

AGENDA



For a meeting of the
ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE
to be held on
FRIDAY, 23 MARCH 2012
at
10.00 AM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETER'S HILL, GRANTHAM NG31 6PZ
Beverly Agass, Chief Executive

Committee Members:	Councillor Pam Bosworth (Chairman), Councillor Robert Broughton, Councillor George Chivers, Councillor Breda Griffin, Councillor Reginald Howard, Councillor Vic Kerr, Councillor Graddon Rowlands, Councillor Bob Russell (Vice-Chairman), Councillor Susan Sandall, Councillor Mrs Jean Taylor and Councillor Frank Turner
Committee Support Officer:	Lucy Bonshor 01476 40 61 20 l.bonshor@southkesteven.gov.uk

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

1. APOLOGIES

2. DECLARATIONS OF INTEREST

Members are asked to declare an interest in matters for consideration at the meeting.

3. MINUTES OF MEETING HELD ON 2ND MARCH 2012

(Enclosure)

4. LICENSING ACT 2003: APPLICATION FOR A GRANT OF A PREMISE LICENCE FOR COST CUTTERS, 13/15 SPRINGFIELD ROAD, GRANTHAM

Report CSL004 by the Community Safety and Licensing Service Manager.

(Enclosure)

(THE APPENDICES TO THE REPORT AT AGENDA ITEM 4 ATTACHED FOR COMMITTEE MEMBERS ONLY. IF ANY OTHER MEMBERS WISH TO SEE THE SUPPORTING INFORMATION, PLEASE CONTACT THE SERVICE MANAGER, COMMUNITY SAFETY AND LICENSING).

5. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT.

MINUTES

**ALCOHOL AND ENTERTAINMENT
LICENSING COMMITTEE
FRIDAY, 3 FEBRUARY 2012**



COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth (Chairman)
Councillor Robert Broughton
Councillor Breda Griffin

Councillor Reginald Howard
Councillor Mrs Jean Taylor

OFFICERS

Licensing Officers (Peter Harrison, Pam Robinson, Richard Etherton)
Solicitor (Paul Rushworth)
Democratic Officer (Lucy Bonshor)

30. APOLOGIES

Apologies for absence were received from Councillor Chivers, Councillor Vic Kerr, Councillor Russell, Councillor Susan Sandall, Councillor Rowlands and Councillor Turner.

The application before the Committee had already been part heard therefore, both Councillors Rowlands and Turner had submitted their apologies as they did not attend the meeting when the application had previously been discussed. Councillor Chivers tendered his apologies as he left part way through discussion of the application.

31. DECLARATIONS OF INTEREST

None declared.

32. MINUTES OF MEETING HELD ON 22ND DECEMBER 2011

The minutes of the meeting held on 22nd December were agreed as a correct record of the decisions taken.

33. LICENSING ACT 2003: REVIEW OF PREMISES LICENCE 90 DEGREES, 78 WESTGATE, GRANTHAM

Decision

That the conditions on the Premises Licence for 90 Degrees, 78 Westgate, Grantham be modified as agreed between the licence holder and Lincolnshire Police.

The Licensing Officer submitted report ENV563 which concerned the review of a premises licence for 90 Degrees, 78 Westgate, Grantham. The application had been heard at the meeting held on 22nd December at which the Committee had agreed to remove the Designated Premises Supervisor and adjourned any further decision until the premises licence had been transferred to the new owners. The Licensing Officer informed the Committee that the transfer of the premise licence had taken place and a meeting had been held with the new owners and Lincolnshire Police at which the conditions appended to the premises licence had been discussed. It had been agreed that the existing conditions were not clear enough and contained ambiguous conditions, such as referring to a Challenge 21 on one page of the conditions and Challenge 25 on another page. It was agreed that a Challenge 21 condition would be used as Challenge 25 condition would mean that the premises would be at a disadvantage with other premises and this was more aimed at Supermarkets than clubs.

Conditions relating to CCTV, drugs and recording incidents had all been agreed with both the owners and the Police. The owners had also agreed to have polycarbonate glasses which would be provided in the first instance by the police but would be replaced by the owners as and when required. Bottles would still be glass; however, incidents of glassing were usually done with a glass as opposed to a bottle. A DPS had yet to be appointed but both of the new owners were undertaking training in this area and carrying out works to the premise. At this stage as the premises would be under new ownership the police felt that it was not proportionate for any further conditions to be attached.

A Member asked about the collection of drugs from the premises and the time taken which the Licensing Officer replied should not happen in the future.

It was proposed, seconded and unanimously agreed that the conditions be modified as agreed between the parties.

34. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT.

The following items of business were raised under urgent business due to the need to inform Members of timescales.

Night time economy – visits with police

The Licensing Officer informed the Committee that the visit to Stamford would take place on Saturday 25th February and Members who would be attending should inform the Licensing Officer. Members did raise concern about the date as some would be attending a civic function that night. The Licensing Officer indicated that due to the Police scheduling this could not be rearranged.

It was agreed that the Grantham visit which had been proposed for the following night would be cancelled due to the forecast of bad weather (snow and freezing temperatures).

Changes to the Licensing Act

The Licensing Officer informed the Committee that a day's training had been arranged for Tuesday 20th March. All Members of the Licensing Committee must attend the training as it concerned changes to the Licensing Act and would affect the decisions that they made. The training would also be open to Members from other Local Authorities who sat on Licensing Committees.

Proposed Taxi Rank – Star Lane, Stamford

The Licensing Officer informed Members that consultation would shortly be undertaken with regard to having a taxi rank on Star Lane in Stamford. A meeting had been held with the Highways Authority who were agreeable to the taxi rank being placed at Star Lane. Currently there was no parking between 7am and 7pm. The reason for this item coming before the Committee again was that the taxis were no longer allowed to use the bus station as this was a contravention of legislation. If no objections to the consultation were received the rank would be moved, however if representations were received the issue would come before the Committee.

Meeting closed at 10.25am.

REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

REPORT OF: Community Safety and Licensing Manager

REPORT NO: CSL/004

DATE: 23rd March 2012

TITLE:	Application for the grant of a Premises Licence – Cost Cutters 13/15 Springfield Road, Grantham	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter Engagement and Corporate Services Portfolio holder	
CONTACT OFFICER:	Peter Harrison - peter.harrison@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Statement of Licensing Policy 6 January 2011	

1. RECOMMENDATIONS

1.1 It is recommended that the Alcohol, Entertainment, Licensing Committee (“the Committee”) consider this application (Appendix 1) for a premises licence for a premises known as Cost Cutters and having regard to the representations of the parties take such steps as it considers necessary for the promotion of the licensing objectives:.

- (a) Grant the licence subject to conditions that are consistent with the operating schedule modified to the extent that the Committee considered necessary for the promotion of the licensing objectives and any mandatory conditions that must be included under the Licensing Act 2003 (“the Act”).

- (b) Exclude from the scope of the licence a licensable activity to which the application relates
- (c) Refuse to specify a person in the licence as premises supervisor;
- (d) Reject the application

2. PURPOSE OF THE REPORT/DECISION REQUIRED

- 2.1 The purpose of this report is to provide the committee with information to enable it to consider this application for a variation of the premise licence under Section 34 of the Licensing Act 2003
- 2.2 The decision required is to establish whether any action is required to promote the four licensing objectives set out in section 1.1 of this report.
- 2.3 If it is felt necessary to take action, the options listed in section 1.1 are open to the committee.

3. DETAILS OF REPORT

- 3.1 Cost Cutter have applied for a licence, appendix 1, for a premises they describe as a supermarket selling high quality food items , alcohol, beverages and tobacco.
- 3.2 The application is for sale of alcohol and opening hours for 24 hours a day, the application is also for late night refreshment between 23.00 and 05.00am seven days a week
- 3.3 Following objections the applicant has e mailed, appendix 4, to amend his application to reduce the opening hours and instead of applying to open 24 hours a day 7 days a week has applied to open from 06.00 to Midnight, Two of the objectors still wish the committee to hear the application.
- 3.4 The application also asks for recorded music, I think this is not required as it is incidental to the main purpose of the business.
- 3.5 There have been 5 representations by interested parties, appendix 2 and a petition, appendix 3 signed by various people, some of these live nowhere near the shop and should be discounted as the law states you must live within the vicinity.
- 3.6 The objections are regarding all four licensing objectives.

4. OTHER OPTIONS CONSIDERED

- 4.1 The applicant has e mailed, appendix 4, to amend his application to reduce the opening hours from 24 to 06.00 to Midnight, having spoken to two of the objectors they still wish committee to hear the application.

5. RESOURCE IMPLICATIONS

N/A

6. RISK AND MITIGATION

N/A

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

N/A

8. CRIME AND DISORDER IMPLICATIONS

There is no evidence to suggest that the granting of this licence would increase crime and disorder within the area of the premises.

9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial implications associated with this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

On receipt of an application for the grant of a Premises licence, and following any representations the Council are obliged to hold a hearing to consider the application within 28 days of receipt of the application. When deciding the application, the Committee should consider the guidance issued under S182 of the Licensing Act 2003 and the District Council's own statement of Licensing Policy. Decisions taken should be reasonable and proportionate and necessary for the promotion of the licensing objectives. The licensing objectives are:

- Prevention of Crime & Disorder
- Public Safety
- Public Nuisance
- Protection of Children from harm

The Committee should consider the representations in relation to the licensing objectives and consider if any action is necessary to ensure the promotion of the licensing objectives above. Any action the Committee takes should be the most proportionate action available to support the promotion of the objectives.

11. COMMENTS OF OTHER RELEVANT SERVICES

12. APPENDICES:

- 1– Application
- 2 - Representations
- 3 – Petition
- 4 – E mail from applicant