

Somerset Council – Decision taken by the Licensing Sub-Committee - North on Monday, 4 March 2024

Agenda Item No	Topic	Decision
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Part A – Items considered in public

A1	The Perfect shop Ltd.	<p>The Licensing Sub-Committee had been asked to consider an application for a new premises licence from Mr Rohit Julka for the premises at 13 High Street Bridgwater Somerset following an objection from the Town Council. The Sub-Committee was advised that the Applicant had reached agreement with the Police for conditions to be included on any licence that may be granted and therefore there was no formal objection from them.</p> <p>The Sub-Committee had considered all of the evidence presented by the Applicant and Objector both in person and in writing. The Sub-Committee’s decision was made in accordance with the Council’s Statement of Licensing Policy, the Secretary of State’s Guidance and current case law.</p> <p>The application as submitted was for the sale and supply of alcohol off the premises only between 08.00hrs - 2300hrs, 7 days a week.</p> <p>- <u>DECISION</u></p> <p>The Sub-Committee recognised that this was a well-prepared application with a comprehensive operating schedule and additional conditions had been agreed with the Police.</p> <p>The application, as submitted, was for the sale of alcohol mirroring the opening hours</p>
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		<p>of the premises. The Applicant was already successfully trading from 3 premises in Weston-Super-Mare without cause for concern.</p> <p>The objection of the Town Council was driven by the significant number of premises already licensed to sell alcohol in the vicinity. The Council’s Licensing Policy stated that shops, stores and supermarkets should generally be permitted to sell alcohol off the premises during the normal hours they intend to open. As a new application this premises was not a focus of disorder and disturbance and the Council does not have a cumulative impact policy to limit further premises.</p> <p>The objection concentrated mostly on anti-social behaviour that already exists within the town centre and was speculative as far as the premises were concerned, having not been previously licensed.</p> <p>The application was for a convenience store and whilst the Town Council was concerned that an additional outlet selling alcohol may lead to an increased amount of crime and disorder within the town centre, it did not follow that that would be the case or that this premises would be the cause. The Applicant cannot be held responsible for anti-social activities outside of their premises and not directly attributable to the management of those premises. The Government’s guidance makes clear that beyond the immediate area surrounding the premises those are matters for the personal responsibility of individuals under the law.</p>

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		<p>The Sub-Committee fully understood the concerns of, and supports the Town Council in its endeavours to rid the town centre of anti-social behaviour, especially alcohol related unruly behaviour. However, it had to be recognised that the Police, as the primary agents of enforcing crime and disorder and public nuisance objectives, had chosen not to object to the application but recommended some 24 conditions that could be added to any licence.</p> <p>In addition, there was no evidence before the Sub-Committee that suggested that this application cannot or will not promote the licensing objectives once supported by those conditions agreed with the Police.</p> <p>Therefore, it was the decision of the Sub-Committee that a new premises licence be granted to Mr Rohit Julka for the premises at 13 High Street Bridgwater Somerset on the terms requested subject to the provisions of the operating schedule and the conditions agreed with Avon & Somerset Police.</p>