

PLYMOUTH CITY COUNCIL

Subject: Bargain Booze Select Convenience, 440 Crownhill
Road, West Park, Plymouth
Grant of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 16 October 2012

Cabinet Member: Councillor Vincent

CMT Member: Anthony Payne, Director for Place

Author: Peter Clemens

Contact: 01752 305465
e-mail: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM

Key Decision: No

Part: I

Purpose of the report:

An application has been received from Licensing Matters Consultancy on behalf of Mr Ravi Sarvaiya in respect of Bargain Booze Select Convenience Shop 440 Crownhill Road, West Park, Plymouth for the grant of a premises licence under Section 17 of the Licensing Act 2003.

Corporate Plan 2012 – 2015:

This report links to the delivery of the City and Council priorities. In particular:
I. Delivering Growth

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

Not applicable

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations & Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

None.

Background papers:

Application.

Licensing Act 2003.

Guidance issued under Section 182 Licensing Act 2003.

Council's Licensing Policy.

Sign off:

Fin		Leg	24.9. 12/1 5686 /sd	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											

1.0 Introduction

1.1 On the 21 August 2012 the licensing department received an application from Licensing Matters Consultancy on behalf of Mr Ravi Sarvaiya for the grant of a premises licence under Section 17 of the Licensing Act 2003 in respect of Bargain Booze Select Convenience shop situated at 440 Crownhill Road, West Park, Plymouth.

1.2 Grant application.

This is a double fronted retail shop premises.

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

<u>(m) Supply of Alcohol for consumption OFF the premises.</u>	
Hours	
Monday to Sunday	6am to Midnight
<u>(o) Hours Premises are Open to the Public</u>	
Hours	
Monday to Sunday	6am to Midnight

1.4 Steps the applicant intends taking to promote the four licensing objectives (Appendix 1)

1.5 Representations have been received in respect of this application.

1.6 Cumulative Impact Policy

This application does not fall within an area to which the Cumulative Impact Policy applies.

2.0 RESPONSIBLE AUTHORITIES

2.1 *Devon & Cornwall Police* – no representations. The police made contact with the agent of the applicant who agreed to a number of conditions being attached to the licence as (Appendix 2)

2.2 *Environmental Health* – no representations

2.3 *Devon & Somerset Fire & Rescue Service* – no representations.

2.4 *Trading Standards* – no representations

2.5 *Planning Officer* - no representations.

2.6 *Child Protection* – no representations

2.7 *Health & Safety Executive* – no representations.

2.8 *Health Authority* – no representations.

2.9 *Licensing Authority* – no representations.

3.0 OTHER PARTIES

18- representations have been received (Appendices 3-20). A petition was also received (Appendix 21) containing 357 names originated by a local shop owner who also sent in a representation at (appendix 14).

4.0 CONSIDERATIONS

4.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

In making its decision the Committee is also obliged to have regard to the guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy and the representations (including supporting information) presented by all the parties.

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

1. Grant the licence as asked.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.
4. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

R. Carton
Manager of Public Protection Service