

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING SUB-COMMITTEE

Date of Meeting:	Thursday 28 th January 2010 at 11.00am
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application for a Premises Licence – Tesco Stores Ltd 17-23 London Road, Alderley Edge, Cheshire.

1.0 Report Summary

- 1.1 The report provides details of an application for a premises licence together with information as to representations received in relation to the application.

2.0 Recommendations

The Licensing Sub-Committee is requested to determine the application for a Premises Licence by Tesco Stores Ltd in respect of Tesco Stores Ltd, 17-23 London Road, Alderley Edge.

3.0 Reasons for Recommendations

- 3.1 The Licensing Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003.

4.0 Wards Affected

- 4.1 Alderley

5.0 Local Ward Members

Cllr Carolyn M Andrew
Cllr Elizabeth Gilliland
Cllr Frank Keegan

6.0 Policy Implications

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and Guidance issued under section 182 of the Act.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 Not applicable.

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

- 8.1 Not applicable.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives. Section 18(4) provides that the authority may (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the application relates; (c) to refuse to specify a person in the licence as the premises supervisor; or (d) to reject the application.

10.0 Risk Management

- 10.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

11.0 Background and Options

- 11.1 The application is for Premises Licence under section 17 of the Licensing Act 2003.
- 11.2 The operating schedule indicates that the relevant licensable activities applied for are: Sale and supply of alcohol (for consumption off the premises only).
- 11.3 The hours applied for are as follows:
Monday to Sunday 06.00 to 23.00
- 11.3.1 Designated Premises Supervisor: Mr Greg Bartley
- 11.4 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

The premises shall have a digital CCTV system that covers many areas of the shop floor, including the proposed area which shall be used for beer and wine. Images shall be retained for a minimum of 21 days and made available on enforcement request.

A member of the Management team or a delegated member of staff shall be on the premises and take responsibility for the premises all the time the store is open.

(a) Public safety

The Management shall be trained to support the running of the premises including looking after the customers and staff in relation to public safety.

The store shall adhere to all rules and regulations in regard to public safety.

(b) Prevention of public nuisance

The Management shall liaise with the Police and enforcement authorities regarding the prevention of public nuisance, should the need arise.

(c) Protection of children from harm

All staff shall be trained and regularly refreshed in the corporate 'Think 25' Policy. Staff shall be trained to look at the customers and 'think 25' when selling alcohol.

A till prompt shall appear on the initial sale of alcohol that shall remind the seller of their responsibilities, including not selling alcohol to anyone under the age of 18.

The store shall display signage around the premises informing both staff and customers of the 'Think 25' policy on alcohol.

(d) General – all four licensing objectives

There shall be written training programmes in place, which ensure that all staff are equipped to meet all licensing objectives.

All training and revision/refresher materials shall be reviewed regularly.

There shall be a central alcohol licensing compliance manager and a compliance committee employed by the licence holders.

11.6 Relevant Representations:

Responsible Authorities

11.6.1 The Police state in their response: Application received 16 December 2009 for the Grant of a Premises Licence in relation to a new build Tesco Express which is situated at 17-23 London Road, Alderley Edge.

The site will comprise the usual retail premises selling a wide range of goods and services and this application includes the sale of alcohol for consumption 'OFF' the premises.

The new Tesco Express is on line to open to the public on 3 February 2010 and the opening hours are in line with other supermarkets in the general area.

All the required safeguards are in place to prevent under age sales and staff training is regularly updated.

As well as the new DPS when appointed I would like to see one or two other members of staff trained up to hold Personal Licences in order that they can advise/supervise sales in his/her absence.

There are no other Police Representations.

11.6.2 Environmental Health – No response received.

11.6.3 Cheshire Fire Service – No response received.

11.6.4 Local Planning Authority – No comments.

11.6.5 Local Safeguarding Children Board – As Police response.

11.6.5 Health and Safety Officer – No comments.

11.6.6 Trading Standards – No response received.

Interested Parties

The Licensing Authority has received representation from neighbour objectors and Alderley Edge Parish Council. Details of these representations are appended to this report.

12.0 Overview of Year One and Term One Issues

12.1 Not applicable

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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APPENDICES

Appendix 1 – 4 Neighbour Objections
Appendix 5 – Representation from Alderley Edge Parish Council
Appendix 6 – Plan of area