

REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

REPORT Of: Community Safety and Licensing Manager

REPORT NO: CSL/015

DATE: 27 July 2012

TITLE:	Application for the grant of a Premises Licence, Convenience Store, 1 Marville Court, Crowson Way, Deeping St James	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor John Smith, Green, Healthy and Arts. Portfolio holder	
CONTACT OFFICER:	Pam Robinson p.robinson@southkesteven.gov.uk Tel: 01476 406138	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	No	No
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 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 Convenience Store, 1 Marville Court, Crowson Way, Deeping St James together with the representations of residents and Deeping St James Parish Councillors 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

- 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 convenience store in Deeping St James for the sale of alcohol. Appendix 1.
- 3.2 The hours applied for are:

Sale of alcohol - 07.00 to 22.00 Sunday to Monday.

Opening hours - 07.00 to 22.00 Sunday to Monday.
- 3.3 When submitting the application the agent acting on behalf of the applicant submitted a covering letter detailing how the applicant has carried out pre-application risk assessments and that he has included recognition of the factors that arose during those risk assessments in his operating schedule which are detailed on pages 11 and 12 of the application. The covering letter is attached as appendix 2.
- 3.4 There have been objections from residents and Parish Councillors, on the grounds of Crime and Disorder and Public Nuisance. Appendix 3.
- 3.5 No representations have been received from any responsible authority.

4. OTHER OPTIONS CONSIDERED

None Applicable

5. RESOURCE IMPLICATIONS

Not applicable

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

Not 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 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, proportionate and appropriate for the promotion of the licensing objectives when considered against the representations and evidence supplied by the parties.

11. COMMENTS OF OTHER RELEVANT SERVICES

Not applicable

12. APPENDICES:

- 1) Application
- 2) Covering letter
- 3) Objections
- 4) Map showing premises & objectors