

LICENSING SUB-COMMITTEE
29th November, 2019

Present:- Councillor Buckley (in the Chair); Councillors Clark and Napper.

5. LICENSING ACT 2003 - LICENCE - SHELL BRAMLEY, BAWTRY ROAD, BRAMLEY, ROTHERHAM

Consideration was given to an application for the variation of a Premises Licence, under the provisions of the Licensing Act 2003, in respect of the premises known as Shell Bramley, Bawtry Road, Bramley, Rotherham.

The Licensing Authority had received two representations which were not withdrawn and the Sub-Committee considered those representations.

No objections had been received by the statutory consultees as part of the application to vary the licence.

The application sought to vary the premises licence as follows:-

- Amend the times during which the supply of alcohol is permitted.

The licence currently permitted the retail sale of alcohol (for consumption off the premises) between 0500 hours and 2300 hours Monday - Sunday.

The applicant was seeking to vary the licence so that the retail sale of alcohol (for consumption off the premises) was permitted between 0000 hours and 2400 hours Monday – Sunday (i.e. 24 hours per day, 7 days per week).

- Amend Condition 2 on the licence (detail provided on the application form).

Condition 2 on the premises licence currently read:-

The licence holder shall ensure that staff are trained with regard to their responsibilities in the retail sale alcohol and regular refresher training will also be undertaken. Training records will be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

The applicant was seeking to amend this condition as follows:-

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

- Remove Condition 1 from the licence and replace it with a new condition

Condition 1 on the premises licence currently reads:-

The licence holder shall ensure that CCTV is installed at the premises and images made available upon reasonable request by a relevant officer of a responsible authority.

The applicant was seeking to remove this condition and replace it with the one detailed below:-

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

The applicant company was Shell UK Oil Products Limited and the Barrister representing the company at the hearing explained the rationale for the above proposed variations with the operation and expansion of other premises in the local area.

The points raised in the written representations were based on disruption assumptions rather than evidence and no objections had been raised by the statutory consultees.

The premises were currently open 24/7 seven days a week with the sale of late night refreshment between the hours of 11.00 p.m. and 5.00 a.m. and the sale of alcohol for consumption off the premises between the hours of 5.00 a.m. and 11.00 p.m.

In recognition of the need to be more specific and in line with technological advances the application also sought to replace Condition No. 1 and a variation to Condition No. 2.

In addition, whilst acknowledging there had been no formal complaints raised as part of the operation of the current premises license, but recognising the anxieties and concerns of the objectors, the neighbourhood issues that had been raised were already being looked into.

In conclusion, the Sub-Committee took due note of all of the written representations made and also of the fact that there had been no representations made by the statutory consultees in respect of this application.

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The Sub-Committee considered the application for the variation of this premises licence and the representations made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Resolved:- That the application for the variation of the premises licence in respect of the premises known as the Shell Bramley, Bawtry Road, Bramley be granted as follows:-

(a) the retail sale of alcohol (for consumption off the premises) is permitted between 0000 hours and 2400 hours Monday – Sunday (24 hours per day, 7 days per week);

(b) Condition 2 be amended to read:-

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every six months). Written training records will be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

(c) Condition 1 be replaced with:-

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.