

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Thursday, 10th March, 2011

Present: Cllr Miss J L Sergison (Chairman), Cllr Mrs F A English and Cllr Mrs F A Kemp.

PART 1 - PUBLIC

**LA
11/022** **DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE
CONSTITUTION**

**LA
11/023** **APPLICATION FOR A NEW PREMISES LICENCE FOR
SAINSBURYS SUPERMARKET, 365 SHIPBOURNE ROAD,
TONBRIDGE**

The Panel gave consideration to an application for a premises licence made by Sainsbury's Supermarkets Limited in respect of 365 Shipbourne Road, Tonbridge.

Notice of the application had been displayed at the site of the new premises and in a local newspaper and the Panel was advised that representations had been received from a number of local residents (detailed in Annex 2 to the report), as a petition on behalf of local residents (Annex 2A), from the Ward members for Cage Green Ward and from Environmental Health and Housing Services (as a Responsible Authority).

The Panel heard from the Estates Manager, representing the Licensing Authority and from Mr C Kennard, Environmental Health Officer.

The Panel heard from Mr R Botkai, Solicitor and Mr R Phelan, Area Manager, on behalf of Sainsbury's Supermarkets Limited; Councillor N Heslop on behalf of local residents and from local residents Mr M Summers, Mr Rennie and Mrs Pryce.

Having considered very carefully the application and the representations made by the applicant, local Members, local residents and responsible authorities in accordance with the objectives contained in the Licensing Act 2003 and taken into account the issues set out in the report and the objectives contained in the Licensing Policy of

Tonbridge and Malling Borough Council, the Licensing and Appeals Committee, sitting as a Panel

RESOLVED: That the Premises Licence be granted to allow for Sale of Alcohol for consumption off the premises 0700 until 2230 hours Monday to Sunday and to allow the premises to be open to the public from 0700 until 2230 hours Monday to Sunday subject to the mandatory conditions set out in the Licensing Act 2003 in connection to the supply of alcohol and to the following conditions:-

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
3. The system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The system will display on any recording the correct time and date of the recording.
5. A system will be in place to maintain the quality of the recorded image.
6. The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.
7. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.
8. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. The evidence shall be photographic, such as passport or photographic driving licence until other effective photographic technology is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
11/024** **EXCLUSION OF PRESS AND PUBLIC**

No matters were considered in private.

The meeting ended at 2116 hours