

LICENSING COMMITTEE (HEARING) – 24 APRIL 2012

APPLICATION FOR A PREMISES LICENCE FROM THE CO-OPERATIVE STORE, 30-32 HEVER ROAD, WEST KINGSDOWN, SEVENOAKS, KENT. TN15 6HD FOR VARIATION UNDER THE LICENSING ACT 2003

APPLICATION REFERENCE NO: 12/00679/LAPRE

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Report of the: Community and Planning Services Director

Status: For Decision

Head of Service Head of Environment & Operational Services – Mr. Richard Wilson

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Recommendation: Members' instructions are requested

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### Background

The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is listed on the Agenda front sheet.

The application is made by The Co-operative Group Food Limited, New Century House, Manchester. M60 4ES

The variation is to increase the opening/alcohol hours of the store to 06:00 hours until 23:00 hours Monday to Sunday.

The variation is to:

Section M	To allow sale of alcohol everyday from 06:00 hours until 23:00 hours.
Section O	Hours premises are open to the public everyday from 06:00 hours until 23:00 hours.

The applicant intends to take the following action in order to promote the four licensing objectives if the proposed variation is granted:

### General

A closed circuit TV monitoring system to be installed and maintained. Images recorded and retained for at least 21 days and to be handed to Police/Local Authority on request.

## The Prevention of Crime and Disorder

Signage to be displayed in store that it is an offence for people aged under 18 to purchase alcohol. Store fitted with a panic button for staff to press in case of emergency. Store fitted with a burglar alarm.

## Public Safety

To meet the requirements of the Fire Safety Order 2005

## The Prevention of Public Nuisance

No deliveries to take place between the hours of 23:00 and 06:00 hours the following day.

## The Protection of Children from Harm

All staff are trained in relation to underage related sales of alcohol, proof of age scheme in place. Challenge 25 scheme in place and notices of this prominently displayed within the store. Electronic till prompt when alcohol is scanned to remind staff to check the age of the purchaser. Age refusals register book kept to record where sales of alcohol are challenged or refused.

## Representations received from statutory consultees:

Fire Safety	NO OBJECTIONS
Trading Standards	NO COMMENTS RECEIVED
Social Service	NO COMMENTS RECEIVED
Police	NO OBJECTIONS
Commercial	NO OBJECTIONS
Environmental Protection	NO COMMENTS RECEIVED
Development Control	NO COMMENTS RECEIVED

**Representations received from interested parties:**

1 local resident

**Conclusions**

Without prejudice, the Officer would like to draw to Members attention issues that they may wish to consider:

**Mandatory conditions – the following conditions will be added to the premises licence when it is issued.**

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

(a) at a time where there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and such departure must be supported by clear and cogent reasons.

**Sources of Information:**

<http://www.culture.gov.uk/alcohol> and entertainment

**Contact Officer(s):**

Mrs. Leeann Leeds. Ext. 7270

**KRISTEN PATERSON  
COMMUNITY AND PLANNING SERVICES DIRECTOR**

## RISK ASSESSMENT STATEMENT

This Hearing is regulated by The Licensing Act 2003 (Hearings) Regulations 2005 No. 44.

The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on the 24<sup>th</sup> April 2012 subject to any appeal to a Magistrates Court or higher Court.