

**THE MINUTES OF THE MEETING OF THE  
LICENSING SUB-COMMITTEE**

**HELD ON WEDNESDAY 7 JANUARY 2009**

Present: Councillor E. Bell (Chair)  
Councillors Mrs M. Nugent and A. Burnip

C Ridley – Licensing Officer  
R Matharu – Legal Advisor to District of Easington  
P K Dale – Applicant  
J Cosgrove – Applicant’s representative

**1. APPLICATION FOR NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 – MRS PAULA KAUR DALE, 8 FRIAR STREET, SHOTTON COLLIERY**

Consideration was given to the report of the Environmental Health and Licensing Manager in response to an application for a Premises Licence under Section 17 of the Licensing Act 2003, a copy of which had been circulated to each Member.

The application was for the retail sale of alcohol for consumption off the premises, the hours requested were Monday to Saturday, 09.00 to 21.00. A copy of the completed application and location plan were detailed at Appendix 1.

Relevant representations had been received from local residents and businesses relating to the licensing objectives of crime and disorder, public nuisance and public safety.

Objectors believed the opening of the premises would add to the existing problems of anti-social behaviour in the area. The letters of representation stated there were enough off-licensed premises in Shotton Colliery. The matter of need for the type of premises could not be taken into consideration when determining the application, which must be determined on its own merits.

The applicant had offered the following conditions in her Operating Schedule

- Closed Circuit Television to be installed on the premises following consultation with the Police Crime Prevention Officer
- Staff would be trained in the requirements of the Licensing Act
- A Challenge 21 Policy would be implemented

The petition and letters supporting the application cite the need for another shop in Shotton. Many made reference to the fact that the premises previously operated as an off licence although the licensing section had no proof of that.

Copies of the relevant representations were detailed in Appendix 2 and the relevant extracts from the Authority’s Licensing Policy and Guidance from the Secretary of State were detailed at Appendices 3 and 4.

Mr Choudry, an objector explained that he had lived in the village for 20 years and owned a retail store there. His concern was of the high level of anti social

## Licensing Sub-Committee – 7 January 2009

behaviour in the area. He had an alcohol licence for his premises but had removed the alcohol because of the anti social behaviour. His property had

been vandalised and people had been afraid to come into the area. He had nothing against the applicant but was very concerned about anti social behaviour in the area.

Mr Cosgrove commented that if the premises had been properly ran and managed there shouldn't have been any problems with the sale of alcohol.

Mr Choudry explained that young adults had been buying alcohol for the underage youths in the village. He had called the Police on numerous occasions. The Police were aware of the problems and had installed CCTV on the main road.

Mr Hind explained that he had known Mrs Dale since she had moved to Shotton Colliery. Youths could buy alcohol from houses in Shotton and the shops could not be blamed for the anti social behaviour or the sale of alcohol to youths.

Mr Cosgrove explained that the application was in relation to a shop which was empty and had been for four years. Many years ago it had been used as an off licence but more recently as a furniture shop. The shop was located in a small commercial area with a number of commercial units around it.

Mrs Dale had been a resident in Shotton Colliery since 1990 and had experience in managing a shop at Bridge Road. At present she was working in Sainsburys after completing the licensing training and had applied for a personal licence. The Operating Schedule would satisfy any worries or concerns and the Police had not objected to the application. The applicant was happy to have CCTV inside and outside the premises and would operate a Challenge 21 policy.

Mr Cosgrove commented that the hours of operation were not unreasonable and most of the local people were in support of the application. If an off licence was properly ran then there shouldn't be any adverse effect on anti social behaviour and the premises licence would be under constant review.

Mr Ball referred to some of the objection letters in the report and explained that he had never seen any senior citizens being abused by youths. He had never witnessed any youths drinking and when Mrs Dale ran the Bridge Road Shop it was managed well and didn't attract the wrong attention.

Mrs Simpson explained that she attended a social evening late at night and had yet to witness any anti social behaviour.

At this point, Members of the Sub-Committee retired from the meeting to deliberate the application in private in accordance with 14.2 of the Licensing Hearing Regulations.

On their return, the Chair explained that having read the report and heard the evidence the licence was granted subject to the conditions offered at sections B, C, D and E of the application. However, there was to be one modification in that the hours of operation would be modified to Monday to Sunday 10.00 – 21.00.

## Licensing Sub-Committee – 7 January 2009

The Sub-committee could make no findings on public nuisance and noted that the Police did not oppose the application. The premises licence was of course conditional upon a suitably qualified licence holder being in place.

**RESOLVED** that the licence be granted subject the modification on the opening hours.

JC/CB/LIC/090101  
15 January 2009