

Licensing Sub Committee 1

29 July 2020 at 10.00 am

Present: Councillor Allen (Chair);
Councillors Eaves and S Davies.

Officers: Makhan Singh Gosal - Acting Senior Licensing Officer
David Elliott - Local Authority Solicitor
Trisha Newton - Senior Democratic Services Officer
Shane Parkes - Democratic Services Officer

Also present: Patrick Burke - Applicant's Representative.

**Matters Delegated to the Sub Committee to exercise
Those functions of the Licensing Committee under the
Licensing Act 2003 and any regulations made under that Act, together
with any related functions.**

26/20

**Application for a new premises licence at Affordable Groceries, 71-73
Bromford Lane, West Bromwich, B70 7HN**

The Sub Committee considered an application for a new premises licence in respect of Affordable Groceries, 71 – 73 Bromford Lane, West Bromwich, following receipt of a representation from a local resident.

The application was for the supply of alcohol, off the premises, Monday to Sunday 6.00 am to 10.00 pm. Proposed opening hours of the premises were Monday to Sunday 6.00am to 10.00pm.

There had been one representation received from a local resident, who could not attend the meeting. The objections were as follows:-

- there were already two premises that sold alcohol on the street and another shop in the area was not needed and would add to the public nuisance;
- regular drinkers were seen walking along the street, some in dressing gowns in the morning drinking alcoholic drinks from bottles or cans;
- empty cans and bottles were often dumped on a plot of fenced off land on the street;



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- there may be an increase in people on the street, with more cars trying to park resulting in more noise and disruption to the residents;
- Bromford Lane was a busy main road and cars parking outside the shop may lead to difficulty crossing the road;
- cars may park on pavements making it difficult for pedestrians;
- there were vulnerable people living in the area they may be put at risk;
- the Council should encourage a healthy life style not allowing more access to alcohol, which was an issue for some people;
- children going to senior and primary school would have to pass another shop selling alcohol.

The meeting was adjourned to consider documentation that had not been distributed.

The applicant's representative addressed the Committee as follows:-

- the premises was a new building opening as a general store including the supply of alcohol;
- the applicant had many years' experience of owning and managing retail premises selling alcohol without any issues;
- this was the only shop that the applicant owned and managed so they would not be splitting their time between premises;
- the applicant could not be held responsible for behaviour that was already taking place as the shop was not open;
- there would be adequate litter bins provided around the premises;
- in respect of public safety and cars parking on an already congested road, this would always be busy road and it would make no difference what type of premises opened;
- in respect of children walking past another shop selling alcohol on the way to school, children were exposed to advertising for alcohol and this should not cause any extra harm to children;
- prominent signs would be displayed requesting customers to respect residents when leaving the premises and to use the litter bins, to reduce public nuisance;
- a challenge 25 policy would be in place to stop underage sales and posters advertising the scheme would be displayed and a refusal log kept;
- all staff working at the premises would undertake training and this would be recorded in a register;
- the applicant was a personal licence holder and her husband also held a personal licence;
- the 10.00 pm closing time was earlier than other premises selling alcohol in that area;
- there had been no objections from the Police or any other responsible authorities and only one objection from residents.

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The Committee took advice from its legal advisor before adjourning to make a decision.

Having considered all the information before them, the Sub Committee was minded to grant the premises licence in respect of Affordable Groceries, 71 – 73 Bromford Lane, West Bromwich, B70 7HN.

Concerns raised in respect to the number of shops in the area selling alcohol were not relevant as there was no cumulative impact zone within Sandwell and those in respect of vehicles on Bromford Lane were a highways issue and did not relate to the premises specifically. In respect to concern over crime, nuisance and disorder these were relevant, however, as this was a new application it was not possible to evidence the effect that the premises may have on the area.

Resolved that the Premises Licence in respect of Affordable Groceries, 71 – 73 Bromford Lane, West Bromwich, B70 7HN be granted.

In making its decision the Sub Committee took into account the Licensing Act itself, the Section 182 Guidance and noted that it must carry out all its functions under the Act with a view to promoting the licensing objectives. It also took into account the Human Rights Act 1998.

The objector would be advised of their right of appeal under section 53c of the Licensing Act 2003 to the Magistrates Court within 21 days of receipt of the decision letter.

Meeting ended at 11.11 am with an adjournment
at 10.18 am to 10.30am

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