

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO THE
LICENSING SUB-COMMITTEE**

Monday 16th April 2012

APPLICATION FOR A PREMISES LICENCE

Y2K

Details of Application

Applicants: Ashia Hussain

Premises: Y2K

Location: 30 Sneyd Terrace, Silverdale,
Newcastle under Lyme, ST5 6JT

Application for: Premises licence

REQUESTED:

1) Provision of Late Night Refreshment

Monday to Thursday	23.00 to 00.30
Friday and Saturday	23.00 to 01.00
Sunday	23.00 to 00.30

0) Hours premises are open to the public

Monday to Thursday	23.00 to 00.30
Friday and Saturday	23.00 to 01.00
Sunday	23.00 to 00.30

2. Steps proposed by applicant to promote the licensing objectives in respect of the application

General

The applicant has been in the area for 12 years and has a great understanding with all the locals in the community, there has never been a problem with anyone, everyone gets along and supports each other.

The prevention of Crime and Disorder

CCTV cameras will be in use 24 hours, 7 days a week.
Warning signs for members of the public to see clearly.
All recordings are kept for up to four weeks and will be passed on to the police if required.

Public Safety

The public will have no access to the staff area in the shop where the food is being prepared. There is a first aid kit in case of accidents in the shop and a fire extinguisher and fire blanket.

The Prevention of Public Nuisance

Clear signs will be displayed in the shop requesting that noise to be kept low because of public houses near by. Bins for rubbish are kept outside with signs for them to be used quietly.

The Protection of Children from Harm

Clear signage telling children not to enter the shop.

Signs saying no ball games or play area around the shop.

Children will not be in the staff area at any time.

Nothing of an adult nature and no games machines or sales of alcohol or cigarettes in the premises.

3. Consultation

(a) Responsible Authorities

There have been representations from:

- Environmental Health
- Staffordshire Police

4. Policy Considerations

(a) 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

(b) Policy Statement

The Licensing Act 2003 required the Council to publish a "Statement of Licensing Policy" that set 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 this application:-

- I. Paragraph 2.9 Trading hours;
- II. Paragraph 4.4 Prevention of Crime and Disorder
- III. Paragraph 2.15 and 4.1 Public Safety
- IV. Paragraph 4.2 Prevention of Public Nuisance

(c) Statutory Guidance

- (i) National guidance regarding the control of areas outside the premises is laid down in paragraph 2.4 and 13.17; and
- (ii) National guidance regarding licensing hours is laid out in paragraphs 13.40 and 13.41.

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

5. **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 the four licensing objectives.

The Sub-Committee must take such of the following steps as they consider necessary for the promotion of the licensing objectives as set out in paragraph 4(a) above:-

- (a) Grant the application as requested
- (b) 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 necessary in order to promote the licensing objectives.