

Decision of Licensing Sub Committee. Hearing 29 February 2024

Application for a new premises licence at Former Seven Sisters Public House, Alfriston Road, Seaford, BN25 3PY

The hearing concerned a new premises licence application, for Tesco Express, for the Former Seven Sisters Public House, Alfriston Road, Seaford, BN25 3PY. The Applicant was Tesco Stores Limited.

The application was for the sale by retail of alcohol off the premises only every day between 06:00hrs and 00:00hrs (midnight) and late-night refreshments every day between 23:00hrs and 00:00hrs. The opening hours to be 06:00hrs to 00:00hrs.

Following discussion between the Applicant and Sussex Police the original application was amended for the licensable hours to be 06:00hrs to 23:00hrs. During the hearing, the Applicant's representative, Hardish Purewal, confirmed that the opening hours would also be 06:00hrs to 23:00hrs.

In discharging its functions, the Sub Committee considered the promotion of the relevant licensing objectives, the Council's own Licensing Policy, the relevant Home Office Guidance, and the rules of natural justice.

It also took into account, the information contained within the Specialist Advisor's report, presented by Dean Love. He noted that conditions and amended hours had been agreed following the publishing of the original Report, between the Applicant and Sussex Police, and those were contained within the supplementary information to the Report dated 22 February 2024.

The Sub Committee considered the application and the oral representations made at the hearing by the Applicant's representative.

She explained that the Applicant had 2,800 stores and employed approximately 300,000 people.

The Applicant's representative stated that the premises would employ approximately 20 staff and 4 managers, and it was expected that local people would be employed at the premises. It was expected that the premises would start operating in late 2024.

It was stated that the Applicant took pride in being a good neighbour and would address any concerns which may arise so as to "nip them in the bud." She said that it was disappointing that there was no attendance at the hearing by those who had made a representation as it would have been any opportunity to allay their concerns. However, it was planned that the Applicant would contact the local residents to discuss their concerns in any event.

She stated that the Police rarely had concerns with other local Tesco stores and that the Applicant had a good relationship with the Police and was willing to work with them should any concerns arise at the premises.

She referred to the strong national policies and standards that the premises would operate under, referring in particular to training including conflict training, having strong

Challenge 25 procedures, and check out prompts for the sale of alcohol. She stated that local stores were supported by the Applicant's central team.

The Applicant's representative noted that some of the concerns raised in the representations did not relate to the licensing objectives. In relation to concerns about litter, it was stated that bins would be provided and that the area about the premises would be kept tidy. In relation to noise concerns, it was stated that the Applicant would address any noise nuisance forthwith. In relation to concerns about anti-social behaviour, it was stated that the Applicant would not tolerate such behaviour and would move on any such groups or individuals.

Further, it was contended that the application was in line with the relevant parts of the Council's Statement of Licensing Policy.

Due regard by the Licensing Sub Committee was given to the written representations of members of the public. Those written objections included, but were not limited to, concerns about noise disturbance particularly at night and concerns about crime and anti-social behaviour relating to customers congregating and drinking alcohol in the area.

In its deliberations the Sub Committee considered which decision would be appropriate and proportionate, from the options outlined in para. 8.1 of the Report.

Decision

The Licensing Sub Committee decision was to grant the premises licence with the modified conditions and licensable hours of 06:00hrs to 23.00hrs, as agreed with Sussex Police.

Reasons for decision

The Licensing Sub Committee carefully considered the relevant concerns of the representors but considered that the modified conditions and the reduction of the licensable hours would address the promotion of the licensing objectives.

The Members were content, on balance, that the Applicant would address any concerns such as noise that may arise in the future and were content that the Applicant would be a considerate neighbour to those in the area.

The Sub Committee also took into account, in making its decision the Applicant's robust national policies and procedures.

The Licensing Act 2003 provides a right of appeal to the Magistrates' Court in respect of an application for a premises licence. An appeal must be commenced by notice of appeal being given by the appellant to the Magistrates' Court within a period of 21 days beginning on the date the appellant is notified in writing of the decision of the Licensing Sub Committee.

The decision shall be provided in writing to all parties within five working days of the decision being made.