

# LICENSING COMMITTEE HEARING

MONDAY, 25 JANUARY 2021 - 11.00 AM



**PRESENT:** Councillor M Humphrey (Chairman), Councillor D Connor and Councillor N Meekins, Councillor A Maul (Substitute)

**OFFICERS IN ATTENDANCE:** Linda Albon (Member Services & Governance Officer), Michelle Bishop (Licensing Manager) and Colin Miles (Legal Representative)

## **LH1/20      DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE MADE UNDER THE PROVISIONS OF THE LICENSING ACT 2003**

Members considered a determination of an application for a premises licence made under the provisions of the Licensing Act 2003 in respect of Freddie's Convenience Store, 16A High Street, Manea.

The Chairman introduced the Panel and the others present were:

Gokay Toz, Agent for the applicant  
Ibrahim Ozan, Applicant  
Zoe Wells, wife of the Applicant  
Graham McDonald, interested party

The Licensing Manager, Michelle Bishop, outlined her report.

The Chairman invited questions from members of the panel relating to the report.

No questions were raised by the panel.

The Chairman invited the applicant, Mr Ozan, to present the case for the application. Mr Ozan nominated his agent, Ms Toz to speak on his behalf.

Ms Toz advised that there had been two objections to the application. One of the objections was for the planning hours, however these have been approved. The applicant is willing to reduce the hours from 22.30pm to 22.00pm but this is a new business which could be affected by any further reduction and the applicant wants to see how successful the business is. The applicant proposes not to have deliveries early mornings or late evenings to reduce any noise impact; customers will be told to leave the premises quietly and not congregate outside out of respect to the neighbours. Ms Toz added there will be refusal books; staff will be fully trained, and the applicant accepts and will follow all audit conditions as set out by the police.

The Chairman thanked Ms Toz and asked the applicant if he had anything further to add.

Mr Ozan said he had run off-licences for over twenty years in other areas within the UK, including residential areas, without any problems and has always followed the rules.

The Chairman thanked Mr Ozan and asked if he wanted to call on any witnesses. Mr Ozan advised he had no witnesses.

The Chairman advised that there were no responsible authorities present to ask questions and therefore invited Mr McDonald to ask questions of the agent or applicant. Mr McDonald said he had no specific questions.

The Chairman invited the panel to ask questions.

1. Councillor Meekins asked for clarification on whether the application is still until 22.30pm or until 22.00pm. Ms Toz said the application is still approved at 22.30pm but the applicant was willing reduce the hours to 22.00pm in response to objections but the objectors did not accept this. Councillor Meekins thanked Ms Toz.
2. Councillor Connor asked if Mr Ozan could summarise his experience in the licensing trade. Mr Ozan said he had run an off-licence for over ten years in East London and knew the laws regarding keeping a safe community, not creating noise problems, not selling alcohol to drunk people and awareness of underage sales.
3. Councillor Humphrey noted Mr Ozan had advised he had ten years' experience of running an off-licence in London but, as he had previously stated he had twenty years' experience, asked for clarification on that point. Also, during that time, could Mr Ozan confirm his premises had been run responsibly and had not caused any problems in the community. Mr Ozan stated that he never had any problems; he had been working all his life and repeated that he had never had a problem; he clarified that he meant he had been working in one particular place for ten years.
4. Councillor Humphrey said unfortunately the panel had been unable to undertake a site visit. The police were very specific about what they wanted from CCTV, however looking at the plans there seemed to be some areas where alcohol is available, but the CCTV coverage is not great. He asked for clarity on whether staff at the till would have site of all areas of the shop with the CCTV and a monitor. Ms Toz responded that CCTV cameras are located both inside and outside the premises. However, the applicant will be happy to provide extra coverage in all entrances and exits around the building if required.
5. Councillor Meekins said that one of the areas of complaints was a concern of antisocial behaviour outside the premises but cameras usually deter that. He asked if the cameras outside the building were working. Mr Ozan confirmed that they do work.

The Chairman invited Mr McDonald to provide his representation. Mr McDonald had some issues around the planning application, but he was advised by the Chairman that these are not a material consideration by the Licensing Sub-Committee. Councillor Connor said that as Chairman of Planning Committee he would follow up with Mr McDonald after this hearing if he so wished. Mr McDonald had no other points to raise and would follow up with Councillor Connor separately regarding the planning issues.

The Chairman invited the agent to sum up. Ms Toz said Mr Ozan and his wife are reasonable and respectable people and they will respect their neighbours as they live in the area themselves.

The Panel adjourned at 11.26am for deliberation and reconvened at 11.58am.

Councillor Humphrey read out the decision notice and thanked everybody for their attendance.

**The Licensing Committee Hearing Panel GRANTED the licence as applied for subject to the adoption of all the conditions agreed with Cambridgeshire Constabulary as shown in appendix C of the report and to include the provision of a monitor to enable staff to view live images of all areas.**