

Committee: LICENSING COMMITTEE
Date: 16 September 2009
Title: Four Seasons Farm Shop Ltd
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Agenda Item

2

Item for
decision

Summary

- 1 This report sets out an application for the grant of a premises licence in respect of the above. Representations have been made to this application so therefore this matter has been referred to this Committee for deliberation.
- 2 The Four Seasons Farm Shop is situated in High Street, Newport at the junction with Station Road. The location can be described as being on the main thoroughfare in the village
- 3 The applicant for the premises licence is Mark Bradley who is a director of the company.
- 4 In accordance with the Licensing Act 2003 when an applicant submits documentation for the grant of a Premises Licence then included must be an operating schedule. This demonstrates how the licensing objectives will be met and also seeks to outline what licensable activities are sought.
- 5 In respect of these premises the applicant is seeking the following licensable activities.
 - (a) The supply of alcohol by retail for consumption both on and off the premises during the following times.

Monday – Wednesday	8.00am - 6.00pm
Thursday – Friday	8.00am – 8.00pm
Saturday	9.00am – 6.00pm
Sunday	9.00am – 4.00pm
 - (b) The hours that the premises are open to the public will be as follows:

Monday – Wednesday	8.00am – 6.00pm
Thursday – Friday	8.00 am – 8.00 pm
Saturday	9.00am – 6.00 pm
Sunday	9.00 am – 4.00 pm

- 6 The operating schedule indicates the following measures will be taken to promote the licensing objective regarding the prevention of crime and disorder.
 - Installation of CCTV and Intruder alarms covering internal and external areas.
 - Ensure that stock is secured against unauthorised access
 - Windows and doors are closed and alarmed.
- 7 The operating schedule indicates the following measures will be taken to promote the licensing objective regarding public safety.
 - The building will conform to health and safety regulations.
- 8 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the prevention of public nuisance
 - The designated licence holder will receive and respond to any complaints
 - Alcohol supplied will be tailored to suit a more mature client base, ie no alcopops or extra strong lagers
- 9 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the protection of children from harm.
 - Staff will be trained to ask for identification
 - Applicant will implement a Challenge 21 policy
 - Application will maintain a refusals book
- 10 Copies of this application have been served on all of the statutory bodies which have attracted no representations.
- 11 Representatives have been received from an interested party based on the licensing objectives that relate to the prevention of public nuisance and the protection of children from harm. It is feared that additional noise may be created by an increase in the volume of traffic using the premises and by customers consuming alcohol on tables and chairs placed outside in the car parking area. Further concerns are expressed regarding an alcohol retail outlet being available on a route used by students going from the Railway Station to Newport Grammar School.
- 12 Correspondence has also been received from Newport Parish Council regarding the licensing objectives relating to the prevention of crime and disorder and the protection of children from harm. These issues

seem to be addressed in the operating schedule that has been submitted.

- 13 In carrying out its statutory function, the licensing authority must promote the licensing objectives as defined in the Licensing Act 2003:-
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 14 The decision that the Committee can make for this application is to:-
- Grant the application
 - Modify the application by inserting conditions
 - Refuse to specify a person in the licence as the premises supervisor
 - Reject the application
- 15 When determining an application due regard should be given to the Council's licensing policy and the Secretary of State's Guidance issued in accordance of the Act.
- 16 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relative to the presentations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

RECOMMENDED that

- 1 The application is determined
- 2 In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to represent the Authority at Court.

Background Papers

Operating Schedule
Representations from an interested party
Plan of premises
Location of premises
Correspondence from Newport Parish Council