

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

**APPLICATION: VARIATION OF PREMISES LICENCE: TESCO SUPERMARKET,
CAIRD AVENUE, NEW MILTON**

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Tuesday, 22 March 2011 at 10.00am.**

1. Members of the Licensing Sub-Committee

Councillor W H Dow- Chairman
Councillor J Penwarden
Councillor Mrs P A Wyeth

2. Parties and their Representatives attending the Hearing

Mr D Stubbings – Applicant
Mr J Bark – Solicitors for the Applicant

Objector: Cllr G Beck also representing Cllr S Davies.

3. Other Persons attending the Hearing

None.

4. Parties not attending the Hearing

Objectors:

Cllr S Davies, local ward member.

5. Officers attending to assist the Sub-Committee

Tory Putnam – Legal Advisor
Andy Rogers – Clerk

6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

Licensable activities and times permitted:

M: Supply of Alcohol

Monday 06.00hrs to 00.30hrs
Tuesday 06.00hrs to 00.30hrs
Wednesday 06.00hrs to 00.30hrs
Thursday 06.00hrs to 00.30hrs
Friday 06.00hrs to 00.30hrs
Saturday 06.00hrs to 00.00hrs
Sunday 10.00hrs to 22.30hrs

During the month of December, alcohol may be sold up to 24 hours a day when the store is open to customers.

Mandatory conditions:

As provided in the Licensing Act 2003

Other conditions: None.

7. Reasons for the Decision

The Sub-Committee carefully considered the application along with the evidence, both written and oral, supplied by the applicant and objectors.

Whilst the Sub-Committee was sympathetic with objectors' concerns and fears, it was of the view that the objectors had not provided any substantiated evidence to demonstrate that the extension of hours for the supply of alcohol at the premises would increase the level of public nuisance or crime and disorder (or adversely affect or breach any of the other licensing objectives) within the vicinity of the licensed premises.

In reaching this conclusion, the subcommittee noted the fact that there were no objections from any responsible authorities, including the police. The lack of formal police objections was deemed particularly important in light of the premises' current ability to sell alcohol over a 24 hour period for the whole of December without any known incident or complaint.

Accordingly, the Sub-Committee was prepared to grant a premises licence for the supply of alcohol (for consumption off the premises) in the terms set out at section 6 above.

Date: 22 March 2011

Licensing Sub-Committee Chairman: Cllr W H Dow

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Decision notified to interested parties on 22 March 2011