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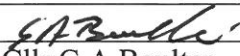
**DECISION: GRANT**


**OADBY AND WIGSTON BOROUGH COUNCIL**

**LICENSING ACT 2003 SUB-COMMITTEE**

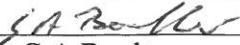
**RECORD OF PROCEEDINGS/MEMBERS NOTES – APPLICATION FOR PREMISES LICENCE – HGS (LEICESTER) LTD**

1.	<b>Date of Hearing</b>	06 October 2017
2.	<ul style="list-style-type: none"> <li>• <b>Panel/Committee members present</b></li>   <li>• <b>Members/officers observing</b></li> </ul>	G A Boulter L M Broadley R E Fahey  Samantha Lane Samuel Ball James Mortell Tracey Aldwinckle Louise Arnold
3.	<b>Legal Advisor</b>	David Gill
4.	<b>Declarations of interests by members or officers</b>	None
5.	<b>Applicant</b>	HGS (LEICESTER) LTD
6.	<b>Application premises</b>	SPAR, SHELL DORSET AVENUE SOUTH WIGSTON LEICESTERSHIRE LE18 4WB
7.	<b>Nature of Application(s)</b>	Premises Licence
8.	<b>Parties/Representatives and Witnesses present</b>  <u>For the Applicant</u>	Mr Charles Streeten (Counsel)  Mr Peter Hockenhull (HGS (Leicester) Ltd)

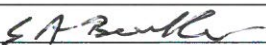
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	<u>Witnesses given permission to speak</u>	Mr Joe Hockenhull (HGS (Leicester) Ltd Mr Rob Spooner HGS (Leicester) Ltd  As Above
9.	<b>Parties/witnesses not present and reason why</b>	Apologies given by Chris Weston (Minister) Eyres Monsell Baptist Free Church
10.	<b>Applications and Decisions on ancillary issues, e.g. requests for adjournments; determinations whether to proceed in absence; directions, etc.</b>	None
11.	<b>Written Representations and supplementary material taken into consideration</b>	As contained within the Report and Agenda Pack
12.	<b>Agreed Facts</b>	Premises do not benefit from 24 hours opening which is a matter for the planning regime
13.	<b>Facts/Issues</b>	Whether the proposed conditions are sufficient to uphold the licensing objectives
14	<b>Findings of Fact</b> <i>(ie the relevant facts accepted from the evidence available)</i> [ ]	
15.	<b>Full text of decision on the application</b>	
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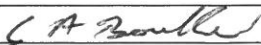
	<p>The Licensing Panel convened at 10:22 am.</p> <p>The Chair introduced the parties and outlined the hearing procedure to be followed.</p> <p>The Hearing Regulations 2005 stated that the Authority must allow parties an equal period of time in which to present their evidence. It was agreed that all parties would have 10 minutes to make their representations.</p> <p><b>Report of the Licensing Officer</b>  The Licensing Panel gave consideration to the report and appendices as delivered and summarised by the Licensing Officer (at pages 1 - 75 of the Agenda Pack) which should be read together with these minutes as a composite document.</p> <p><b>Questions put to the Licensing Officer</b>  None.</p> <p><b>Representations made by the Applicant</b>  The Applicants Legal Representative, Mr Charles Streeten, addressed the Licensing Panel.</p> <p>He stated that the site had been closed for the past 10 years and that prior to this it had operated as a petrol forecourt. During the past 10 years the site had operated as a hand car wash.</p> <p>It was said that HGS (Leicester) Ltd had now purchased the freehold and were in the process of totally redeveloping the site with an investment of £1.2 million. The site would then trade as a Spar convenience store offering a wide range of products with alcohol being a key product category. It was said that as well as the normal product categories associated with a quality convenience store, the site would have an ATM, Lottery, E-Pay and a hot food counter.</p> <p>He also stated that the operators of this site had ten other sites in the Leicestershire/Northamptonshire area, and of these; 7 sites are a 24 hour operation; 3 sites are a 16 hour operation and all sites were licensed.</p> <p>The operators of the site are also Retailers for Shell UK Oil Products Ltd by way of a Retailer Business Agreement (RBA). The site would therefore be operated to a similar standard to their Shell sites.</p> <p>It was stated that the site would employ 15-20 staff on a mixture of full and part time basis.</p> <p>CCTV would operate in store and on the forecourt and would have a full alarm system with Redcare. A full scanning system with till prompts on age-restricted products would be operated. All staff would be trained on this along with regular refresher training.</p>
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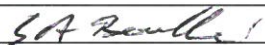
	<p><b>Questions put to the Applicant</b> None.</p> <p><b>Closing Speeches</b> None.</p> <p>The Licensing Panel adjourned to consider its decision at 10:36 am.</p> <p>The Licensing Panel reconvened at 10:47 am.</p> <p><b>DECIDED THAT:-</b></p> <ul style="list-style-type: none"> <li>(i) The decision herewith contained in the foregoing Decision Notice (at section 16) as was read aloud in outline by the Legal Advisor to all those present at the meeting be made; and</li> <li>(ii) The exact wording of the proposed conditions to be delegated to officers so that they accord with the wording of the Pool of Model Conditions; and</li> <li>(iii) The Application for a Premise Licence, be amended to reflect the correct postal address of South Wigston, Leicestershire.</li> </ul> <p>The Licensing Panel closed at 10:49 am.</p>
16.	<p><b>DECISION:</b></p> <p>In reaching its decision the Sub-committee has had regard to the evidence and representations of the applicant and interested parties, the Council's Statement of Licensing Policy and Guidance issued under Section 182 of the Licensing Act 2003. Having considered all these factors the Sub-committee has decided to:</p> <p>Grant the application with amendments to the conditions proposed in the operating schedule in order to ensure that the conditions are effective and enforceable and accord with the Pool of Model Conditions.</p> <p>The grant of the licence was on the basis that the Sub-committee did not consider that the representations and evidence received from the interested parties could justify the refusal of the application on the grounds that the grant of the application would undermine the promotion of the licensing objectives. Having regard to concerns raised by the interested party the Sub-committee were cognizant of the fact that the interested parties could apply for a review of the licence should any issues arise from the grant of the licence.</p> <p>For the avoidance of doubt the amended conditions are set out below:</p>

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	<p>Conditions</p> <p>A Challenge 25 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 25 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence. No other form of identification shall be accepted unless agreed with the Licensing Authority or Leicestershire Constabulary.</p> <p>Challenge 25 materials shall be displayed at the premises, including at the point of sale of alcohol, to inform customers of the operation scheme.</p> <p>Training will be provided for all staff before they are allowed to sell alcohol and will include Challenge 25, proof of age, management of conflict and refusals records. The training will be documented. The Premises Licence Holder will check that the training has been understood. The training will be repeated at least every 6 months.</p> <p>Records of training will be provided to the Responsible Authorities and the Licensing Authority on request.</p> <p>CCTV shall be installed to specifications and in locations agreed with the Licensing Authority and maintained in accordance with the Information Commissioner's CCTV Code of Practice. The CCTV shall record during all times that the premises are open for the sale of alcohol.</p> <p>All images are to be held for a minimum of 28 days. All recordings are to be held in a secure holding facility. If a tape system is used, tapes are to be replaced every 6 months with new ones. This is to be recorded in an incident book for the premises. All images held are to be available immediately on request by any of the Responsible Authorities.</p> <p>A staff member from the premises, who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must also be able to show the Police or Licensing Officer recent data or footage with the absolute minimum of delay when requested to do so.</p> <p>The Premises Licence Holder shall operate and maintain an up to date record of refused sales of alcohol, indicating the date, time, reason for refusal and person refusing. The record shall be reviewed at least once a month by the Premises Licence Holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not complying with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once checked and record any action taken as a result of the review. This information shall be made available on request to the Licensing Authority and any other Responsible Authorities.</p>
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	Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter
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