

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