

	<b>Licensing Panel</b> <b>6<sup>th</sup> June 2011</b>	<b>Agenda Item No.</b>
<b>Title</b>	Application for a premises licence under the Licensing Act 2003 for Albion Street General Store, 87 Albion Street, Kenilworth	
<b>For further information about this report please contact</b>	David Davies, Licensing Services Manager, Community Protection. Tel: 01926 456113. <a href="mailto:david.davies@warwickdc.gov.uk">david.davies@warwickdc.gov.uk</a>	
<b>Service Area</b>	Community Protection	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No

<b>Officer/Councillor Approval</b>		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director	26/04/2011	Roger Jewsbury
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance		
Portfolio Holder(s)	26/04/2011	Councillor Kirton
<b>Consultation Undertaken</b>		
N/A		
<b>Final Decision?</b>	Yes	

## 1. SUMMARY

- 1.1 Under the provisions of the Licensing Act 2003 a premises that wishes to sell alcohol must apply for a premises licence.

## 2. RECOMMENDATION

- 2.1 Members are asked to consider the information contained in this report, and decide whether the application for a premises licence should be approved, and, if so, whether it should be subject to any conditions.

## 3. REASONS FOR THE RECOMMENDATION

- 3.1 Sathiamoorthy Rajkumar has applied for a premises licence to permit the following:

- ***The sale of alcohol (Off the premises)***

*08:00 to 21:00 Seven days a week*

- ***The opening hours are shown as:***

*06:00 to 21:00 Seven days a week*

- 3.2 The premises is described as a small convenience store selling alcohol for consumption off the premises

- 3.3 An operating schedule, which will form part of any licence issued, has been submitted and is shown below:

### General

No new steps have been identified by risk assessment in relation to the four licensing objectives.

We have considered the terms of your local licensing policy in preparing this application.

### The prevention of Crime and Disorder

Only an approved proof of age card bearing the PASS logo, passport or photo driving licence will be acceptable.

A written record will be kept at the premises of all persons who are authorised to sell alcohol and at least such person will be working at the premises at all times that alcohol is being offered for sale.

This record will be kept fully updated at all times and will be kept at the premises for immediate inspection and will be available for inspection by the Police or other authorised officers.

Recordable CCTV to be installed and operative inside and outside the premises.

The CCTV unit will be positioned in a secure part of the premises.

The CCTV will be maintained and operable for 24 hours per day.

All images will be maintained for a 28 day period and made available to the police, local authority officers and trading standards officers upon request or within 24 hrs of any request.

Notices will be displayed throughout the premises stating that CCTV is in operation.

The CCTV will be set correctly to BST and GMT times.

A daily check of the CCTV system will be made and a record will be kept to confirm it is working correctly. This record will be kept fully updated at all times and will be kept at the premises for immediate inspection.

A CCTV monitor will be positioned by the till to allow staff to monitor activities both within and immediately outside the premises.

To be an active member of any Pub Watch initiative. The licence holder and/or the DPS or another nominee will attend all meetings relevant to the premises.

No persons will be allowed to take open containers of drinks from the premises.

All staff employed will be encouraged to undertake licensing qualifications.

The premises will not undertake or participate in any form of alcohol delivery to a person's home address or place of work.

### Public Safety

All exit doors will be easily openable.

Means of escape will be maintained unobstructed and clearly identifiable.

Any gas and electrical appliances on the premises will have current safety certificates.

A log/accident book will be maintained of any incidents that occur.

Adequate and appropriate first aid equipment will be available.

Fire extinguishers to be regularly checked.

### Prevention of public Nuisance

Notices to be displayed requesting patrons to disperse quietly from the premises.

Regular checks by staff of the immediate outside area and to encourage patrons to use litter bins to dispose of rubbish.

Display notices informing patrons that the premises may be in alcohol free zone.

### Protection of children

The restrictions set out in the Licensing Act 2003 will apply.

No proof No sale policy adopted.

A refusals book will be maintained and the DPS will check the book once a week ensuring it is up to date and complete and will sign the book each time.

All persons authorised to sell alcohol will complete an underage sales training programme which includes a written test to verify his or her competency. This record will be available to the Police or authorised officers of Warwick District Council.

- 3.5 Representations against the application have been received from three interested parties (Appendices 1, 2 and 3)
- 3.6 A map of the area is shown as Appendix 4 and a plan of the premises as Appendix 5
- 3.7 When considering the application the panel must give appropriate weight to:-
  - a) The representations received.
  - b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

- c) The Council's Licensing Policy Statement (Appendix 6).
- d) The Licensing Objectives, which are:-
  - i) The Prevention of Crime and Disorder.
  - ii) Public Safety.
  - iii) The Prevention of Public Nuisance.
  - iv) The Protection of Children from Harm.

However, it should only consider those licensing objectives which have been referred to in the representations received.

3.8 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure compliance with the four licensing objectives shown earlier. Each application will be judged on its own individual merits.

3.9 Details of the procedure adopted by the Licensing Committee for Panel Hearings has been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

#### 4. **ALTERNATIVE OPTION CONSIDERED**

4.1 No alternatives may be considered.

#### 5. **BUDGETARY FRAMEWORK**

5.1 This report has no budgetary considerations for the Council.

#### 6. **POLICY FRAMEWORK**

6.1 None

#### 7. **BACKGROUND**

7.1 None.