

LICENSING SUB COMMITTEE

28th August 2012

APPLICATION – NEW PREMISES LICENCE

Relevant Portfolio Holder	Councillor Blake, Community Safety & Regulatory Services
Portfolio Holder Consulted	No
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services.
Wards Affected	All Wards
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To consider an application for a premises licence made by Mr Mohammed Ikram for, 104 Evesham Road, Headless Cross, Redditch, B97 5ES.

2. RECOMMENDATIONS

The Sub-Committee is asked to **RESOLVE**

- i) **to grant or refuse the premises licence, as shown in the application form (Attached as Appendix 1)**
- ii) **whether, if the Sub-Committee is minded to approve the application,**
 - a) **to attach relevant Mandatory conditions; and**
 - b) **with due regard to the statutory licensing objectives and the relevant representations received, to attach any appropriate conditions.**

3. KEY ISSUES

Financial Implications

- 3.1 The statutory fee of £190.00 has been paid.

Legal Implications

- 3.2 The statutory framework is set by the Licensing Act 2003 (“The Act”).

(Decisions to approve applications for Premises Licences are delegated to Officers where no representations are made but Member

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decision is required where the application has triggered relevant representations as in this case.)

3.3 The Licensing Authority will have a view to promoting the four licensing objectives contained in the Act: -

- a) the prevention of crime and disorder;
- b) public safety;
- c) the prevention of public nuisance; and
- d) the protection of children from harm.

3.4 The Human Rights Act 1998 incorporates human rights under the European Convention into English law. Article 6 provides that, in the determination of a person's civil rights, everyone is entitled to a fair and public hearing. In this respect, third parties whose property rights may be adversely affected and, of course, applicants themselves, should be allowed to address the Sub-Committee if they wish to do so.

3.5 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to exercise their functions with due regard to the likely effect of the exercise of those functions on, and the need to do all they can to prevent, crime and disorder in their area.

Service/Operational Implications

3.6 The applicant has applied for the following licensable activities on his premises licence application as shown in the application at **Appendix 1:-**

Supply of Alcohol (Off the Premise):

Monday – Saturday	08:00 – 23.00
Sunday	08:00 – 22:30

3.7 Hours premises are open to the public.

Monday – Saturday	08:00 – 23:00
Sunday	08:00 – 22:30

3.8 All the required consultations were completed and, in accordance with the requirements of the Act, an advertisement was placed in the Public Notices of the local press and a notice was placed on the premises.

3.9 A local resident has made an objection to the above application on the grounds of **Public Nuisance**. The letter of objection was

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received by Redditch Borough Council on the 24th July 2012
(A copy of the representation is attached as **Appendix 2**).

- 3.10 The police have mediated additional conditions to go onto the premises licence should it be granted. (A copy of the mediated condition is attached as **Appendix 3**).

A Challenge 25 policy will be adhered to so that when a person who appears to be under 25 is served, proof of age will be requested, which will be restricted to a driver's licence, passport, or any other document with a hologram photo. Posters will be displayed in the store to this effect.

A refusals/incident book will be maintained and made available to police on request. CCTV images will be stored for a minimum of 21 days and made available to police on request.

- 3.11 There have been no other representations received from any other responsible authority.
- 3.12 A plan to show the location of the premise is attached as **Appendix 4**.

Customer / Equalities and Diversity Implications

- 3.13 The Licensing Sub-Committee will ensure it has regard to the desirability of exercising its functions with regard to the need to eliminate discrimination and to increase equality of opportunity. Applications received will be treated in accordance with Redditch Borough Council's Equal Opportunities policy.

4. RISK MANAGEMENT

See paragraph 3.3 above regarding the four licensing objectives, which seek to reduce the likely risks in the areas stated.

5. APPENDICES

Appendix 1 Application form
Appendix 2 Representation from Resident
Appendix 3 Email from the Police
Appendix 4 Location Plan

6. BACKGROUND PAPERS

Guidance under section 182 Licensing Act 2003

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