

Report to Licensing Sub-Committee
Date of meeting Date December 2014
Author Derek Seekings, Licensing Officer



DECISION REQUIRED
Not exempt

Report Title: Application for a Premises Licence at 126, Frimley Road, Camberley, Surrey, GU15 2QN submitted by Grover Convenience Store Ltd.

SUMMARY

The report presents the application for a new Premises Licence relating to 126 Frimley Road, Camberley, Surrey, GU15 2QN. The Licensing authority is required to hold a hearing to determine this premises licence application because relevant representations have been received.

The purpose of the hearing is for the Licensing Sub-Committee to consider the Application, in relation to the Licensing Act 2003's Licensing Objectives. The Licensing objectives being in this Application:

- 1 The prevention of crime and disorder
- 2 Public safety
- 3 The prevention of public nuisance
- 4 The protection of children from harm

Copies of the application, relevant representations and other correspondence received to date are attached to this report.

RECOMMENDATIONS

The Sub-Committee is recommended:

- i) To determine the premises licence application.

REASONS FOR RECOMMENDATIONS

- i) The Sub Committee is required to make a decision under the Licensing Act 2003

BACKGROUND INFORMATION

1 INTRODUCTION

The purpose of this report

- 1.1 For the Sub-Committee to determine the application for a Premises Licence in respect of 126 Frimley Road, Camberley, Surrey, GU15 2QN.

The application is submitted under Section 17 and determined under Section 18 of the Licensing Act 2003.

1.2 **Background of the premises**

Statutory background

- 1.3 The Licensing Act 2003 and secondary legislation in the form of Regulations there under.

Relevant Government policy

- 1.4 Guidance issued under section 182 of the Licensing Act 2003. (effective from October 2014)

Relevant Council policy

- 1.5 Statement of Licensing Policy.

2. **DETAILS**

2.1 **Application**

The application is made by Mr Manmeet Grover on behalf of Grover Convenience Store Limited of 4 Woodlands Parade, Feltham Hill Road, Ashford, Middlesex TW15 1QD and relates to 126 Frimley Road, Camberley, Surrey GU15 2QN.

A Copy of the application is included and attached at Document 1.

The application is for the supply of alcohol for consumption off the premises only, and from 0600 to 2300hrs daily.

The provision of regulated entertainment and late night refreshment are not included in the application.

2.2 **Grounds for the Hearing**

'Other Persons' contend that the carrying on of licensable activities at the premises could lead to the following licensing objectives being seriously undermined:

- i) The prevention of crime and disorder;
- ii) Protection of public safety;
- iii) Prevention of public nuisance;
- iv) Protection of children from harm;

Further evidence submitted regarding the Application

- 2.3 Details included in documents attached to this report.

Responsible Authority Representations/ Comments

- 2.4 Details of Responsible Authority representations received:

2.4.1 Police

No representations.

2.4.2 Fire

No representations.

2.4.3 Local Planning Authority

No representations.

2.4.4 Environmental Health

No representations.

2.4.5 Child Protection Agency

No representations.

2.4.6 Licensing Authority

The application was submitted on 3 November 2014. The application was completed correctly and advertised as required by the Licensing Act 2003.

2.4.7 Health and Safety Executive

No representations.

Any Other Person - Representations

2.5 Details of 'any other person'. A total of five have been received from 'other persons'.

A Copy of the representations are also included and attached at Document 2. The representations are relevant and relate to all four of the licensing objectives.

2.6 Policy Considerations

Details of relevant policy considerations, including local policy statement:

Paragraphs 1 – 89, 95 – 138 of the Council's Licensing Policy Statement are applicable to the consideration of this application.

Paragraphs 48 – 52 make particular reference to premises where alcohol is supplied for consumption off the premises.

3. NEXT STEPS

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives.

In making its decision, the Sub-Committee is also required to have regard to Guidance issued under Section 182 Licensing Act 2003, as amended, and the Council's own Licensing Policy.

The Sub-Committee must have regard to all the representations made and the evidence it hears.

The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the Licensing Objectives:

- To grant the licence subject to conditions
- To exclude a licensable activity or amend timings to which the application relates
- To reject the application

The Sub-Committee is asked to note that it may not add conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

Human Rights and Equality issues will be taken into account on the determination of the Application by balancing the competing rights of the applicant, responsible authorities and 'other persons'.

Attachments:

Document 1: Application for a Premises Licence

Document 2: Representations from 'any other persons'