

DURHAM COUNTY COUNCIL

At a Special Meeting of **Statutory Licensing Sub-Committee** held in Committee Room 2, County Hall, Durham on **Thursday 13 July 2023 at 9.30 am**

Present:

Councillor C Hampson (Chair)

Members of the Committee:

Councillors R Adcock-Forster, L Brown, C Hampson and M Wilson

Also Present:

H Johnson – Licensing Team Leader

C Hazell – Durham County Council Solicitor

Mr Rezaei - Applicant

1 Apologies for Absence

There were no apologies.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Application for the grant of a Premises Licence - Falcon Service Station, Pelton, South Pelaw, Chester le Street, DH2 2LU

The Chair welcomed everyone to the meeting and introductions were made.

The Committee considered a report of the Licensing Team Leader regarding an application for the grant of a Premises Licence for Falcon Service Station, Pelton Lane, South Pelaw, Chester le Street, DH2 2LU (for copy of report, see file of minutes).

The Licensing Team Leader informed Members that Mr Rezaei had included a business plan to support his application that projected a forecast of the shop and fuel sales for the first 12 months of trade.

This demonstrated that the projected shop sales would be greater than the fuel sales to meet the licence criteria, as a premise licence could not be granted to a premises solely selling petrol. Members were advised that Mr Rezaei had mediated with Durham Constabulary and had met their additional conditions to the application relating to the increase in litter and Anti-Social behaviour as outlined in the report. It was noted that only one objection had been received to the application from Mr Knox, whose written objections relating were noted by the Committee.

Mr Rezaei explained that the business would not be viable if he relied on the sale of fuel alone as many drivers were switching to EV cars, reducing the need for fuel. He hoped the grant of a Premises Licence to sell alcohol would increase customers into the shop. The premises already benefitted from two electric vehicle charging points, and he hoped to install more in the future. He had included all relevant information in the application.

Cllr Brown queried whether Mr Rezaei planned to offer alcohol deliveries in the future to which he responded he did not.

At 9.40 am The Committee consisting of Cllr Hampson, Cllr Brown and Cllr Wilson resolved to retire to deliberate the application in private. After re-convening at 9.50 am the Chair delivered the Sub-Committees decision.

In reaching their decision the Sub-Committee considered the report of the Corporate Director of Neighbourhoods and Climate Change, responses from the responsible authorities listed in the report and Durham Constabulary. Members also considered the Councils Statement of Licensing Policy and Guidance issued under Section 182 of the Licensing Act 2003 (as amended December 2022).

Resolved:

Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003.