

LICENSING COMMITTEE (HEARING) – 12 AUGUST 2009**APPLICATION FOR A PREMISES LICENCE FROM THE ALAN JONES MENS GROOMING, 105 LONDON ROAD, SEVENOAKS, KENT. TN13 1BH FOR APPLICATION UNDER THE LICENSING ACT 2003****APPLICATION REFERENCE NO: 09/00408/PRE**

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**

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.

The application is made by Mr. Alan Jones, 105 London Road, Sevenoaks, Kent. TN13 1BH

The premises is a mid terrace brick built retail outlet and provides male grooming. The sale of alcohol is being applied for to cover the occasional offers of drinks to customers to enhance their experience of the salon.

The normal operating hours are 09:00 hours until 18:00 hours. However, at Christmas, depending upon demand, the premises may open later and longer hours have been applied for to cover such an eventuality. It is not expected that the premises will open for the extended hours other than at Christmas.

The application is to:

Section M	To allow sale of alcohol both on and off the premises every day from 11:00 hours until 22:00 hours.
Section O	Hours premises are open to the public every day from 09:00 hours until 22:15 hours.

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

General

This is a men's grooming outlet and it is not envisaged that conditions will be necessary. The number of staff within the premises is limited and therefore it will be straightforward to supervise the supply of alcohol to customers.

It is not in the interest of the business for customers to have more than one drink.

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

The Protection of Children from Harm

Customers will be dealt with on a one to one basis and therefore it will be straightforward to request ID off anyone who appears to be under 21 years of age.

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 ADVERSE COMMENTS
Development Control	NO ADVERSE COMMENTS

Representations received from interested parties:

One letter from Sevenoaks Town Council and one letter from a local business Appendix B.

Conclusions

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

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

Contact Officer(s): Mrs. Claire Perry Ext. 7325

Miss. Leeann Fox 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 12 August 2009 subject to any appeal to a Magistrates Court or higher Court.

**PROCEDURE AT HEARINGS OF SUB-COMMITTEES OF THE
LICENSING COMMITTEE ESTABLISHED IN ACCORDANCE WITH
SECTION 9 OF THE LICENSING ACT 2003**

1. **In accordance with Section 9 (1) of the Licensing Act 2003, the Licensing Committee has resolved to establish one or more Sub-Committees each consisting of three members of the Committee.**
2. The Sub-Committees have delegated authority to determine those functions that are reserved for decision by the Sub-Committees in accordance with Appendix B of the Council's Statement of Licensing Policy dated 7 January 2005.
3. Hearings shall be conducted in accordance with this Procedure Note and The Licensing Act 2003 (Hearings) Regulations 2005 subject to the right of the Sub-Committee to vary that procedure at their absolute discretion if considered in the public interest.
4. The quorum for a hearing of a Sub-Committee shall be three members.
5. At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
6. The order of business at hearings shall be:
 - (a) Election of Chairman
 - (b) Declarations of interests
 - (c) Chairman explains the procedure to be followed at the hearing, including the setting of equal time limits for all parties and the granting of adjournments.
 - (d) Chairman ascertains who is assisting or representing the parties.
 - (e) Applicant (or his/her representative) addresses the Sub-Committee
 - (f) Applicant questioned by members. At the discretion of the Sub-Committee, other parties may be permitted to question the Applicant.
 - (g) Persons who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
 - (h) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the Applicant may be permitted to question other parties.
 - (i) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.

Item No. 3 - Appendix A

- (j) Applicant (or his/her representative) makes closing address.
- (k) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.
- (l) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.
- (m) The parties will be informed of the decision at the hearing or thereafter in accordance with Regulation 26 of the 2005 Regulations.
