

## **Licensing Sub-Committee**

**Minutes of meeting held remotely on 4 September 2020 at 4.00 pm.**

**Present:**

Councillors Candy Vaughan (Chair), Robin Maxted and Penny di Cara.

**Officers in attendance:**

Nick Peeters (Committee Officer), Michele Wilkinson (Lawyer (Housing & Regulatory)) and Paul Thornton (Specialist Advisor - Licensing).

**14 Election of Chair of the Sub-Committee for this meeting**

Councillor Maxted proposed and Councillor Di Carra seconded that Councillor Vaughan be appointed as Chair for this meeting.

**RESOLVED:** That Councillor Vaughan be appointed Chair for the meeting.

**15 Apologies for absence/declaration of substitute members**

There were none.

**16 Declarations of interests**

There were none.

**17 Application for a Premises Licence - Vino Bro's Ltd, 11 Piltdown Way, Eastbourne, BN23 8LB**

The Chair, Councillor Vaughan, welcomed all those attending the meeting and outlined the procedures for the hearing.

The Specialist Advisor for Licensing, Paul Thornton, outlined the report setting out the application for a premises licence, for Vino Bro's Ltd, 11 Piltdown Way, Eastbourne. Mr Thornton summarised the report as follows:

- The hours for the sale of alcohol off the premises would be 11:00 – 21:00 every day of the week and members of the public would not have access to the premises for the purposes of purchasing alcohol.
- There would be a 25-plus age verification process and if on delivery, the purchaser appeared to be under 25, identification would be requested.
- During the consultation process Sussex Police made no representations on the basis that the conditions offered in the Operating Schedule would be

included in the licence if it were granted.

- One of the six representation received had been withdrawn and the remaining five were from neighbours. In view of the number of representations and the nature of the application, mediation was not considered a viable option.
- In determining the application, the Sub Committee was asked to give weight to the representations made, Home Office guidance, the Licensing Policy for Eastbourne Borough Council and to address the four licensing objectives
  - o Prevention of crime and disorder
  - o Public safety
  - o Prevention of public nuisance
  - o Protection of children from harm
- A representation was a 'relevant representation' if it was about the likely effect of the grant of the licence on the promotion of the licensing objectives. The objector would need to establish that such a consequence was a *likely* effect of a grant (i.e. more probable than not).
- Any decision made by the Sub Committee would be subject to an appeal to the Magistrates' Court by any party involved in the proceedings.

The applicant's legal representative, Suraj Desor, addressed the Sub Committee and highlighted the following points:

- The business was not seeking to sell alcohol at the premises. Orders would be taken online and the premises would be used solely for the storage and delivery of alcohol. There would be a maximum of one collection of customer orders per day and the hours applied for allowed flexibility.
- Issues over parking were not a material concern and no objections had been raised by responsible authorities over the potential noise and disturbances created by collections. Collections and deliveries would be made by vans and not larger vehicles such as lorries, and there would be a minimal dwelling time at the premises. The applicant had put in place an alcohol delivery policy and driver code-of-conduct.
- The applicant proposed an additional condition confirming a maximum of one deliver and one collection per day and an amendment to the existing condition regarding hours of the sale off-site of alcohol from 11:00 – 21:00 to 11:00 – 19:00.
- There were existing businesses in the area that had collections and deliveries by vehicles and there were household deliveries to residents also.
- Members sought clarification on the following points:

- There were not significant orders on any particular day and the amount of stock collected and delivered was managed through online ordering.
- Orders were predominantly for single bottles with four bottles as a maximum. Cases were not sold as there was not capacity and they were high value items.
- The van sizes used for collection and delivery were typically under 3.5 tonnes.

Mr Parrett, a resident who had made a representation, addressed the Sub Committee and highlighted the following points:

- Some concern remained over the size of vehicles being used for collection and delivery, although reassurance had now been provided by the applicant.
- There were concerns over the additional waste/packaging from the business in a residential area and the strain on waste collection services.

The Sub Committee adjourned to deliberate at 4:50pm and it was agreed that all parties would receive the decision within the legal timeframe.

The meeting ended at Time Not Specified

Councillor Candy Vaughan (Chair)