

Meeting Licensing Hearing

Date 26 January 2015

Present Councillors Aspden, Horton and Wiseman

30. Chair

Resolved: That Councillor Aspden be elected as Chair of the meeting.

31. Introductions

32. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

33. The Determination of an Application by Tesco Stores Ltd for a Premises Licence Section 18(3)(a) in respect of Tesco Express, Huntington Road, York, YO31 9HP(CYC-052447)

Members considered an application by Tesco Stores Ltd for a premises licence in respect of Tesco Express, Huntington Road, York.

In coming to their decision, Members took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the issues raised and the licensing objectives.

The following were taken into account:

1.The application form.

2.The Licensing Officers report and her comments made at the hearing. She advised that the application was for a premises licence for Tesco Express, Huntington Road. The nature of the

application was to increase the opening hours to 06:00 to 23:00 Monday to Sunday. She advised that the premises already had a licence and it was likely this would be surrendered in favour of the new one, should it be granted. Consultation had been carried out correctly.

3. The representations made by the applicants Solicitor at the hearing. He advised that Tesco is a premium operator and referred to Tesco's rigorous staff training policies, including the introduction of the Challenge 25 policy. In relation to public nuisance, staff at the premises are unaware of any complaints being made directly to the store in relation to noise and the store manager was happy to provide her contact details to the representors for future reference should there be any problems.

4. The representations made in writing and at the hearing by the Ward Councillor. He advised that it was inappropriate for the store to request longer opening hours in a residential area. He raised concerns about litter in the area, noise from delivery vehicles and noise from staff being present an hour before opening time and an hour after closing.

Written representations made by local residents in writing during the consultation period. They raised concerns about the extension of hours in a residential area and the potential for an increase in noise.

The Sub Committee were presented with the following options:

- Option 1 Grant the licence in the terms applied for.
- Option 2 Grant the licence with modified/additional conditions.
- Option 3 Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
- Option 4 Reject the application.

Members chose Option 2 and granted the licence with modified/additional condition as follows:

1. Clear and legible notices shall be displayed at the entrance and exit of the store asking patrons to leave quietly, having regard to the needs of local residents.

Informative

Members asked that staff be trained as to the need to arrive at and leave the premises quietly due to the residential location of the store.

Councillor Aspden, Chair

[The meeting started at 10.00 am and finished at 11.10 am].