

**Application to/for:** Variation of Premise Licence

**Submitted by:** ASDA Supermarket, Morris Square, Wolstanton, Newcastle under Lyme, Staffordshire ST5 0EN.

**Portfolio:** Safer Communities

**Ward(s) affected:** Wolstanton

**Purpose of the Report**

An application for a variation to a premise licence has been received for ASDA Supermarket, Morris Square, Wolstanton, Newcastle under Lyme, Staffordshire, ST5 0EN. A representation has been received from a resident in the vicinity of the premises on the grounds that to grant the licence would undermine the licence objective relating to the Prevention of Public Nuisance.

**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:** ASDA Stores Limited

**Premises:** ASDA Supermarket, Morris Square, Wolstanton, Newcastle under Lyme, Staffordshire, ST5 0EN.

**Application for:** Variation of Premise Licence

**Details of Requested Variation:**

<b>LIVE MUSIC (Indoors) – Current</b>	<b>LIVE MUSIC (Indoors) – Requested</b>
NONE	NONE
<b>RECORDED MUSIC (Indoors) – Current</b>	<b>RECORDED MUSIC (Indoors) – Requested</b>
NONE	NONE
<b>PROVISIONS OF FACILITIES FOR DANCING (Indoors) – Current</b>	<b>PROVISIONS OF FACILITIES FOR DANCING (Indoors) – Requested</b>
NONE	NONE
<b>SUPPLY OF ALCOHOL (on and off the premises) – Current</b>	<b>SUPPLY OF ALCOHOL (on and off the premises) – Requested</b>
MONDAY TO SATURDAY 8.00 TO 23.00 SUNDAY 10.00 TO 22.30	MONDAY TO SUNDAY 6.00 TO MIDNIGHT
<b>LATE NIGHT REFRESHMENT</b>	<b>LATE NIGHT REFRESHMENT</b>
NONE	MONDAY TO SUNDAY 23.00 TO MIDNIGHT
<b>OPENING HOURS OF THE PREMISE – Current</b>	<b>OPENING HOURS OF THE PREMISE – Requested</b>
MONDAY TO SATURDAY 8.00 TO 23.00 SUNDAY 8.00 TO 22.30	MONDAY TO SUNDAY 6.00 TO MIDNIGHT

## **2. Consultation**

A Representation has been received from a resident in the vicinity of the premises.

## **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 decision is relevant to the application:

The prevention of public nuisance – (paragraph 4.2)

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

Public safety - (paragraphs 2.8 to 2.17).

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 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 the paragraph above:

- i. grant the application as requested.
- ii 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