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LICENSING SUB-COMMITTEE

20 October 2009

Present: - Councillor Jones in the Chair

Councillors Mrs Lewis and Simpson

P R Washington Clerk

646. * **APPLICATION FOR A PREMISES LICENCE
53 IRONMARKET, NEWCASTLE, STAFFS**

Issues

Representations had been received from Staffordshire Police on the basis that to grant the application would undermine the crime and disorder, prevention of public nuisance and public safety licensing objectives.

Resolved:- The Committee took into consideration the Licensing Act 2003 and the Guidance issued under Section 182 of the Act, the Council's Statement of Licensing Policy and the objection from Staffordshire Police.

At paragraph 13.29 of the Guidance it states that the effect of adopting a special policy would be to create a rebuttable presumption that application for new premises that are likely to add to the existing cumulative impact would normally be refused following relevant representations, unless the applicant was able to demonstrate in their operating schedule that there would be no negative cumulative impact on one or more of the licensing objectives. The Council's statement of licensing police also states this at section 5. The sub-committee considered whether it could depart from the Council's special policy at section 5 in light of the specific circumstances of the case.

The applicants stated that it was not anticipated that the premises would add to the cumulative impact already experienced in the town centre and suggested measures that could be adopted if a licence was to be granted.

The Police gave evidence stating that in their view the promotion of the licensing objectives would be undermined as would the Council's special policy if an establishment which catered for 400 persons was to be given a licence.

After weighting up the evidence the sub committee concluded that on balance the applicants had failed to show that the granting of a premises licence would not add to the existing cumulative impact already experienced.

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The sub committee concluded that granting the licence would undermine the promotion of the crime and disorder licensing objective and would exacerbate the problems that already existed.

N JONES
Chair