

FOR PUBLICATION

AGENDA ITEM

APPLICATION FOR A NEW PREMISES LICENCE BY WALKER STORES LIMITED, IN RESPECT OF WALKER STORES, FORMER HADY MINERS WELFARE, HADY, CHESTERFIELD, DERBYSHIRE, S41 0BS.

MEETING: LICENSING COMMITTEE

DATE: 8TH APRIL 2015

REPORT BY: LICENSING OFFICER

WARD ST LEONARDS

1.0 APPLICATION

- 1.1 The Applicant is Walker Stores Limited.
- 1.2 The premise is Walker Stores, Former Hady Miners Welfare, Hady, Chesterfield, Derbyshire, S41 0BS.

2.0 PURPOSE OF REPORT

- 2.1 For Members to determine the application for a new premises licence in respect of Walker Stores.
- 2.2 The application is made by Thomas Walker, Walker Stores Limited, 3 Ramshaw Close, Newbold, Chesterfield, S41 8XT.
- 2.3 Because relevant representations have been made and not withdrawn, the application cannot be granted or refused under officer delegated authority.

3.0 **BACKGROUND**

- 3.1 The premise was formerly Hady Miners Welfare which held a Club Premises Certificate CP/VF/0020 from 24th November 2005. This Certificate was suspended on 11th September 2014 as the annual fee had not been paid.
- 3.2 The application received in Licensing on 12th February 2015 is for a Premises Licence to supply alcohol off the premises between 06.30 am – 21.30 pm Monday to Saturday and between 07.30 – 20.00 pm on Sunday.
- 3.3 A copy of the application form and location plan are attached as Appendix 1 and 1a.
- 3.4 Applications for a new Premises Licence are required to be advertised by way of site notice displayed at the premises, an advert in the local press, and copies of the application submitted to all Responsible Authorities. These requirements were complied with.

Responsible Authorities and Interested Parties are entitled to make representations to the Licensing Authority provided they are relevant.

- 3.5 A representation was received on 6th March 2015 from a responsible authority, Trading Standards, Derbyshire County Council in relation to the protection of children from harm objective. (Appendix 2).
- 3.6 The applicant agrees with the suggested conditions requested by Trading Standards. (Appendix 2).

4.0 **ISSUES**

- 4.1 Any representation received must be relevant to the likely effect of the proposed variation on the promotion of at least one of the 4 licensing objectives which are: (1) the prevention of crime and disorder; (2) public safety; (3) prevention of public nuisance and (4) the protection of children from harm. Representations which are not relevant must be rejected.

If a representation has been made but is subsequently withdrawn it is no longer a relevant representation and provided there are no other relevant representations the application can be dealt with under officer delegated authority.

- 4.2 As part of the application process the applicant is required to describe in the operating schedule the additional steps that are intended to be taken in order to promote the licensing objectives for the new premises licence that has been requested. These volunteered proposed steps will under the Licensing Act 2003 be attached to the premises licence as conditions which must be complied with. These are set out in section M of the application form (Appendix 1).
- 4.3 When carrying out its licensing functions, the Licensing Authority must do so with a view to promoting the 4 licensing objectives and also with regard to its Statement of Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

5 OPTIONS

- 5.1 The Licensing Committee may grant the application as requested, grant it subject to conditions, or refuse the application.
- 5.2 Where either the applicant or a person who made relevant representations is aggrieved by the decision of the Licensing Authority, appeal is to the Magistrates' Court.

6 RECOMMENDATION

- 6.1 That the Committee determine whether the application for a new Premises Licence made by Walker Stores Limited, 3 Ramshaw Close, Newbold, Chesterfield, Derbyshire, S41 8XT, be granted, granted with conditions, or refused.

LICENSING OFFICER

For more information on this report please contact the author,
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