

REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

REPORT OF: Mark Jones, Service Manager, Community Safety & Licensing

REPORT NO: CSL/040

DATE: 18 October 2013

TITLE:	Application for a premise licence for Super News and Booze, Unit 2, 50 Kesteven Road, Stamford PE9 1SU	
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, Senior Licensing Officer 01476 406138 Email: p.robinson@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	N/A	
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. http://www.southkesteven.gov.uk/index.aspx?articleid=2955 Guidance issued under S182 of the Licensing Act 2003. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/209526/1167-A_Licensing_Act_2003_2_.pdf	

1. RECOMMENDATIONS

1.1 It is recommended that the Alcohol, Entertainment and Late Night Refreshment Licensing Committee consider this application for a new premises licence for, Super News and Booze, Unit 2, 50 Kesteven Road, Stamford, together with the representations of local residents 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 for a new premises licence was received on 23 August 2013 from Arumugam Kalomohan at Super News and Booze, 50 Kesteven Road, Stamford, Lincolnshire. PE9 1SU. Appendix 1 refers.

3.2 The licensable activities requested are for the supply of alcohol from 07:00 to 23:00, Monday to Sunday.

The opening hours of the premises are 0700 – 23:00 hrs, Monday to Sunday.

3.3 Two representations were received via email from members of the public under the licensing objective of the Protection of Children from Harm. They are

concerned about the proximity of the premises to a nearby school and a potential problem with underage drinking in the area. Appendix 2 refers.

4. OTHER OPTIONS CONSIDERED

No other options available

5. RESOURCE IMPLICATIONS

None

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
N/A	

7. ISSUES ARISING FROM IMPACT ANALYSIS

None

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 for a premises licence
- 2 Representations
- 3 Map of the area