

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Public Protection Manager

To: Panel of the Committee of the Licensing Authority Thursday, 13 January 2022

(Author: Heather Lawson Licensing Officer)

Subject Licensing Act 2003

Purpose: To determine an application for the Grant of a Premises Licence under the Licensing Act 2003 for City Stores, 112 Bridge Road, Sutton Bridge, PE12 9SA

Recommendation(s):

- 1) That the Panel of the Committee of the Licensing Authority determine an application to Grant a Premises Licence under the Licensing Act 2003 for City Stores, 112 Bridge Road, Sutton Bridge, PE12 9SA

1.0 BACKGROUND

- 1.1 The Licensing Team on behalf of the Licensing Authority received an application to grant a new premises licence on 12 November 2021 for the premises known as City Stores, 112 Bridge Road, Sutton Bridge, PE12 9SA. The application was submitted by Mr Ramesh Babu Mohan. The application made under Section 17 of the Licensing Act is attached at **Appendix 1**.
- 1.2 Mr Mohan has described the premises as a local community convenience store and off licence and has applied for the licensable activity of the Supply of alcohol off the premises only. Further details of the times of this activity can be found in box 'J' and the opening times can be found in box 'L' of the application form.
- 1.3 In submitting the application, the applicant is required to describe any additional steps that they intend to take in order to promote the licensing objectives. These include:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm
- 1.4 The steps that the applicant intends to take can be found in box 'M'. These steps form part of the operating schedule and will be included as conditions on any licence granted.
- 1.5 A representation has been received from Lincolnshire Police acting as a Responsible Authority. The representation which can be found at **Appendix 2** refers to the licensing objectives of; The Prevention of Crime and Disorder and the Protection of Children from Harm.

2.0 OPTIONS

- 2.1 The Members of the Panel of the Committee of the Licensing Authority must consider the application to grant the premises licence on its own merits, representations made and any evidence and submissions made at the hearing. Consideration must centre on the steps that are appropriate to promote 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 Regulation 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 18 of the Licensing Act may:
- a) Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application
 - b) Modify the conditions of the licence, altering or omitting or adding to them.
 - c) Exclude any of the licensable activities which the application relates
 - d) Refuse to specify a person in the licence as the premises supervisor
 - e) Reject the application
- 2.4 Members are asked to determine the application having regard to the above matters and any others 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 Through evidence received from Lincolnshire Police, it is believed that there is an impact on the licensing objective associated with crime and disorder.

3.3 **Data Protection**

- 3.3.1 Personal details have been redacted from the open appendices in line with data protection legislation.

3.4 **Equality and Diversity / Human Rights**

- 3.4.1 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.
- 3.4.2 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).

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

3.5 **Safeguarding**

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

4.0 **WARDS/COMMUNITIES AFFECTED**

4.1 All

Background papers:-

Licensing Act 2003

<http://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

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>

Lead Contact Officer

Name and Post: Heather Lawson Licensing Officer

Telephone Number 01775 764509

Email: Heather.Lawson@sholland.gov.uk

Key Decision: N

Exempt Decision: N

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix 1 Premises Licence Application

Appendix 2 Representation from Lincolnshire Police (**RESTRICTED**)