

REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

REPORT OF: Community Safety and Licensing Manager

REPORT NO: CSL 013

DATE: 29 June 2012

TITLE:	Application for the grant of a Premises Licence, International Food Shop, 7-8 Wharf Road Grantham	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor John Smith, Green, Healthy and Arts. Portfolio holder	
CONTACT OFFICER:	Richard Etherton r.etherton@southkesteven.gov.uk 01476 406190	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below Not Applicable	Full impact assessment Required: Not 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 and Licensing Committee consider this application for a new premises licence for a premises known as International Food Shop of 7-8 Wharf Road, Grantham, together with the representations of the Responsible Authorities and take such steps as it considers necessary for the promotion of the four licensing objectives:-

Prevention of Crime and Disorder
The prevention of Public Nuisance
The promotion of Public safety
The protection of Children from harm

1.2 The steps are to:-

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

- 2.1 The purpose of this report is to provide the committee with information to enable it to consider this application for a new premises licence issued under Section 17 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 appropriate to take action, the options listed in section 1.2 are open to the committee.

3 DETAILS OF REPORT

- 3.1 An application has been received on behalf of Gashbir Ahmad for a new Premises Licence for premises known as International Food Shop. (**Appendix 1 refers**).
- 3.2 This premise is a Convenience store at present selling mainly European branded grocery and general foods.

The application is for:-

Supply of alcohol – Monday – Sunday 06:00 to 00:00

Opening hours – Monday – Sunday 06:00 to 00:00

- 3.3 Objections have been received from two responsible authorities. One from Lincolnshire Police (**Appendix 2 refers**) and one from Trading Standards (**Appendix 3 refers**).
- 3.4 Both representations refer to the seizure of contraband goods by Her Majesty's Revenue and Customs Officers (HMRC) from 7-8 Wharf Road, Grantham in 2011. All the contraband seized was destroyed. (**Appendix 2 refers**)

- 3.5 Both representations relate to objections concerned with the Prevention of Crime and Disorder and Public Safety.
- 3.6 At the time of the seizure by HMRC of the contraband items at 7-8 Wharf Road, Grantham, the premises did not hold a premises licence under the Licensing Act 2003.

4. OTHER OPTIONS CONSIDERED

None Applicable

5. RESOURCE IMPLICATIONS

None Applicable

6. RISK AND MITIGATION

None Applicable

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

None Applicable

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 Crime and disorder implications will be considered in accordance with the licensing objective and the duty to consider in accordance with s.17 of the Crime and Disorder Act 1998

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 There are no specific financial implications associated with this report however in the event of an applicant making an appeal against a decision which was then subsequently upheld, the Council may incur additional legal costs

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 This is an application for a new premises licence under S17 of the Licensing Act 2003. The committee should consider whether the application is likely to impact on the promotion of the licensing objectives which are set out at paragraph 1.1 above. In reaching the decision the committee should consider any steps that are appropriate to promote the licensing objectives, the representations (including supporting information) presented by all parties, the guidance issued under S182 of the Licensing Act 2003 and the Council's own Licensing Policy.
- 10.2 Any decision taken by the committee should be reasonable and proportionate and must be appropriate for the promotion of the four licensing objectives. The decision of the committee should be no more than a proportionate response to the concerns raised by the police.

11. COMMENTS OF OTHER RELEVANT SERVICES

None Applicable

12. APPENDICES:

- 1) Application
- 2) Representation from Lincolnshire Police
- 3) Representation from Trading Standards