

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Decision or Item number</b>	<b>4</b>
<b>Relevant Officer:</b>	Sharon Davies, Principal Solicitor Licensing
<b>Date of Meeting :</b>	3 <sup>rd</sup> September 2014

## **APPLICATION FOR A PREMISES LICENCE- KP STORES**

### **1.0 Purpose of the report:**

1.1 To consider an application for a new premises licence for KP Stores, 326 Talbot Road, and the relevant representations submitted by Lancashire Constabulary and Public Health

### **2.0 Recommendation(s):**

2.1 Members will be requested to determine the application.

### **3.0 Reasons for recommendation(s):**

3.1 Once an application with representations has been received the application and any relevant representation must be considered by the Licensing Panel.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, the application and the representations must be considered.

## **4.0 Background Information**

### **4.1 Application**

On 4th July 2014, the Licensing Service received an application for a premises licence at KP Stores, 326 Talbot Road Blackpool. Permission is sought to sell alcohol for consumption off the premises 07.00 - 23.30 daily.

The application has been submitted by Prabaharan Thirunavukkarasu

### **4.2 Local policy considerations**

This premises is in Claremont Ward which is part of the off licence saturation area. This creates a presumption that the application will be refused. To rebut this presumption, the applicant is expected to show through the operating schedule, and where appropriate with supporting evidence, that the operation of the premises will not add to the cumulative impact already being experienced.

The statement of licensing policy also goes on to say that applicants for licences within the off-licence saturation area will be expected to cover the issues detailed below in their operating schedule. Failure to do so may result in refusal of the application:

1. Details of the proof of age scheme to be implemented and proposals for staff training;
2. Percentage of premises to be used for the sale of alcohol, including details of other items to be sold;
3. The applicant's policy on the sale of low value/high alcohol products and any drinks discounting that would be adopted.

### **4.3 National policy considerations**

Section 13 - cumulative impact.

### **4.4 Observations**

This premises was previously licensed as Shop locally. This licence was revoked at a review hearing on 17th December 2013. The licence holder at that time was Mr Kesayaraj.

A licensing panel considered an application for a new licence at a hearing on 24th March 2014. This application was submitted by Mr Thirunavukkarasu, the current applicant. The reasons for refusing this application are detailed below:

“This is an application for a premises licence in an area subject to the off licence saturation policy. In these circumstances the panel should only grant the application if the applicant demonstrates that the granting of the licence would not adversely impact on the licensing objectives.

The applicant and proposed Designated Premises Supervisor appears to have some experience in the retail trade but was only granted a personal licence at the beginning of February 2014. This is a new business for him and the panel are concerned about his lack of experience, particularly with a premise in the saturation zone, an area already deemed to be suffering from alcohol related problems.

The applicant produced a list of conditions provided to them by the Police – they agree to them all with the exception of a condition prohibiting the sale of beer and cider in single cans. The applicant relies on the fact that the premises had been licensed for 30 years before it was revoked in December 2013 as a reason for granting today’s application.

Taking all of the evidence put before them the panel were of the view that they had not been satisfied that the granting of this licence would not add to existing cumulative impact. The application is therefore refused.”

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a Application form

Appendix 4b Representations from Lancashire Constabulary

Appendix 4c Representations from Public Health

6.0 **Legal considerations:**

6.1 Please see local and national policy in the background information.

7.0 **Human Resources considerations:**

7.1 None

8.0 **Equalities considerations:**

8.1 None

**9.0 Financial considerations:**

9.1 None