

LICENSING COMMITTEE (HEARING) – 15 APRIL 2010

APPLICATION FOR A PREMISES LICENCE FROM THE KEMSING NEWS, 1 THE PARADE, DYNES ROAD, KEMSING, SEVENOAKS, KENT. TN15 6RE FOR APPLICATION UNDER THE LICENSING ACT 2003

APPLICATION REFERENCE NO: 10/00460/LAPRE

Report of the: Community and Planning Services Director

Status: For Decision

Portfolio Holder Cllr. Mrs Bracken

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

Recommendation: Members' instructions are requested

Background

- 1 The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is attached at Appendix A.
- 2 The application is made by Mr Rudramoorthy Barathan, 1 The Parade, Dynes Road, Kemsing, Sevenoaks, Kent. TN15 6RE
- 3 Newsagents and general store selling usual convenience store goods and services. Rear store on parade of shops.

The application is to:

Section M	4	To allow sale of alcohol for consumption off the premises every day from 09:00 hours until 21:30 hours.
Section O	5	Hours premises are open to the public every day from 06:00 hours until 21:30 hours

Item No. 3

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

General

- 6 Staff training to occur at regular intervals. Applicant has been dealing with alcohol and other age related sales for sixteen years.
- 7 The Prevention of Crime and Disorder
- 8 CCTV will be in place, drunks not to be served. ID persons who appear to be under 21 years of age who attempt to purchase alcohol. Liase with local police community team as required. Acceptable ID passport, new style driving licence with photo ID and pass accredited cards.

Public Safety

- 9 CCTV will be in place - display notices as required by local authorities.

The Prevention of Public Nuisance

- 10 CCTV will be in place. Staff training and responsible retailing should ensure the shop does not present a public nuisance.

The Protection of Children from Harm

- 11 Refusal register will be in place. ID people who appear to be under 21 years of age who attempt to buy alcohol be aware of possible proxy sales.

Representations received from statutory consultees:

Fire Safety	NO ADVERSE COMMENTS
Trading Standards	NO ADVERSE COMMENTS
Social Service	NO ADVERSE COMMENTS
Police	NO OBJECTIONS
Commercial	NO OBJECTIONS
Environmental Protection	NO OBJECTIONS

Development Control	NO ADVERSE COMMENTS
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Representations received from interested parties:

- 12 3 letters from local residents, 1 petition supporting the application and 1 letter from Kemsing Parish Council.

Conclusions

- 13 Without prejudice, the Officer would like to draw to Members attention issues that they may wish to consider:
- 14 Mandatory conditions – the following conditions will be added to the premises licence when it is issued.

The supply of alcohol

- 15 Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-
- 16 No supply of alcohol may be made under the premises licence -
- 17 at a time where there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 18 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 19 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 x7270

**KRISTEN PATERSON
COMMUNITY AND PLANNING SERVICES DIRECTOR**

RISK ASSESSMENT STATEMENT

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

- 21 The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on the 15 April 2010 subject to any appeal to a Magistrates Court or higher Court.