

# REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

**REPORT Of: Community Safety and Licensing Manager**

**REPORT NO: CSL/014**

**DATE: 13<sup>th</sup> July 2012**

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|---|--|----------------------------------|
| <b>TITLE:</b>                                     | Application for the grant of a Premises Licence, EBL Express Newsagents, 109 Dudley Road, Grantham, NG31 9AD   |                                  |
| <b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b> | N/A  |                                  |
| <b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>    | Councillor John Smith, Green, Healthy and Arts. Portfolio holder   |                                  |
| <b>CONTACT OFFICER:</b>                           | Peter Harrison - <a href="mailto:peter.harrison@southkesteven.gov.uk">peter.harrison@southkesteven.gov.uk</a> 01476 406355   |                                  |
| <b>INITIAL IMPACT ASSESSMENT:</b>                 | Carried out and Referred to in paragraph (7) below   | Full impact assessment Required: |
| <b>Equality and Diversity</b>                     |  |                                  |
| <b>FREEDOM OF INFORMATION ACT:</b>                | This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a> |                                  |
| <b>BACKGROUND PAPERS</b>                          | Statement of Licensing Policy 6 January 2011<br>Guidance issued under S182 of the Licensing Act 2003   |                                  |

## 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 EBL Express Newsagents, Dudley Road, Grantham, together with the representations of the Responsible Authorities and take such steps as it considers appropriate 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/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 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 for the grant of a premises licence for a shop on Dudley Road in Grantham for the sale of alcohol.
- 3.2 The hours applied for are 06.00 to 23.00 Monday and Tuesdays and 06.00 to 24.00 Wednesday to Sunday
- 3.3 There have been objections from two local Councillors, Appendix 2 on the grounds of Crime and Disorder, Public Nuisance and Protection of Children from Harm.
- 3.4 One of the objections talks about the lack of policing in respect of the alcohol control zones, this is beyond the control of the applicant and therefore not a relevant consideration for committee.

**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

The powers available to the Committee are set out at paragraph 1.2 of the report.

## **11. COMMENTS OF OTHER RELEVANT SERVICES**

## **12. APPENDICES:**

- 1) Application**
- 2) Representations**