There were eight forecourt litter bins.
 - i. National guidance (para 10.21) was highlighted: that “shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours”.
 - j. With reference to the plan attached as Annex 01 to the report, it was noted that the residents who had made representation were not those in closest proximity to the premises, and that no representations had been received from residents immediately adjacent to the site, or to the exit to Green Lanes.
3. The applicants and representative responded to questions as follows:
- a. In response to Councillor Pearce’s query regarding need for alcohol sale at the premises, it was advised that Shell were providing more forecourt stores as more people were doing general shopping at such premises and Shell wanted to offer more products to customers.
 - b. Councillor Levy asked about the letter from Lockett & Co, attached as Annex 04 to the report, which contained information in respect of late night refreshment but little detail in respect of the appropriateness of alcohol sales 24 hours per day. It was advised that customers wanted to be able to buy alcohol as well as any other product at all times. By sending this letter, it had been hoped that the resident would make contact so that dialogue could be opened.
 - c. In response to Councillor Levy’s query about the location of goods within the store, a larger version of the plan included on page 19 of the agenda pack was made available to Members. This more clearly showed the location of chiller cabinets which would be used to display alcohol and would have lockable covers. Spirits would be kept in the sales area, where the cigarettes were also displayed.
 - d. The applicants confirmed to the Principal Licensing Officer that they would be happy to accept an additional condition to the licence based

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on their statement that there would be no sale of single cans of alcohol from the store.

4. The closing statement of Mark Galvayne, Principal Licensing Officer, highlighting the relevant law, guidance and policies.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chairman made the following statement:

“We have considered the application and have determined to grant the application in full.

The views of the Interested Parties were fully noted but we felt that there was insufficient evidence offered to support the objections raised. The Licensing Sub-Committee felt that the applicant had taken all reasonable steps to promote the licensing objectives, and to mitigate the kinds of concerns raised. Furthermore, this includes a condition being added voluntarily to the licence in respect of the minimum quantities in which canned draught alcohol may be sold.

If, in future, the residents, or indeed, the Responsible Authorities have cause to experience actual episodes of crime, disorder, or public nuisance, they can invoke the Review procedure that is always open to them.”

3. The Licensing Sub-Committee resolved that the application be granted in full as follows:

(i) Hours the premises are open to the public: Sunday to Saturday from 00:00 to 24:00.

(ii) Supply of alcohol (off supplies only): Sunday to Saturday from 00:00 to 24:00.

(iii) Late night refreshment: Sunday to Saturday from 23:00 to 05:00.

Conditions (in accordance with Annex 05 to the LSC Report):

- (i) Conditions 1 to 10, which are not disputed,

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(ii) AND New Condition 11:

11. Canned draught alcohol shall not be sold to individual customers in quantities of less than two.