

Application for a Premise Licence, Swift Service Station, Clayton Road.

Submitted by: Democratic Services Manager

Portfolio: Safer Communities

Ward(s) affected: Seabridge and Clayton Wards

Purpose of the Report

An application for a premise licence has been received for Swift Service Station, Clayton. An agreement regarding conditions has been reached between the applicant, Staffordshire Police and Staffordshire Trading Standards. Copies of the agreement and email correspondence is attached to this agenda.

Recommendations

The Sub-Committee are requested to resolve that the conditions agreed between the applicant, the Police and Staffordshire Trading Standards be attached to the licence and the licence granted.

1. Details of Application

Applicants: Kumar Sharma

Premises: Swift Service Station, Clayton Road, Newcastle under Lyme, Staffs, ST5 4DH.

Application for: A well established local forecourt with a retail selling space in excess of 370 square feet, serving both the local community and those from further afield. The store offers a range of fresh foods, groceries and other products.

Details of Application:

SUPPLY OF ALCOHOL (off the premises)

Monday to Sunday: 06.00 to 22.00.

OPENING HOURS OF THE PREMISE

Monday to Sunday: 06.00 to 22.00

2. Consultation

Agreement has been made between the applicant, Staffordshire Police and Staffordshire Trading Standards regarding conditions to be attached to the licence.

3. 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:-

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

(c) Statutory Guidance

- (i) National guidance which promotes best practice ensuring consistent application of licensing powers and promotes fairness and equal treatment and proportionality came into force on 28 June 2007.

Copies of the Council's Statement of Licensing Policy and the Government's 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 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 paragraph 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 appropriate in order to promote the licensing objectives.