

LICENSING COMMITTEE (HEARING) – 14 JANUARY 2013

APPLICATION FOR A PREMISES LICENCE FROM SWANLEY SERVICE STATION LONDON ROAD SWANLEY KENT. BR8 7HB UNDER THE LICENSING ACT 2003

APPLICATION REFERENCE NO: 12/04074/LAPRE

Report of the: Community and Planning Services Director

Status: For Decision

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

Recommendation: Members' instructions are requested

Background

The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is attached to the agenda.

The application is made by Highway Stops Retail Limited, Unit 11, Metro Trading Centre, Second Way, Wembley, HA9 0YJ

A well-established local convenience store that is currently undergoing a full refurbishment and rebranding programme. The shop will have a retail selling space to be in excess of 310 sq. ft., serving both the local community and those from further afield. The store will offer a range of fresh foods, groceries and other products.

The application is to:

Section M	To allow sale of alcohol every day from 06:00 hours until 23:00 hours
Section O	Hours premises are open to the public every day 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 application is granted:

General

CCTV system with recording facilities in place at site. Appropriate staff training to be satisfactorily completed and recorded. Training records can be made available for inspection upon reasonable request by a relevant officer of a responsible authority. Appropriate training manual to be utilised. Refusals book to be maintained, Challenge 21 and PASS accredited proof of age initiative to be operated by all staff. Litter bins to be

emptied daily, forecourt to be swept daily, notices to be prominently displayed requesting customers leaving the premises at night to do so with a minimum of noise, thereby respecting local residents.

The Prevention of Crime and Disorder

CCTV system with recording facilities in place at site. Spirits located behind the counter. Appropriate staff training to be satisfactorily completed and recorded. Training records can be made available for inspection upon reasonable request by a relevant officer of a responsible authority.

Public Safety

CCTV system with recording facilities in place at site.

The Prevention of Public Nuisance

Appropriate staff training to be satisfactorily completed and recorded. Training records can be made available for inspection upon reasonable request by a relevant officer of a responsible authority. Litter bins to be emptied daily, forecourt to be swept daily, notices to be prominently displayed requesting customers leaving the premises at night to do so with a minimum of noise, thereby respecting local residents.

The Protection of Children from Harm

Appropriate staff training to be satisfactorily completed and recorded. Training records can be made available for inspection upon reasonable request by a relevant officer of a responsible authority. Appropriate training manual to be utilised. Refusals book to be maintained. Spirits located behind the counter, Challenge 21 and PASS accredited proof of age initiative to be operated by all staff.

Additional document from applicant was a supporting petition with 112 signatures gained, 109 supporting and 3 objecting to a grant of a premises licence see Appendix A.

Representations received from statutory consultees:

Fire Safety	NO COMMENTS RECEIVED
Trading Standards	NO COMMENTS RECEIVED
Social Service	NO COMMENTS RECEIVED
Police	NO OBJECTIONS
Commercial	NO COMMENTS RECEIVED

Environmental Protection	NO OBJECTIONS
Development Control	NO COMMENTS RECEIVED

Representations received from interested parties:

1 local resident (Appendix B) and 1 local business (Appendix C)

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 premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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 14th January 2013 subject to any appeal to a Magistrates Court or higher Court.