

# REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

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

**REPORT NO: ENV 552**

**DATE: 7<sup>TH</sup> October 2011**

<b>TITLE:</b>	Application for the grant of a Premises Licence	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	N/A	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Paul Carpenter - Engagement and Corporate Services	
<b>CONTACT OFFICER:</b>	Peter Harrison – <a href="mailto:peter.harrison@southkesteven.gov.uk">peter.harrison@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	
<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

Having regard to the representations take such steps, if any, as it considers necessary, for the promotion of the licensing objectives, those steps are:

Grant the Licence subject to

- A. Modify the conditions of the licence to such an extent as the committee considers necessary for the promotion of the licensing objectives
- B. exclude a licensable activity from the licence 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**

The purpose of this report is to provide the committee with information to enable it to consider this application for the grant of a premise licence under Section 17 of the Licensing Act 2003 as a relevant representation has been received

## **3. DETAILS OF REPORT**

Sainsbury's supermarket has applied for a Premises Licence for a new store in Stamford Town Centre, appendix 1.

The application is for the sale of alcohol between 06.00 and 24.00 and the provision of late night refreshment between the hours of 23.00 and 24.00.

A relevant representation has been received and as officers do not have delegated powers to grant a licence. Where there is a relevant representation the determination of this application now rests with the licensing subcommittee. A copy of the relevant representation received is attached at appendix 2

The representation concerns the potential for disturbance caused by the extra traffic, youths hanging about the store, loutish behaviour and litter.

## **4. OTHER OPTIONS CONSIDERED**

Sainsbury's attempted to negotiate with the objector and agreed to amend their application to close the store at 23.00.

Sainsbury's also point out that even if this application is rejected the store could still open for sale of other goods

The objector still wants the application to go to a hearing

## **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**

N/A

## **9. COMMENTS OF FINANCIAL SERVICES**

There are no specific financial implications associated with this report

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

On receipt of an application for the grant of a Premises licence, the Council are obliged to hold a hearing to consider the application within 28 days of receipt of the application. The Council are not obliged to determine the application within that time if it is considered in the public interest not to do so.

In making any decision relating to the application, the Committee be reasonable and proportionate and must be necessary for the promotion of a licensing objective. The licensing objectives are:

- Prevention of Crime & Disorder
- Public Safety
- Public Nuisance
- Protection of Children from harm

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

N/A

## **12. APPENDICES:**

- 1) Application
- 2) Representation