### Executive summary

John Gaunt & Partners, representing Kumarasamy Uthayatharan, have made an application for a new premises licence for a new convenience store. The application is for the off sale of alcohol between the hours of 07:00 and 23:00 daily.

### Recommendations

Members are asked to decide whether to:
- a) Grant the application for a premises licence as made;
- b) Refuse the application for a premises licence;
- c) Grant the premises licence subject to additional conditions.

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.

### Reason for recommendations

The Licensing Authority has received representations from 12 other persons on the grounds that to grant this application it would undermine the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm licensing objectives.

The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation. Several letters refer to planning issues and members are reminded that planning concerns must be dealt with under planning legislation and is not a matter for the Sub-Committee to consider at this time.

Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council’s Constitution states that these applications should be dealt with by the Licensing Sub-Committee.
Background
1. An application for a premises licence under the Licensing Act 2003 was made on the 23rd November 2020. A copy of the application is attached as Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.

Consultation
3. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.
4. The application prompted 12 representations from residents under all four licensing objectives. A copy of the representations are attached at Appendix 3.
5. No representations were received from any of the responsible authorities.

Options
6. Before making a decision, Members are asked to consider the following matters:
   - The representations made by or on behalf of the 12 other persons.
   - The submissions made by or made on behalf of the applicant.
   - The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

Summary of financial implications
7. N/A

Summary of legal implications
8. If Members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates’ Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.
Summary of human resources implications
9.  N/A

Summary of sustainability impact
10. N/A

Summary of public health implications
11. N/A

Summary of equality implications
12. N/A

Summary of risk assessment
13. N/A

Background papers
BCP Council – Statement of Licensing Policy – This went live on the 24th November 2020 following ratification by Full Council. A copy is available from the Licensing Team is required.


Appendices
1 – Copy Application

2 – Location Map

3 – Copy of Representations (x12)