

WEST OXFORDSHIRE DISTRICT COUNCIL

Record of a meeting of the **LICENSING PANEL**
Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on Thursday 29 January 2015

PRESENT

Councillors: Mr N A MacRae MBE (Chairman); Mr R A Langridge and Ms E P R Leffman

I. APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 –
MID COUNTIES CO-OPERATIVE, MARKET SQUARE, BAMPTON

The Chairman of the Panel welcomed those present to the meeting. Mr MacRae then set out the procedure by which the hearing would operate.

In response to a question from the Chairman the applicant's solicitor, Ms Emma Stranks, confirmed that the application had been properly advertised and registered her intention to address the Panel. Ms Stranks introduced Mr David Lincoln and Mr David Adams from Mid Counties Co-operative.

Mr David Reynish and Mr David Hussell then registered an intention to address the Panel in objection to the application.

The Chairman explained the order of business for the meeting. He advised that the Panel Members were familiar with the written representations submitted and requested those addressing the Panel to highlight any specific points they wished to raise, which should relate to the Licensing Objectives.

Mr MacRae also explained that new evidence could only be considered with the consent of all parties present and asked if any such evidence was to be introduced. There was no new evidence presented and no questions raised regarding the procedures under which the meeting would operate.

The Council's Licensing Officer presented her report outlining the application and advised that 13 letters letter of objection had been received and that Bampton Parish Council had also raised objections. Since the circulation of the papers Mid Counties Co-operative had written to objectors clarifying their application. As a result objection 6 had been withdrawn and objection 12 had been partially withdrawn.

The Council's Legal Adviser then reminded all present of the Licensing Objectives and the need to assess applications on a case by case basis. Clarification was given regarding the hours of trading and the presumption, as reflected in the licensing policy, that alcohol can normally be sold during the hours a premise is open,

Ms Stranks then addressed the Panel in support of the application. Ms Stranks advised that the original application had been for the hours of 0600hrs to 2300hrs which was standard for Mid Counties Co-operative. It was explained that there was no intention to change current trading hours and therefore the application had been amended to take account of that.

Mr Lincoln explained the purchase of the Budgens store in Bampton and the business model of the Co-operative. It was clarified that sale of alcohol early in the morning was unusual.

In response to Mr Langridge it was confirmed that there was no intention to change the opening hours and changes in the hours for the sale of alcohol would have no impact on the level or timing of deliveries to the store. Further clarification was given in respect of the trading hours particularly on a Sunday.

Mr Hussell then addressed the Panel in objection to the application. Mr Hussell advised that he was pleased that there was no intention to open longer as that had been his main concern. It was indicated that due to that Mr Hussell no longer had an objection.

The Legal Adviser reminded those present that there was an extant permission in the licence that allowed trading up to 2300hrs and this was not being varied. The hours that the shop was open was decided by Co-operative but they could open until 2300hrs if they wished. The Panel was reminded that there had not been a request for a review.

Mr Reynish advised that he was happy with what he had heard and no longer wished to address the panel.

In summing up Ms Stranks confirmed there was no intention to change the hours. Mr Lincoln emphasised that the Co-operative philosophy was to be part of the community where stores were located and this was the case in Bampton. It was important that there was a good relationship with residents living close to the store and it was reiterated that there was no change in operating hours proposed which were in line with other Co Operative stores.

The Panel then retired to consider the application and submissions made at the hearing.

Having considered the report and the submissions made at the meeting in relation to the licensing objectives and the Council's Statement of Licensing Policy and Guidance, and being of the view that the sale of alcohol was appropriate in this location, the Panel

RESOLVED: That the application for a variation to the Premises Licence under the Licensing Act 2003 in respect of Mid Counties Co-operative, Market Square, Bampton be approved, as follows:

Sale of Alcohol

Monday to Saturday – 0700hrs to 2300hrs

Sunday – 0800hrs to 2230hrs

Good Friday – 0800hrs to 2230hrs

Christmas Day – 12 Noon to 1500hrs and 1900hrs to 2230hrs

In advising of the decision the Chairman highlighted the commitment of the Co-operative to work with the local community. Mr MacRae thanked the objectors for their attendance and input to the process.

The hearing closed at 10.20am