

LICENSING ACT 2003
LICENSING SUB-COMMITTEE
DECISION NOTICE

Re: Morrisons Supermarket, Barnfield Close, Leek, Staffordshire, ST9 9LJ

Meeting: Tuesday 1st December 2020 at 10.30 am

Present: Councillor I Plant (Chairman)
Councillor B Hughes
Councillor I Lawson
(N de Bruin Legal Services Officer)

Applicant: Richard Taylor, solicitor of Gosschalks Solicitors. With
Kelly Nichols (Licensing Manager, Morrisons) on behalf
of the applicant WM Morrison Supermarket PLC and Clair
Gibson, regional trading standards manager

Objectors: Residents, L Swindlehurst M Swindlehurst and N Knight

For the Licensing Authority: M Towers, Senior Officer (Housing, Public
Health and Licensing) and Ms S Bradbury, Licensing Officer

The meeting was held by way of Microsoft Teams and webcast simultaneously on
the Council's website.

Introduction

The hearing was called to consider an application for a Variation of the current
Premises Licence in respect of Morrisons Supermarket at Barnfield Close, Leek,
Staffordshire, ST9 9LJ.

All members declared an other interest in relation to councillor Lyn Swindlehurst who
was known by all members. Nevertheless none of the members knew Councillor
Swindlehurst other than in her capacity as a member and they would be able to deal
with the application objectively.

R Taylor, L Swindlehurst, M Swindlehurst, N Knight and M Towers all addressed the
Sub-Committee.

The Sub-Committee also considered the written report, S182 guidance and
Staffordshire Moorlands 'Statement of Licensing Policy' before coming to a decision.

Decision

Approve with condition the variation application as follows;

When the premises is open for alcohol sales between midnight and 6am a minimum of one SIA qualified security guard will be employed at the premises

Reasons for the decision

The Sub-Committee considered that objectors primary concerns related to nuisance caused by noise from cars entering from the narrow side streets, use of the car park by people racing cars, littering and lighting. These were issues that already existed and were noted, but would not, in the opinion of the Sub-Committee, undermine the licensing objective by approval of the variation because it was a fact that the premises could already operate on a 24 hour basis and it was unlikely that the sale of alcohol as well as other goods would significantly increase footfall or change the current manner of operation. It was noted that previous complaints had been addressed by management and the Sub-Committee asked that management continued to work with residents so that both could enjoy the area amicably together. It was understood that the managers store details would be shared with the objectors so that issues could be resolved if possible.

If it did transpire that the grant of the licence caused a nuisance at the store then any one of the residents could ask the licence to be reviewed – if those problems were caused by the sale of alcohol - but this Sub-Committee could not control or deal with issues related to lighting, access, ASB in the car park or issues around use of the petrol station in determining this application.

Accordingly with the condition to be imposed it was not considered that the variation would undermine any of the licensing objectives.

Right of Appeal

The objectors may appeal against this decision. Any appeal must be made in writing to the Staffordshire Magistrates Court within 21 days from the date of receipt of the written Decision Notice.

The meeting closed at 11:33am

Dated 1st December 2020

Chairman of the Licensing Sub-Committee