

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Thursday 25 th October 2012 at 10.00am
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application for a Premises Licence One Stop Stores, 27 Cross Street, Macclesfield, Cheshire, SK11 7PG.

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 One Stop Stores Ltd in respect of One Stop Stores, 27 Cross Street, Macclesfield, Cheshire, SK11 7PG.

Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion.

Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to, and should provide reason(s) for any decision taken, or where they might consider departing in any way from the Policy or Guidance.

Licensing Objectives / Guidance / Policy Considerations

The relevant representations engage the licensing objectives. The Sub-Committee in respect of this application is referred to the Guidance issued under Section 182 of the Licensing Act 2003, specifically those sections relating to the licensing objective, premises licenses and hearings.

Statement of Licensing Policy

Members should carefully consider the relevant sections of the Council's Statement of Licensing Policy.

Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:

- The rules of natural justice
- The provisions of the Human Rights Act 1998

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 Macclesfield South

5.0 Local Ward Members

- 5.1 Cllr Laura Jeuda
Cllr Damien Druce

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 (Authorised by the Director of Finance and Business Services)

- 7.1 Not applicable.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 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 appropriate 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.

9.0 Risk Management

- 9.1 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.

10.0 Background and Options

- 10.1 The application is for Premises Licence under section 17 of the Licensing Act 2003.

- 10.2 The operating schedule indicates that the relevant licensable activities applied for are:

Sale and Supply of Alcohol (for consumption off the premises only)

- 10.3 The hours applied for are as follows:

Sale and Supply of Alcohol (for consumption on the premises only)
Monday to Sunday 06.00 to 23.00

The hours the premises shall be open to the public
Monday to Sunday 06.00 to 23.00

10.4 Designated Premises Supervisor: Nigel Prendergast

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

Prevention of Crime & Disorder

A close circuit television system offering sufficient coverage of the store will be in operation during trading hours with all equipment being maintained in good working order.

CCTV images will be retained for a maximum of 28 days and made available to any of the Responsible Authorities upon reasonable request.

A register of all major incidents of crime and disorder will be kept.

The premises will be fitted with an industry standard approved intruder alarm system.

Public Safety

The requirements of the Fire Officer will be complied with.

A Fire Risk Assessments will be undertaken prior to the premises trading.

Prevention of Public Nuisance

A regular litter pick of the store's external areas will be carried out.

Protection of Children from Harm

All staff will be trained in relation to the sale of age restricted goods.

An age recognition scheme such as Challenge 25 will be in place.

A system of prompts will be in place to ensure staff undertake age checks on age restricted products.

A register of all challenged and refused sales will be maintained.

10.6 Relevant Representations:

Responsible Authorities

10.6.1 The Police – No response.

10.6.2 The Environmental Health Department - No response.

10.6.3 The Cheshire Fire Service – No response.

10.6.4 Local Planning Authority – No response.

10.6.5 Local Safeguarding Children Board – As Police response.

10.6.5 Health and Safety Officer – No response.

10.6.6 Trading Standards – No response.

Interested Persons

10.6.7 The Licensing Authority has received 2 letters of representation from neighbour objectors, and a letter of support from Cllr Laura Jeuda as appended to this report.

11.0 Access to Information

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

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APPENDICES

Appendices 1 – 3 Letters from interested persons.

Appendix 4 – Map of area.

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