

**LICENSING SUB-COMMITTEE  
1st October, 2013**

Present:- Councillor Barron (in the Chair); Councillors Buckley and J. Hamilton.

**CLUB/PREMISES CERTIFICATE (LICENSING ACT 2003) -  
MARANTO'S, 23 HIGH STREET, SWALLOWNEST**

Further to a Minute of the meeting of the Licensing Sub-Committee held on 1<sup>st</sup> August, 2013, consideration was given to an application for a premises licence under the Licensing Act 2003, in respect of the premises known as Maranto's, 23 High Street, Swallownest.

The Licensing Authority received representations from the Aston-cum-Aughton Parish Council and from two local Ward Councillors, which were not withdrawn and the Sub-Committee considered those representations.

The Sub-Committee noted that the applicant had agreed to amend the finishing time for each relevant part of the application, as follows:- the finishing time for "Late Night Refreshment" and for the "Supply of Alcohol" and the "Hours Premises Open to the Public" were amended to read : Monday to Saturday to midnight and Sunday to 23:00 hours.

The Sub-Committee heard that the applicant currently opened the premises until 11.00 pm, without the need to be licensed. The applicant proposed, due to a business and customer demand, to open the premises for the addition of supply of alcohol and also to extend the current hours for hot food sales and for the premises' opening hours. It was noted that the applicant had experience of owning and running similar premises and held a personal licence. The premises also had the benefit of coverage by twelve closed circuit television (CCTV) cameras, fitted on and about the premises, with the recordings being retained for forty-two days. The business makes deliveries of hot food within a radius of three miles from the premises and the deliveries would also be covered by mobile CCTV camera devices. The majority of alcohol sales were expected to be via the delivery system. All alcohol sales would only be made when hot food was ordered to a value of £10.00 or more.

Members noted the contents of the written representations received and heard from the objectors present, who expressed their concerns about disorderly behaviour particularly by young persons on the nearby estate and in the general area of Swallownest. The objectors stated that they were concerned about the number of hot food take-aways and shops selling alcohol in Swallownest and that should another premises be allowed to open for alcohol sales in the area, there might be an increase in the amount of disorderly behaviour. Members were sympathetic with the concerns raised by the objectors, but are aware that "demand" and

“planning” are not factors that could be taken into consideration when determining licensing applications.

Resolved:- (1) That the application, as now amended, be approved and a premises licence, under the provisions of the Licensing Act 2003, be granted in respect of the premises known as Maranto's, 23 High Street, Swallownest.

(2) That the following times be approved and included as part of the licence:-

(a) Late night refreshment: Monday to Saturday from 23:00 hours to midnight;

(b) Supply of Alcohol: Monday to Saturday from 17:00 hours to midnight;

(c) Supply of Alcohol: Sunday from 17:00 hours to 23:00 hours;

(d) Hours Open to Public: Monday to Saturday from 16:00 hours to midnight and Sunday from 16:00 hours to 23:00 hours.