

# REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

**REPORT OF:** COMMUNITY SAFETY & LICENSING MANAGER

**REPORT NO:** ENV 553

**DATE:** 7 October 2011

<b>TITLE:</b>	Application for the grant of a Premises Licence (29 London Road Grantham)	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	N/A	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Paul Carpenter, Engagement & Corporate Services	
<b>CONTACT OFFICER:</b>	Richard Etherton <a href="mailto:r.etherton@southkesteven.gov.uk">r.etherton@southkesteven.gov.uk</a> 01476 406190	
<b>INITIAL IMPACT ASSESSMENT:</b>	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
<b>Equality and Diversity</b>	N/A	N/A
<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	

## 1. RECOMMENDATIONS

1.1 That the Licensing Committee considers this application for a premises licence located at 29 London Road, Grantham and the views of the representations made by interested parties bearing in mind the four licensing objectives:

The Prevention of Crime and Disorder  
Public Safety  
The Prevention of Public Nuisance  
The Protection of children from harm.

1.2 Where relevant representations are made, the authority must hold a hearing to consider them, unless the authority, the applicant and each person who has made representations agree that a hearing is unnecessary

1.3 The committee may have regard to the representations and if it considers it necessary for the promotion of the Licensing objectives;

- (a) Modify the conditions of the licence
- (b) Reject the whole or part of the application and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new conditions are added.

1.4 The licensing authority should give appropriate weight to;

- (a) The steps that are necessary to promote the licensing objectives
- (b) The representations (including supporting information) presented by the parties
- (c) The guidance issued under section 182 of the licensing Act 2003
- (d) South Kesteven District Council's Licensing policy

## **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 premise licence 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 necessary to take action, the options listed in section 1.3 are open to the committee.

## **3. DETAILS OF REPORT**

- 3.1 On the 15 August 2011 an application was received with regards to a new premise licence located at 29 London Road, Grantham. (**Appendix 1 refers**)
- 3.2 The opening hours applied for are Monday to Sunday from 10.00 to 24.00
- 3.3 The application is for the sale of alcohol Monday to Sunday from 10.00 to 24.00 and Late Night refreshment Monday to Sunday from 23.00 to 24.00.
- 3.4 One representation has been received with regards to this application from Lincolnshire Trading Standards, who are a responsible authority. (**Appendix 2 refers**)
- 3.5 Lincolnshire Trading Standards feel that the applicant has not shown on the application how they will deal adequately with the licensing objective - 'The protection of Children from harm'. They have supplied a set of conditions. (**Appendix 2 refers**)
- 3.6 The applicant and Lincolnshire Trading Standards have agreed that the new proposed conditions at appendix 2 be attached to the premises licence.

3.7 The applicant has submitted a letter and agrees to have the conditions supplied by Lincolnshire Trading Standards attached to the premises licence. They believe a hearing is unnecessary. **(Appendix 3 refers)**.

3.8 Lincolnshire Trading Standard has submitted an e – mail which confirms they also feel a hearing is unnecessary. **(Appendix 4 refers)**

**4. OTHER OPTIONS CONSIDERED**

N/A

**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**

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 comments to make in respect of this report.

**10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

10.1 This is an application to vary a premises licence under S34 of the Licensing Act 2003. The committee should consider whether the proposed variation 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, the steps that are necessary 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. The applicant in this matter appears to have agreed a condition which has satisfied Lincolnshire Trading Standards. There are no other objections.

**11. COMMENTS OF OTHER RELEVANT SERVICES**

N/A

**12. APPENDICES:**

Appendix 1 Application for 29 London Road, Grantham

Appendix 2 Representation from Trading Standards

Appendix 3 Letter from applicant

Appendix 4 E – mail from Trading Standards