

LICENSING SUB-COMMITTEE HEARING

Members' Record of Determination



RE: Nicky's Store
(103-105 Bradwell Road, Bradville, Milton Keynes MK13 7AW)

Application to Vary a Premises Licence
(Wednesday 13 July 2011)

Constitution of the Sub-Committee:	Councillors Burke, McKenzie & Tallack	
Chair	Councillor Burke	
Others Present:	-	
Legal Advisor:	Mr James Setchell	
Committee Manager:	-	
Licensing Officer:	James Sloane	
Applicant	Mr Hamant Patel	Applicant
Relevant Authority Officers:	-	
Interested Parties	-	
Members of the Public:	-	
Documentation:	Report of Licensing Officer	
Apologies:	-	
Disclosures of interest:	-	

Prior to the commencement of the hearing the Chair read an opening statement, which constituted the strict procedure to be followed at the hearing, the process for all parties giving evidence and the rights of persons attending the hearing.

At the close of the hearing the Chair informed all parties of their rights of appeal to the decision which had been made by the Sub-Committee.

Milton Keynes Council

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Signature:	
Chairman:	Councillor Burke
Date of Hearing:	13 July 2011

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MILTON KEYNES
COUNCIL

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1. Findings of Fact

The Sub-Committee made no additional findings of fact over and above the evidence already available in the report and agenda.

2. Full text of unanimous decision on the application

Taking into account the application and representations received together with the relevant law, guidance, and Council policy, the Sub-Committee:

RESOLVED –

The application to vary the licence is granted, such that the hours of both opening and licensable activities (namely the supply of alcohol) are to be 06.00 to 22.00, Monday to Sunday inclusive.

Conditions are added:

- (1) As provided in the variation application's operating schedule:
 - (i) provision of a suitable CCTV system
 - (ii) maintenance of a refusal log book for the sale of alcohol and tobacco products

- (2) On the basis of agreement with Environmental Health:
 - (i) At the close of trading every day the premises licence holder or his representative shall ensure all litter is removed outside the shop
 - (ii) Alcohol shall not be sold in an open container or be consumed in the licensed premises

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3. Reasons for decision

An explanation of why:

- (1) Legal advice was not given in closed session
- (2) The Sub-Committee took into account the report placed before it and all valid representations made
- (3) The Sub-Committee considered law, Council policy and DCMS guidance under section 182
- (4) The Sub-Committee decided that those conditions added to the licence would address the concerns raised by representations and are a proportionate response to those representations

4. Right of Appeal

An appeal against the decision of the Sub-Committee may be made by:

- (a) the applicant.
- (b) any person who made relevant representations.

Applications to appeal the decision of the Sub-Committee must be made to the local Magistrates' Court within 21 days from the receipt of this notice.

Milton Keynes Council

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