

<b>AGENDA ITEM</b>
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**COMMITTEE:** LICENSING PANEL

**DATE:** 29<sup>TH</sup> AUGUST 2007

**SUBJECT:** APPLICATION FOR GRANT OF PREMISES LICENCE - WESTWAY STORES, 16 WESTWAY, LUTON

**REPORT BY:** HEAD OF ENVIRONMENTAL AND CONSUMER SERVICES

**CONTACT OFFICER:** TONY IRELAND

**TEL:** 546040

**IMPLICATIONS:**

**LEGAL** ☐

**COMMUNITY SAFETY** ☐

**EQUALITIES** ☐

**ENVIRONMENT** ☐

**FINANCIAL** ☐

**OTHER** ☐

**STAFFING** ☐

**WARDS AFFECTED:** STOPSLEY

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**PURPOSE**

1. The purpose of this report is to enable the Licensing Panel to consider the application received from Pandurangan Keitheesvararooban of Westway Stores, 16 Westway, Luton for the grant of a Premises Licence.

**RECOMMENDATION**

2. That the Licensing Panel determine the application of Pandurangan Keitheesvararooban for the grant of a Premises Licence in respect of Westway Stores, 16 Westway, Luton.

**BACKGROUND**

3. An application was received on 11<sup>th</sup> July 2007 for the grant of a Premises Licence that will allow the supply of alcohol to take place For consumption off the premises
4. The Applicant states that the premises is one of a parade of four small retail premises in a suburb of Luton, proposed operation of a neighbourhood general store with off licence. A map showing the location of this Premises, along with an aerial image, and a plan of the premises submitted by the applicant, is attached at Appendix A (pages ).

5. Details of the licensable activities requested are set out as follows:

Licensable Activity	Applied for	Licensable Activity	Applied for
<u>Regulated entertainment</u>		<u>Provision of facilities for entertainment</u>	
Plays		Provision of entertainment facilities for making music	
Films		Provision of entertainment facilities for dancing	
Indoor Sports Events		Provision of entertainment facilities for entertainment of a similar description to making music or dancing	
Boxing or Wrestling Entertainment		<u>Late night refreshment</u>	
Live Music		Provision of late night refreshment	
Recorded Music		<u>Supply of alcohol</u>	
Performances of Dance		Supply of alcohol off the premises	✓
Anything of a similar description to live or recorded music or dance			

DAYS	Times requested					
	Times premises will open to public	Supply of alcohol	Live music <sup>1</sup> , recorded music <sup>2</sup> , or entertainment of a similar nature <sup>3</sup>	Provision of facilities for making music <sup>4</sup> , dancing <sup>5</sup> , or entertainment of a similar nature	Plays, Films <sup>6</sup> , Performances of dance <sup>7</sup> , Boxing & Wrestling	Late night refreshment
<u>Standard hours</u>						
Monday – Sunday	07.30 – 22.30	07.30 – 22.30				



6. In addition to the above, the following non standard timings are sought by the applicant:
- None
7. The Applicant has sought the following seasonal variation:
- None
8. The following adult entertainment or activities that may give rise to concern in respect of children are detailed as follows:
- Any magazines stocked at the premises that include material of an adult sexual nature will be displayed in sealed wrappers at the highest point of the display rack.
9. The latest date for representations to be received was the 8<sup>th</sup> August 2007.

### **PROMOTION OF LICENSING OBJECTIVES**

10. The operating schedule submitted by the applicant describes the additional steps they intend to take in order to promote the licensing objectives. These are as follows:

#### General

The premises licence holder is experienced in the operation of similar stores (3 in Luton) and will continually conduct codes of good working practices in order to ensure that attainment of the licensing objectives forms an integral part of the day to day trading operation

#### The Prevention of Crime and Disorder

To co-operate fully with any agency to ensure the promotion of the licensing objectives is actively supported by the use, if required to do so, of crime and prevention notices and the similar to prevent incidents of crime and disorder. Management and staff will at all reasonable times co-operate with police and other agencies and will ensure staff understand the importance of the responsibility they hold.

Not to serve a person who is drunk.

To maintain a system of hard-drive CCTV with images available to the police or other responsible authority covering a rolling 28 day period.

To maintain an alarm system

The front glazed window will be fitted with night shutters/security grille (subject to any local authority consent)

#### Public Safety

Prior to the commencement of trading and subsequently to maintain risk assessments relative to health and safety and fire risk, and to take all precautions to ensure the safety of customers and staff.

To ensure circulating areas are maintained free of obstruction and to provide well lit premises. to ensure the change in floor levels is well lit and highlighted.

#### The Prevention of Public Nuisance

As far as possible by management supervision, not to allow alcohol that has been purchased from the premises for consumption off the premises, to be consumed in the immediate vicinity of the premises. By the same management supervision to discourage congregation of groups of persons outside the premises.

#### The Protection of Children from Harm

To support the "Challenge 21" proof of age scheme and to ensure other acceptable proof of age cards carry the "Pass" Logo. To ensure that minimum age limit advisory notices are displayed at the premises. To ensure staff receive adequate training.

A copy of the application form, including the operating schedule, is attached at Appendix B (pages ).

### **RESPONSIBLE AUTHORITIES**

11. Representations received from responsible authorities

#### Police

None

#### Fire and Rescue Services

None

#### Environmental Health or Health and Safety Executive

None

#### Planning

None

#### Trading Standards

None

#### Child Protection

None

### **INTERESTED PARTIES**

12. Representations have been received from the following interested parties, their representations are attached at Appendix C (pages ) and made available to the applicant. The 442 signature petition attached to Mr Patel's representation is not annexed to this Report but has been made available to the Members of the panel and to the applicant.

REF. NUMBER	NAME	ADDRESS	RELEVANCE TO WHICH LICENSING OBJECTIVES
2	Mrs Cooper	22 West Way	Crime and Disorder / Public Safety/ Public Nuisance
3	Mr & Mrs J Price	188 Chesford Road	Crime and Disorder / Public Safety/ Public Nuisance
4	Denise Johnson	25 West Way	Crime and Disorder / Public Safety/ Public Nuisance
5	Desmond Sway	140 Chesford Road	Crime and Disorder / Public Safety/ Public Nuisance
7	D.J.Gudgin	30 Blackthorn Drive	Crime and Disorder / Public Safety/ Public Nuisance
8	Mr N Bierton	31 Rochester Avenue	Crime and Disorder / Public Safety/ Public Nuisance
9	Mr & Mrs Gibbens	37 Rochester Avenue	Crime and Disorder / Public Safety/ Public Nuisance
10	Mr R H Briley	42 Blackthorn Drive	Crime and Disorder / Public Safety/ Public Nuisance
11	Mr G Dino	142 Chesford Road	Crime and Disorder / Public Safety/ Public Nuisance
12	Geraldine Tassell	7 Field End Close	Crime and Disorder / Public Safety/ Public Nuisance
13	Richard Shea	7 Field End Close	Crime and Disorder / Public Safety/ Public Nuisance
14	Robert & Margaret Willmott	193 Chesford Road	Crime and Disorder / Public Safety/ Public Nuisance
17	P.J Skipp	P.J.S Domestic, 14 West Way	Crime and Disorder / Public Safety/ Public Nuisance
19	Cllr Jenny Davies	69 Stopsley Way	Crime and Disorder / Public Safety/ Public Nuisance
20	Mr & Mrs Deieso	4 Rochester Avenue	Crime and Disorder / Public Safety/ Public Nuisance
21	Chris Hobbs	21 Westway	Crime and Disorder / Public Safety/ Public Nuisance
22	E Barford	29 Rochester Avenue	Crime and Disorder / Public Safety/ Public Nuisance
23	Mr & Mrs Lau	10 Westway	Crime and Disorder / Public Safety/ Public Nuisance
24	Mrs J McCann	138 Chesford Road	Crime and Disorder / Public Safety/ Public Nuisance
25	Mr & Mrs G Harrison	33 West Way	Crime and Disorder / Public Safety/ Public Nuisance
26	Mr C.K Patel enclosing a petition containing 343 signatures	12 West Way	Crime and Disorder / Public Safety/ Public Nuisance
27	Richard Mills	27 West Way	Crime and Disorder / Public Safety/ Public Nuisance
28	Mr & Mrs C Norris	39 Rochester Avenue	Crime and Disorder / Public Safety/ Public Nuisance
29	Deborah Clews	36 Blackthorn Drive	Crime and Disorder / Public Safety/ Public Nuisance
30	Mrs K Gutsell	170 Chesford Road	Crime and Disorder / Public Safety/ Public Nuisance
31	Miss B M Byrne	33 Rochester Avenue	Crime and Disorder / Public Safety/ Public Nuisance

13. Where requested by the interested party, names and house numbers have been omitted from this report, but have been made available to the Licensing Sub-Committee and to the applicants.

## **POLICY CONSIDERATIONS**

14. The following provisions of the Licensing Act 2003 apply to this application:

Section 17 (application for premises licence)

## **OBSERVATIONS**

15. In determining this application, the Licensing Panel must, having regard to the representations received, either grant the application in full or take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding to them
- (b) Reject the whole or part of the application

16. The licensing objectives are:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- The Protection of Children from Harm
- Public Safety

All the representations received in respect of this application relate to these licensing objectives.

17. The following paragraphs of the licensing authority's statement of licensing policy applies to this application

Section 7 (Prevention of Crime & Disorder)

Section 8 (Public Safety)

Section 9 (Prevention of Public Nuisance)

Section 16 (Application Process)

## **APPENDICES**

The following Appendices are attached to this report:-

Appendix A: Maps and plans showing location of the premises (pages )

Appendix B: Application form including the operating schedule (pages ).

Appendix C: Representation Forms from Interested Parties (pages ).

## **LIST OF BACKGROUND PAPERS** **LICENSING ACT 2003**

Guidance issued S182 of the Licensing Act 2003  
Luton Borough Council's Statement of Licensing Policy