

**LICENSING COMMITTEE
MINUTES**

Date: Monday, 3 April 2023

Time: 10.00am

Place: Autun Room, Daneshill House, Danestrete, Stevenage

Present: Councillors: Maureen McKay (Chair) (Chair), (Vice Chair), Lin Martin-Haugh, Claire Parris and Teresa Callaghan

Start / End Start Time: 10.00am
Time: End Time: 12.00pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Myla Arceno, Rob Broom, Nazmin Chowdhury, John Duncan, Bret Facey, Liz Harrington, Chris Howells, Graham Lawrence CC, Andy McGuinness, Claire Parris and Lorraine Rossati.

There were no declarations of interest.

2 MINUTES - 10 MARCH 2023

It was **RESOLVED** that the Minutes of the meeting of the Licensing Committee held on 10 March 2023 be approved as a correct record and signed by the Chair.

3 LICENSING APPLICATIONS - PROCEDURE

All parties noted the revised procedure for the hearing which had been circulated at the meeting.

4 APPLICATION FOR THE GRANT OF A PREMISES LICENCE - TODAY FISH AND GRILL, 10 MIDDLE ROW, STEVENAGE SG1 3AW

The Committee considered an application for the grant of a premises Licence for the Today Fish and Grill, 10 Middle Row, Stevenage, SG1 3AW. Representations in respect of this application had been made by two local residents, one residing on Middle Row and the other on Baker Street. A representation had also been made from the owner of a local business on Middle Row.

Representations received by two of the Responsible Authorities, the Local Planning Authority and Environmental health had been withdrawn following the Licensing officer liaising with the Applicant who had subsequently agreed to voluntarily amend their application for late night refreshment from 03:00hrs to 00:00hrs for both delivery and takeaway and would be closed to the public at 00:00.

The Licensing Officer presented a report to the Committee outlining the facts of the application.

The Licensing Officer advised that the premises was surrounded by other commercial properties including retail outlets and a Barber shop along with some residential properties located above some of the ground floor premises on Middle Row. There were also nearby premises providing late night refreshments.

Following a question to the Licensing Officer from a local resident, it was clarified that the application was for the grant of the licence between the hours of 11.00am and 00:00midnight Mondays to Sundays including Bank Holidays.

A request was made by a local resident that the Committee defer their decision on the application as there were flaws and inaccuracies in the application including the lack of an accurate plan with dimensions of the property.

The Chair then invited the local residents to present their case. Two local residents spoke of their objections to the application, their key points of objection being:

- A number of late night licences in the vicinity were already in existence and caused nuisance. The grant of this licence would add to that nuisance;
- In general, there were no objections to the night time economy in the Old Town, however, the use of middle Row for such a premises would create considerable noise nuisance to the residents of Middle Row;
- The narrowness of Middle Row did not allow large groups to congregate without causing disturbance;
- Vandalism had been experienced in the past and an additional premises would increase the chance of further vandalism, particularly as Middle Row was secluded and out of sight from the High Street;
- The lack of public conveniences in the area could also lead to further anti-social behaviour;
- The inaccuracies of the plan submitted with the application did not show the issues with regard to the access into the residential premises at 12 middle Row.

The local residents responded to a series of questions asked by the Applicant's representative and members of the Committee.

The Chair then invited the Applicant's representative (Mr Stewart Gibson) to present their case.

Mr Gibson's submission included the following points:

- The objections raised to the application had no bearing and were not relevant to the 4 licensing objectives;
- Following consultation with the Licensing Officer and in response to concerns raised by the Responsible Authorities and local residents, the applicant had voluntarily amended the application by bringing forward the finish time for late night refreshment from 03:00hrs to 00:00hrs for both delivery and takeaway. The premises would also close to the public at 00:00hrs.

- The opening of the premises would not cause an increase in the numbers of people coming to the area but would just provide more choice to those people already in the area;
- The delivery partner waiting area would be removed from the application. Deliveries would be made through the adjoining Chickaroo premises which opened onto the High Street not Middle Row;
- No motorcycles would be used for the delivery of food it would be cars only which would address concerns of noise nuisance;
- No alcohol would be sold from the premises.

Mr Gibson and the Manager of Today Fish and Grill then answered a series of questions from local residents who had made representations, and Members of the Committee.

All parties were invited by the Chair to sum up their submissions.

At the conclusion of the summing up, the Committee withdrew from the meeting to determine the application. At the conclusion of that process, the Committee returned to the meeting to give their decision.

Licensing Committee Chair’s statement:

The Licensing Committee approved the grant of a premises licence for Today Fish and Grill, 10 Middle Row, Stevenage, SG1 3AW subject to inclusion of the additional licensing conditions as set out below:

1. The removal of the delivery partner waiting entrance at the front of the property;
2. All delivery collections to be made through Chickaroo’s High Street entrance.

The Committee restated the requirement of the planning condition on the business that all activity including cooking and serving must be ceased by midnight.

The Committee also advised that should the Council receive a valid request for a review from a resident or residents or from a Responsible Authority, the Committee would be able to consider a review of the Licence.

All parties were advised of their right of appeal to the Magistrates Court within 21 days of the receipt of the decision notice.

5 **URGENT PART I BUSINESS**

None.

6 **EXCLUSION OF PRESS AND PUBLIC**

Not required.

7 **URGENT PART II BUSINESS**

None.

CHAIR