

LICENSING SUB-COMMITTEE
2nd May, 2017

Present:- Councillor Ellis (in the Chair); Councillors Buckley and Wyatt.

**CLUB/PREMISES CERTIFICATE (LICENSING ACT 2003) - FHF
SUPERMARKET, 192 FERHAM ROAD, HOLMES**

Consideration was given to an application for the grant of a premises licence under the Licensing Act 2003, in respect of the premises known as the FHF Supermarket, 192 Ferham Road, Holmes, Rotherham.

The Licensing Authority received representations from the Borough Council's Enforcement Unit (as a responsible authority) and also from local residents and business people in the local area near to the premises, including a petition signed by 37 persons. These representations were not withdrawn and the Sub-Committee gave them due consideration. The applicant attended the meeting and presented the licence application and responded to the issues raised in the written representations considered by the Sub-Committee.

The applicant Mr. Faris outlined his application, stating that he was keen to establish this new business and that the grant of a premises' licence would enable him to attract more customers and make his business more profitable.

Mr. Faris stated that he had successfully completed the required course in respect of his application for a Personal Licence, in accordance with the Licensing Act 2003. However, Mr. Faris was still awaiting the return of his DBS check and therefore had not yet applied to the Local Authority for the grant of a Personal Licence.

The representative from the Borough Council's Enforcement Unit submitted evidence of the FHF Supermarket being open for business and selling alcohol products, but without the necessary premises' licence being in place for the supermarket. Alcoholic drinks were being stored on the premises and were on display within and visible to customers within the supermarket.

The Sub-Committee questioned Mr. Faris about the four Licensing objectives, as stated in the Licensing Act 2003. Members concluded, having listened to Mr. Faris's replies, that he did not have a sufficient knowledge or understanding of the 4 Licensing objectives and the overall Licensing legislation and their implications for the operation of his business. Mr. Faris conceded that he did not have a very good understanding of the written English language.

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In addition, the Sub-Committee did not feel that Mr. Faris would be able to fulfil his responsibilities in respect of the Licensing Act 2003 and concluded that there were no additional conditions of any licence which would enable Mr. Faris to operate an off-licence business.

Resolved:- That the application for the grant of a premises licence under the Licensing Act 2003, in respect of the premises known as the FHF Supermarket, 192 Ferham Road, Holmes, Rotherham, as now submitted, be refused.