

**NORTH LINCOLNSHIRE COUNCIL**

**LICENSING (ACTIVITIES) SUB-COMMITTEE**

**LICENSING ACT 2003  
APPLICATION TO GRANT A PREMISES LICENCE  
COTTAGE BECK CORNER SHOP, 1 CEMETERY ROAD, SCUNTHORPE,  
NORTH LINCOLNSHIRE, DN16 1DY**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To request that the Sub-Committee determines the application to grant a Premises Licence for the Cottage Beck Corner Shop
- 1.2 There have been 8 representations, which have been deemed relevant. Two of which have been submitted as petitions. These are detailed in paragraph 4.2. Copies of the representation are attached to this report at Appendices C to J.

**2. BACKGROUND INFORMATION**

- 2.1 In accordance with the provisions of the Licensing Act 2003 and the council's scheme of delegation, all applications for a licence where a relevant representation has been made need to be determined by this Sub-Committee.
- 2.2 When determining the application the Sub-Committee should only consider issues which relate to the four licensing objectives. The licensing objectives are:
  - The prevention of Crime and Disorder
  - Public Safety
  - The prevention of a Public Nuisance
  - The protection of Children from Harm
- 2.3 Members of the Sub-Committee must have regard to the statutory 'Statement of Licensing Policy'. Members of the Sub-Committee may deviate from the statutory guidance and licensing policy only if they deem that there is good reason to do so.
- 2.4 Members of the Sub-Committee should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts. Members of the Sub-Committee should not hear or decide on any applications for premises licences in their own ward.

- 2.5 Members of the Sub-Committee shall remember that they are acting in a quasi-judicial role in determining the application and shall remain in the room so that they hear all the evidence before determining the application. The determination shall be based on the evidence provided, which is relevant to the licensing objectives.
- 2.6 The options available to the Sub-Committee having considered all the relevant information are as follows:
- To refuse to grant the licence
  - To grant the licence with additional conditions
  - To grant the licence without additional conditions
  - To grant the licence but restrict the licensable activities
  - To grant the licence with restricted times
- 2.7 Members of the Sub-Committee should be advised that the applicant, statutory consultees and persons making relevant representations may appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision.

### **3. ISSUES FOR CONSIDERATION**

- 3.1 The application for the grant of the Premises Licence for Cottage Beck Corner Shop, was received on 18 April 2013. A copy of the application is attached to the report at Appendix A. The nature of the grant application is as follows:
- Supply of alcohol Monday to Sunday 08:00 hrs until 24:00 hrs.
  - Opening hours Monday to Sunday 08:00 hrs until 24:00 hrs.
- 3.2 There have been 8 Letters of objection from interested parties, two of which have been submitted as petitions, all of which have been deemed relevant. These are detailed in paragraph 4.2 and are attached to this report as Appendices C to J.
- 3.3 The applicant has been made aware of the representations.

### **4. OUTCOMES OF CONSULTATION**

- 4.1 An applicant for a Premises Licence has to serve a copy of the application form and a plan of the premises on the statutory consultees within 48 hours of the Licensing Authority receiving its copy.
- 4.2 The table overleaf provides details of any comments received from the statutory consultees.

<b>Statutory Consultee</b>	<b>Comment</b>
Humberside Police	The Police have objected to the application on the grounds of all four licensing objectives. Modifications have been suggested to address the steps the applicant intends to take to promote the four licensing objectives. These are attached at Appendix C of this report.
Humberside Fire & Rescue Service	No adverse comments received
Environmental Health (Commercial)	No adverse comments received
Trading Standards	Trading Standards have corresponded with the applicant with suggested modifications to the steps they intend to take to promote the Protection of Children from Harm. The applicant has agreed to accept all conditions proposed. These are attached to this report at Appendix D.
Child Protection	No adverse comments received
Planning	No response received
Public Health	An objection has been received on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. This is attached to this report at Appendix E.
Licensing Authority	Licensing have objected to the application on the grounds of Crime and Disorder and the Protection of Children from Harm. Modifications have been suggested to address the steps the applicant intends to take to promote these objectives. These are attached at Appendix F of this report.
Interested Parties	There has been 4 objections from interested parties which are relevant to the 4 Licensing Objectives. Two of which have been presented as individual petitions. These are attached at Appendices G to J of this report.

4.3 Ward and Town councillors have been made aware of the application.

## **5. OUTCOMES OF MEDIATION**

- 5.1 We have a duty to mediate in accordance with our policy. The results of the mediation will be reported at the meeting.

## **6. LICENSING OBJECTIVES & STATUTORY PROVISIONS**

### **6.1 Prevention of Crime & Disorder**

6.1.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 20 of their application in Appendix A attached to this report.

6.1.2 Further information regarding this objective can be found in the Licensing Policy, pages 27-29.

6.1.3 Representations have been received raising concerns with regard to this objective

### **6.2 Public Safety**

6.2.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 20 of their application in Appendix A attached to this report.

6.2.2 Further information regarding this objective can be found in the Licensing Policy, pages 30-32.

6.2.3 Representations have been received raising concerns with regards to this objective

### **6.3 Prevention of Public Nuisance**

6.3.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 20 of their application in Appendix A attached to this report.

6.3.2 Further information regarding this objective can be found in the Licensing Policy, pages 33-35.

6.3.3 Representations have been received raising concerns with regards to this objective.

### **6.4 Protection of Children from Harm**

6.4.1 The applicant has described the steps they intend to take in order to promote this objective. These are detailed on page 20 of their application in Appendix A attached to this report.

6.4.2 Further information regarding this objective can be found in the Licensing Policy, pages 36-39.

6.4.3 Representations have been received raising concerns with regards to this objective.

6.5 Other Licensing Policy Issues/Statutory Provisions

6.5.1 These are detailed in Appendix A, page 20, under the heading of General.

**7. FURTHER INFORMATION & CLARIFICATION**

7.1 A location plan is attached to the report as Appendix B.

**8. RECOMMENDATIONS**

8.1 That the Sub-Committee determines the application in accordance the Statutory Guidance issued under s182 of the Licensing Act 2003, our Statement of Licensing Policy, the information contained within this report and having had due regard to the applicant and the parties/authorised bodies making relevant representations.

8.2 That the Sub-Committee determines the application in accordance with the options in paragraph 2.6, and attach such conditions considered necessary.

8.3 That the Sub-Committee provides the reasons for its decision.

**DIRECTOR OF PLACES**

Civic Centre  
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Date: 23 May 2013.

**Background Papers used in the preparation of this report Nil**