
DACORUM BOROUGH COUNCIL

LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE

WEDNESDAY 1st NOVEMBER 2023

ATTENDEES: Brenda Link (Cllr)
Andrew Williams (Cllr)
David Deacon (Cllr)

OFFICERS: Legal Adviser (Nargis Sultan)
Jodie Edwards (Litigation Lawyer)
Kim Knight (Lead Licensing Officer)
Sally McDonald (Licensing Manager)
Kayley Johnston (Minutes)

APPLICANT: Sasisegaran Sellathurai (Applicant)
Priththa Sellathurai (Applicants Daughter/Interpreter)
Sellathurai Umaipalan (Applicants Brother/Business Partner)
Rob Jordan (Applicants Representative)

1. MINUTES

The minutes of the previous meeting were formally approved.

2. APOLOGIES FOR ABSENCE

None.

3. DECLARATIONS OF INTEREST

None.

4. PROCEDURE OF THE HEARING

The Chair informed the committee of the procedure.

5. PREMISES LICENCE APPLICATION UNDER THE LICENSING ACT 2003 SELLA SUPERMARKET, UNIT 2, INVICTA HOUSE, HEMEL HEMPSTEAD HERTS

K Knight introduced the report. The Committee had before them an application for the grant of a new premises license for Sella Supermarket at Unit 2 Invicta House, 120 Marlowes Hemel Hempstead. The application sought authorisation to sell alcohol for consumption off the premises only.

The application was set out in the report pack on pages 19 to 32 and the seven representations that had been received were set out on pages 33 to 41.

Observations regarding the relevance of some matters set out in the representations, can be found on page 18. Those persons who made representations had been invited to attend the meeting to address the committee and the details of those speaking had been forwarded to Members ahead of the meeting, the options available to the committee were set out on paragraph 4.1 of the introductory section of the report on pages 15 and 16 of the bundle. The Sub-Committee were reminded that any steps taken must be considered appropriate in order to promote one or more the licensing objectives and that full and clear reasons should be given to explain why their decision had been reached.

The Chair asked the representative to set out his request.

R Jordan stated that the applicant wanted an alcohol license from the hours of 6:00am and midnight every day to equal with the opening hours of the shop, which were stated in the supporting document that he had submitted. He said there would be a litter patrol and signs to keep the area outside the shop clean and not to consume alcohol outside the front of the shop. He added that he was happy with the supporting document and did not want to add anything else.

Cllr Williams asked if the applicant intended to operate an alcohol license from the opening time to the closing time. He also asked, in relation to the map, which was not very clear if the premises would be occupying the whole of the ground floor.

R Jordan stated that was correct, the license would apply for Unit 2, number 120 Invicta House. Number 122 was a separate unit. He also confirmed that they would like the license from 6am until midnight, which is when the shop would be open.

Cllr Williams asked the officers if they knew off the top of their heads if similar premises operated with late licenses and if this was an unusual request.

S McDonald confirmed that there was only one other premises, which was opposite to KFC, which held a late license other than the Full House.

Cllr Link said she had been told that there was no entrance from the back of the shop and asked about loading stock in busy periods.

R Jordan stated that most deliveries would be early mornings like milk deliveries and papers. They do not see this affecting traffic etc. as the landlord had a loading bay outside the premises and that there was parking nearby.

Cllr Deacon had a question for the Officers and asked them about the 'no response' from the Police.

K Knight stated that the Police had not made a representation, in this case, though they do if the content of the application raises crime and disorder concerns.

R Jordan just wanted to add that they had been doing this for 17 years and Police do normally object so they were happy that they hadn't.

Cllr Williams asked if the applicants had held a Licence before.

R Jordan confirmed that they had held a personal license for 8 years and had worked in the industry for 15 years.

Cllr Williams asked if the shop was a Franchise.

R Jordan stated that it was an independent shop.

The meeting closed at 10:20am for the Sub-Committee to consider the application.

Decision

The Sub-Committee noted that there was a public consultation between 7th September to 5th October 2023. During this time, there were 7 valid representations received, citing concerns in respect of public nuisance, public safety and protection of children from harm.

The Sub-Committee noted the content of the representations which made reference to limited street parking and impact on property prices should the licence be granted. As these are not relevant considerations in accordance with the Licensing Act, the Sub-Committee cannot take these into account.

The Sub-Committee also noted the representations made in respect of proximity to other licensed premises. The Sub-Committee considered this point, however, as there is no Cumulative Impact Assessment or Policy in the Town Centre evidencing any detrimental impact of licenced premises in the area, this cannot be taken into consideration.

The Sub-Committee also noted the concerns raised of potential anti-social behaviour, the Sub-Committee considered these to be speculative with no evidence to suggest these concerns would come to fruition. The Sub-Committee noted that no objections were received by any of the Responsible Authorities, in particular the Police.

The Sub-Committee gave particular consideration to the fact that the Applicant has 15 years' experience within the industry and 8 years' experience as a personal licence holder. Moreover, the Applicant confirmed that staff will be appropriately trained and that the business will hold CCTV which will be available for viewing by Police or any other enforcement agencies upon reasonable request.

The Sub-Committee has consequently resolved to grant the premises licence for the sale by retail of alcohol for consumption off the premises Monday to Sunday 0600 to 2400hrs.

The meeting ended at 10:32 am