



Report To:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	8 March 2016
Executive Member / Reporting Officer:	Ian Saxon – Assistant Executive Director Environmental Services
Subject:	APPLICATION FOR A PREMISES LICENCE – ADAMS CONVENIENCE STORE, 71 KING STREET, DUKINFIELD, SK16 4NQ
Report Summary:	Members are requested to determine the application.
Recommendations:	<p>Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none"> (a) to grant the licence subject to – <ul style="list-style-type: none"> (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and (ii) current mandatory conditions; (b) to exclude from the scope of the licence any of the licensable activities to which the application relates; (c) to refuse to specify a person in the licence as the premises supervisor; (d) to reject the application.
Links to Community Strategy:	The licensing of premises under the Licensing Act 2003 contributes towards the Community Strategy theme of providing a safe environment.
Policy Implications:	Members are provided with policy guidelines to assist in the decision making process.
Financial Implications: (Authorised by the Section 151 Officer)	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
Legal Implications:(Authorised by the Borough Solicitor)	Any decision to revoke a licence or impose amendments or conditions to a licence can be challenged by way of appeal (in the first instance) to the local Magistrates Court.
Risk Management:	Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety, and also the right of an individual to earn a living
Access to Information	The author of the report is John Gregory – Licensing Manager:-
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1. INTRODUCTION

- 1.1 Section 17 of the Licensing Act 2003 outlines the procedure whereby an application can be made to the Licensing Authority for a premises licence.
- 1.2 Section 18(3) of the Licensing Act 2003 states that where relevant representations are made in respect of such an application, the authority must:
 - (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
 - (b) having regard to the representations, take such steps as mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.
- 1.3 The steps mentioned in subsection (4) are:
 - (a) to grant the licence subject to –
 - (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) current mandatory conditions;
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the premises supervisor;
 - (d) to reject the application.

2. REPORT

- 2.1 On 6 January 2016 the Licensing Department received an application from Adams Convenience Store Limited for a premises licence under the Licensing Act 2003. The applicant has applied for off sales of alcohol at 71 King Street, Dukinfield, SK16 4NQ. The hours applied for can be seen in the application attached at **Appendix 1**.

3. REPRESENTATIONS & EVIDENCE SUBMITTED

- 3.1 One representation has been received in relation to this application from a member of the public. Along with this is a petition list with details of residents also against the application.
- 3.2 The representation and petition can be seen at **Appendix 2**.
- 3.3 A number of letters of support have been received. along with a petition containing details of those also in support.
- 3.4 The letters of support and petition list can be seen at **Appendix 3**.

4. CONCLUSION AND OPTIONS FOR THE PANEL

- 4.1 Panel are requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The options available to the Panel are;

- (a) to grant the licence subject to –
 - (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) current mandatory conditions;
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application.