

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Public Protection Manager

**To:** Panel of the Committee of the Licensing Authority - Wednesday, 20 October 2021

**Author:** Heather Lawson- Licensing Officer

**Subject** Licensing Act 2003

**Purpose:** To determine an application for the Review of a Premises Licence under the Licensing Act 2003 for City Stores, 110 Bridge Road, Sutton Bridge, PE12 9SA

### **Recommendation(s):**

- 1) That the Panel of the Committee of the Licensing Authority determine the Review of a Premises Licence under the Licensing Act 2003 for City Stores, 110 Bridge Road, Sutton Bridge, PE12 9SA

### **1.0 BACKGROUND**

- 1.1 The Licensing Team on behalf of the Licensing Authority received an application for the review of a premises licence on the 3<sup>rd</sup> September 2021 from Lincolnshire Police in accordance with Section 51 of the Licensing Act 2003. The application for review is for the premises known as City Stores, 110 Bridge Road, Sutton Bridge, PE12 9SA. The review application is attached at **Appendix 1**.
- 1.2 The Premises Licence has been held by the Premises Licence Holder Mr Arumugam SARANKAN since February 2021. Mr Sarankan is also the current Designated Premises Supervisor.
- 1.3 The Premises Licence PL0346 is attached at **Appendix 2**.
- 1.4 Lincolnshire Police have obtained evidence which indicates that the management of these premises has been operating in such a manner that amounts to criminal activity and thus undermines the licensing objectives of the prevention of crime and disorder and protection of children from harm.
- 1.5 There have been no representations from members of the public or any other persons.
- 1.6 The Licensing Authority have fulfilled the necessary legislative requirements. A copy of the public notice is attached at **Appendix 3**.
- 1.7 The premises licence holder has provided documented evidence in support of their licence. This information is attached at **Appendix 4 and is RESTRICTED**.

## 2.0 **OPTIONS**

2.1 The Members of the Panel of the Committee of the Licensing Authority must consider the review application on its own merits, representations made, and any evidence and submissions made at the hearing. Consideration must centre on the licensing objectives.

2.2 In making its decision, Members of the Panel are asked to consider the application in line with the following:

- The Licensing Act 2003 and Regulations made under it
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Authority's Statement of Licensing Policy

2.3 As they consider it appropriate for the promotion of the licensing objectives, the Panel of the Committee of the Licensing Authority in accordance with Section 51(4) of the Licensing Act may:

- Modify the conditions of the licence
- Exclude a licensable activity from the scope of the licence
- Remove the Designated Premises Supervisor
- Revoke the licence
- Leave the licence in its current state

2.4 Members are asked to determine the review having regard to the above matters and any other consideration it considers material. Full reasons for the decision must be given.

## 3.0 **IMPLICATIONS**

### 3.1 **Constitutional & Legal**

3.1.1 The decision of the Panel of the Committee of the Licensing Authority is subject to appeal to the Magistrates Court.

### 3.2 **Crime and Disorder**

3.2.1 The representation from Lincolnshire Police highlights concerns in relation to the Licensing objective of the Prevention of Crime and Disorder.

### 3.3 **Equality and Diversity / Human Rights**

3.3.1 Article 1: Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to conditions provided for by law and by the general principles of international law.

3.3.2 Article 6: The Sub-Committee must ensure a fair hearing. (The applicant has been invited to attend the meeting, has been sent a copy of this report and informed of his/her rights to be represented at the meeting).

3.3.3 Article 8: Everyone has the right to his/her private life and family home.

### 3.4 **Safeguarding**

3.4.1 It is the opinion of the report author that there are no implications.

#### 4.0 **WARDS/COMMUNITIES AFFECTED**

4.1 All

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Background papers:-

Licensing Act 2003 <https://www.legislation.gov.uk/ukpga/2003/17/contents>

Guidance issued under Section 182 of The Licensing Act 2003

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

South Holland District Councils Statement of Licensing Policy

<https://www.sholland.gov.uk/media/5192/South-Holland-District-Council-Statement-of-Licensing-Policy-2021-to-2026/pdf/SHDC-Licensing-StatementOfLicensingPolicy2021to2026.pdf?m=6374545222717000>

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#### **Lead Contact Officer**

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**Key Decision:** N

**Exempt Decision:** N

#### **Appendices attached to this report:**

Appendix 1 Review Application from Lincolnshire Police

Appendix 2 Premises Licence PL0346

Appendix 3 Public Notice

Appendix 4 Additional Documents - RESTRICTED