

**Application to/for:** Premise Licence

**Submitted by:** Democratic Services Manager

**Portfolio:** Safer Communities

**Ward(s) affected:** Town

**Purpose of the Report**

An application for a new premise licence has been received for Embassy Grind Ltd, 46 King Street, Newcastle under Lyme, Staffs, ST5 1HX.

The premise offers a coffee bar and food service that seats 12.

Representations have been received from Staffordshire Police on the basis that to grant the application would undermine the licensing objective relating to Crime and Disorder.

Conditions have been agreed between the applicant and Staffordshire Police which would prevent the undermining of the licensing objective listed above, a copy of these conditions is attached as an appendix to this report.

**Recommendations**

The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) To grant the application as requested.
- (b) To reject or amend the application.

**1. Details of Application**

**Applicants:** Keith George Greenhill

**Premises:** Embassy Grind, 46 King Street, Newcastle under Lyme, ST5 1HX.

**Application for:** New Premise Licence.

**Details of Requested Application:**

<b>RECORDED MUSIC (Indoors) – Current</b>	<b>RECORDED MUSIC (Indoors) – Requested</b>
NONE	Monday to Sunday: 07.30 to 22.00
<b>SUPPLY OF ALCOHOL (on and off the premises) – Current</b>	<b>SUPPLY OF ALCOHOL (on and off the premises) – Requested</b>
NONE	Monday to Sunday: 12.00 to 22.00
<b>OPENING HOURS OF THE PREMISE – Current</b>	<b>OPENING HOURS OF THE PREMISE (Indoors) – Requested</b>
	Monday to Sunday: 07.30 to 22.30

## **2. Consultation**

Representations have been received from Staffordshire Police and conditions agreed with the applicant which are attached as an appendix to this report.

## **3. Policy Considerations**

### Licensing Objectives

The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- i. the prevention of crime and disorder
- ii. public safety
- iii. the prevention of public nuisance
- iv. the protection of children from harm

### **Policy Statement**

#### The Licensing Act 2003

The Licensing Act 2003 require the Council to publish a "Statement of Licensing Policy" that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Council made a number of policy decisions in its Statement of Licensing Policy. The following policy decisions are relevant to the application:

- i. the prevention of crime and disorder – (paragraph 2.12 and 4.4)
- ii. public safety - (paragraph 2.15 and 4.1)
- iii. the prevention of public nuisance – (paragraph 4.2)
- iv. the protection of children from harm – (paragraph 2.10 and 4.3)

Statutory Guidance relating to the Licensing Objectives relevant to the application:

- (i) Crime and disorder - (paragraphs 2.1 to 2.7)
- (ii) Public safety - (paragraphs 2.8 to 2.17).
- (iii) Public nuisance - (paragraphs 2.18 to 2.24).
- (iv) Protection of children from harm – (paragraphs 2.25 to 2.35).

Copies of the Council's Statement of Licensing Policy and the Governments Statutory Guidance will be available at the Sub-Committee meeting.

## **4. Comments.**

In making their decision on the application, the Sub-Committee are also obliged to have regard to Statutory Guidance and the Council's own statement of Licensing Policy. The Sub-Committee must also have regard to all the representations made and the evidence they hear. However, the Sub-Committee must disregard any objections that do not relate to the promotion of any of the four licensing objectives.

The Sub-Committee must take such of the following steps as they consider appropriate for the promotion of the licensing objectives as set out in the paragraph above:

- i. grant the application as requested.
- ii. to reject or amend the application.

The Sub-Committee are asked to note that they may not reject the application merely because they consider it desirable to do so. It must actually be appropriate in order to promote the licensing objectives

Date of hearing: Thursday 21<sup>st</sup> January 2015