

# CHESHIRE EAST COUNCIL

## REPORT TO: LICENSING ACT SUB-COMMITTEE

---

<b>Date of Meeting:</b>	Tuesday 31 <sup>st</sup> August 2010 at 09.30am
<b>Report of:</b>	Mrs N Cadman, Licensing Officer
<b>Subject/Title:</b>	<b>Application for a Premises Licence Sainsbury's Supermarket, 9-13 Canute Place, Knutsford, Cheshire.</b>

---

### **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 Act Sub-Committee is requested to determine the application for a Premises Licence by Sainsbury's Supermarkets Ltd in respect of Sainsbury's Supermarket, 9-13 Canute Place, Knutsford, Cheshire.

### **3.0 Reasons for Recommendations**

- 3.1 The Licensing Act 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 Knutsford

### **5.0 Local Ward Members**

Cllr Olivia Hunter  
Cllr Tony Ranfield  
Cllr Steve Wilkinson

### **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  
Late Night Refreshment
- 11.3 The hours applied for are as follows:

### **Sale and supply of alcohol (for consumption off the premises only)**

Monday to Sunday 06.00 to 24.00

### **Late Night Refreshment**

Monday to Sunday 23.00 to 24.00

The provision of late night refreshment will take place both indoors and outdoors. The provision will take place inside the premises but customers may leave the premises with items purchased.

Other times the premises are proposed to be open:

Monday to Sunday 00.01 to 24.00

Non Standard Timings. The applicant may elect not to open the store, or part(s) of the store 24 hours every day but requires the flexibility to do so subject to statutory or operational restrictions.

- 11.3.1 Designated Premises Supervisor: Michelle Louise Zouch

- 11.4 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

A CCTV system will be installed, or the existing system maintained such system to be fit for purpose.

The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the Police from time to time.

The system will incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available subject to compliance with Data Protection legislation, to the Police for inspection on request.

The system will display on any recording the correct time and date of the recording.

A system will be in place to maintain the quality of the recorded image.

(b) Public safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed on request to the licensing authority and Police.

(c) Prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

(d) Protection of children from harm

All cashiers will be trained to require evidence of age from any person seeking to buy alcohol and appearing to the cashier to be under the age of 18. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is adopted by the licence holder.

## 11.6 Relevant Representations:

### Responsible Authorities

11.6.1 The Police state in their response: Application received 12 July 2010 for the Grant of Premises Licence in relation to premises situated at 9-13 Canute Square Knutsford which will become a Sainsbury's Supermarket.

Historically this site has been licensed since late 1984 when it became a Peter Dominic outlet. It subsequently became 'Bottoms Up' (1990) and then 'Wine Rack' (2007) before the Premises Licence was surrendered in February 2010 due to Insolvency.

This application will re-open the outlet as a Sainsbury Local with all the usual items of groceries and household products being provided alongside alcohol.

I have established that no-one under the age of 18 years will be employed on the site and that all staff receive comprehensive training and regular updates in relation

to the Licensing Act and the now standard 'till prompts' will be in place for alcohol sales. It is anticipated that the premises will open for trade in October 2010.

11.6.2 The Environmental Health Officer – No response received.

11.6.3 Cheshire Fire Service – No response received.

11.6.4 Local Planning Authority – No response received.

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 comments.

#### Interested Parties

Knutsford Town Council state in their response: Resolved that no objection be raised regarding this application however the Town Council would wish to point out that a potential for public nuisance does exist with residential properties being sited directly above the premises.

The Licensing Authority has received a further representation from an interested party. Details of this 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:

Name: Mrs N Cadman  
Designation: Licensing Officer  
Tel No: 01625 504206  
Email: nikki.cadman@cheshireeast.gov.uk

### **APPENDICES**

Appendix 1 – Representation from interested party.  
Appendix 2 - Plan of area.