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# **Application for a new premises licence**

Decision to be taken by: Licensing (Hearings)  
Sub-Committee

Decision to be taken on/Date of meeting: 12/04/2022

Lead director/officer: Deborah Bragg

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## Useful information

- Ward(s) affected: Belgrave
- Report author: Lynsay Coupe
- Author contact details: 0116 454 3065
- Report version number: 1

### 1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for DIU and Daman Local Shop and summarises the representation received. It also highlights the licensing objectives and the relevant parts of both the statutory guidance and the Licensing Authority's Licensing Policy.

### 2. Determination to be made

- 2.1 Having considered the application and representation, Members must consider whether to
- Grant the licence without modification
  - Grant the licence subject to conditions
  - Refuse to accept the proposed premises supervisor
  - Reject the application

### 3. Application and promotion of the licensing objectives

- 3.1 An application was received on 21/02/2022 from Mr Mayank Shantilal for a new premises licence for DIU and Daman Local Shop, 90 Buller Road. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Supply of Alcohol Opening hours	Monday to Sunday 06.00 – 23.00

- 3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section 18 of Appendix A).
- 3.4 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

### 3.5 Location Plan



### 4. Representation

- 4.1 A representation was received on 18/03/2022 from a member of the public. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee is concerned that the local area already experiences anti-social behaviour from litter and street drinking. They believe granting a licence to another premises for the sale of alcohol may exacerbate this problem. A copy of the representation is attached at Appendix B1.

### 5. Conditions

- 5.1 The conditions that are consistent with the application are attached at Appendix C.

## 6. Statutory guidance and statement of licensing policy

- 6.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The parts of the guidance that are particularly relevant in this case are as follows:

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles
1.17	Each application on its own merits
2.1 – 2.6	Crime & Disorder
2.7 – 2.14	Public Safety
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.13 - 10.15	Hours of trading
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

- 6.2 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
3	Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

## 7. Points for clarification

- 7.1 The applicant and the party making the representation have been asked to clarify certain points at the hearing, as follows:

*By the applicant*

1. Whether the applicant considers that the concerns outlined in the representations are valid, and if not why not.

2. In the light of the representations made, whether the applicant wishes to propose any additional steps for the promotion of the licensing objectives.

*By the party making the representation*

1. Whether they have any additional information to support the representation they have made.

2. Whether there are any additional steps that could be taken which would be equally effective in the promotion of the licensing objectives.

## **8. Financial, legal, equalities, climate emergency and other implications**

### **8.1 Financial implications**

None.

### **8.2 Legal implications**

Legal advice specific to the application will be provided at the meeting by Legal Officers.

### **8.3 Equalities implications**

None.

### **8.4 Climate Emergency implications**

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process. Aidan Davis, Sustainability Officer, Ext 28 3384.

### **8.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)**

Crime and Disorder – see section 4.

## **9. Background information and other papers:**

None.

## **10. Summary of appendices:**

Appendix A – Application

Appendix B – Representation

Appendix C – Conditions consistent with the application

## **11. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

**12. Is this a “key decision”? If so, why?**

No