

		Licensing Panel 29 August 2013	Agenda Item No. 4
Title		Application for the grant of a premises licence under the Licensing Act 2003 for Simplyfresh Leamington LLP, 8 – 10 Southborough Terrace, Brunswick Street Leamington Spa	
For further information about this report please contact		Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
Wards of the District directly affected		None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?		No	
Date and meeting when issue was last considered and relevant minute number		N/A	
Background Papers		None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service	14.08.13	Richard Hall
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	14.08.13	Michael Coker
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps - None		

1. **SUMMARY**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a new premises licence from Simplyfresh Leamington LLP for 8 – 10 Southborough Terrace, Brunswick Street, Leamington Spa.
- 1.2 A representation has been received in relation to this application for the consideration of the panel in the determination of this application.

2. **RECOMMENDATION**

- 2.1 Members are asked to consider the information contained in this report and decide whether the application for the grant of a premises licence for Simplyfresh Leamington LLP, 8 – 10 Southborough Terrace, Brunswick Street, Leamington Spa, should be approved and if so, whether it should be subject to any conditions.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 Simplyfresh Leamington LLP have applied for a premises licence for 8 – 10 Southborough Terrace, Brunswick Street, Leamington Spa, to authorise the following:

Sale of Alcohol (off the premises only)
Everyday from 06:00 to 00:00

Opening Hours
Everyday from 06:00 to 00:00

- 3.2 An operating schedule which will form part of any licence issued has been supplied as follows:

General

Install CCTV with 14 day recording
Employ a challenge 21 policy
Train staff on challenge 21 policy. Ensure there is a member of staff present trained to BIIAB Level 1 at all times

The prevention of crime and disorder

Install intruder alarm with remote monitoring
Install security lighting at rear of property
Install roller shutters to front of property

Public safety

Install and regularly maintain fire extinguishers

The prevention of public nuisance

Install bin outside the premises

The protection of children from harm

Only accept passport, driving licence or national ID card as proof of age.
Maintain a electronic refusals log

- 3.3 A relevant representation has been received from Warwickshire Police, attached as appendix 1.
- 3.4 A map of the area of the premises is attached as appendix 2.
- 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 (attached as appendix 3)
 - 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 have 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.

5. **BUDGETARY FRAMEWORK**

- 5.1 Any costs involved in any appeal could be levied against the Licensing Authority.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 No alternatives may be considered

7. **BACKGROUND**

- 7.1 None