

APPENDIX A

WAVERLEY BOROUGH COUNCIL LICENSING SUB-COMMITTEE C - 21 JUNE 2010

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – E.J. NASH NEWSAGENTS, 53 WILLOW WAY, FARNHAM, SURREY, GU9 0NT

[Ward Affected: Farnham Hale & Heath End]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Sasikumar Shanmugarajalingam for a new premises licence for E.J. Nash Newsagents, 53 Willow Way, Farnham, Surrey, GU9 0NT, where representations so far have been received from 39 interested parties (any further representations received up until the closing date of 14 June will follow).

Background

2. An application has been received for a new premises licence for this retail premises (convenience store) which currently sells a range of confectionary, newspapers, cigarettes and other goods. The building is two-storey, with the newsagents occupying the ground floor and residential flats occupying the first floor. The application proposes that the licence will allow the premises to sell alcohol for consumption off the premises. The application does not include 'on-sales'.

Activities Sought under this Licence Application

3. The applicant seeks to license the premises as shown below. An extract of the relevant pages from the original application form is attached at Annexe 1 with the agreed amendments attached at Annexe 2. Also attached to this document at Annexe 3 is a plan showing the area of the premises and surrounding properties. In brief summary, the applicant seeks the following activities in the new licence, if granted. Please see application for activities in full.

- Sale of Alcohol:
0900 to 2000 Monday to Sunday (Box M)
- Opening hours:
0530 to 2000 Monday to Sunday (Box O)
- Box P to address the four licensing objectives is also reproduced.

Licensing Objectives

4. The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives, and representations must be from interested parties and/or from the responsible authorities under this legislation.

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Nuisance
4. Protection of Children from Harm

Representations received

Responsible Authorities

5. There have been no representations from any of the Responsible Authorities.

Interested Parties

6. To date 39 representations have been submitted by local residents (interested parties). These are reproduced at Annexe 4. (Any further representations received up until the closing date of 14 June will be to follow.)

What the Sub-Committee may do

7. The Sub-Committee, after hearing from the applicant and those making representations, may take one or more of the steps listed below in order to promote the Licensing Objectives which have given rise to the representations in this case. Reasons must be given by the Sub-Committee for any decision made, since there is an opportunity for any applicant or any objector to appeal to the Magistrates' Court against the Licensing Sub-Committee decision. The Sub-Committee may:
 - Grant the application as submitted; or
 - Refuse the application; or
 - Reduce or refuse parts of the application submitted,
 - Add conditions to meet the Licensing Objectives if the Sub-Committee considers it necessary in the light of the representation received.
8. An extract from the Government Guidance to local authorities under Section 182 of the Licensing Act 2003, as it applies to this application - paragraphs 9.19 to 9.28 - is attached as Annexe 5.

Subsequent Developments in this Application Procedure

9. Any further amendment to the application is to be submitted to the Licensing Officer, in a form which can be circulated prior to the meeting.

Recommendation

It is recommended that the application for a premises licence for E.J. Nash Newsagents, Willow Way, Farnham, Surrey, GU9 0NT, be considered and determined having regard to the representations received, the statutory guidance and the Council's Statement of Licensing Policy 2008 - 2010. The Sub-Committee must take such steps (if any) as it considers necessary to promote the Licensing Objectives, having heard from the applicant and those making written representations.

Background Papers (SDoCS)

Application referred to above, representations referred to above.

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