

Cherwell District Council
Licensing Sub-Committee

28 January, 2015

<p>New Premises Licence Application Hearing - 'Costcutter', 179 Warwick Road, Banbury.</p>

Report of Interim Public Protection and Environmental Health Manager

This report is public

Purpose of report

To consider an application for a new premises licence relating to 'Costcutter', 179 Warwick Road, Banbury, OX16 1AS

1.0 Recommendations

- 1.1 There is no recommendation. However, in considering the representations received and what is appropriate for the promotion of the licensing objectives, members must have regard to the Council's Licensing Act 2003 Statement of Licensing Policy.
- 1.2 The licensing objectives are outlined in paragraph 6.1 and the steps the Sub-Committee can take in paragraph 6.2.

2.0 Introduction

- 2.1 To consider an application for a new premises licence.

3.0 Report Details

- 3.1 This application refers to a new 'Costcutter' convenience store situated in a row of shops on the south side of Warwick Road, Banbury.
- 3.2 The building was occupied by a 'Threshers' off-licence until 2009 when the company went into liquidation, and has mainly been unoccupied since then.
- 3.3 The applicant now wants to license the new premises for off-sales of alcohol from 7.00 am until 10.30 pm from Sunday to Thursday and from 7.00 am until 11.00 pm on Fridays and Saturdays.

4.0 Conclusion and Reasons for Recommendations

4.1 There is no recommendation

5.0 Consultation

5.1 When a premises licence application is submitted to the licensing authority, the applicant must also serve copies on all of the responsible authorities. In addition they must display a blue notice at or near the premises and advertise the application in a newspaper.

5.2 By doing this, the responsible authorities and any interested parties are made aware of the application and can submit representations should they so wish. Any representations made must relate to one or more of the licensing objectives

5.3 In this case there were two representations, both from interested parties. One has been withdrawn and the remaining one is from a father and son who live opposite the premises but have a newsagents shop in the same row as the new premises.

5.4 If there are objections, and these cannot be resolved by negotiation between the applicant and the objectors, then at the end of the consultation period, the licensing authority must hold a hearing.

5.5 The applicant and objectors have been invited to attend.

6.0 Alternative Options and Reasons for Rejection

6.1 The Sub-Committee must take such steps as it considers necessary for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

6.2 The steps the Sub-Committee can take are to:

- issue the licence as applied for
- issue the licence with amended hours or licensable activities
- reject the application if it is considered necessary in order to promote the licensing objectives

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising directly from this report.
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7.2 Legal Implications

The decision must comply with relevant legislation and Council Policy.

All parties have a right of appeal to the Magistrates Court against any decision made by the Sub-Committee.

Nigel Bell, Team Leader (Planning & Litigation), 01295 221687, nigel.bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

Banbury Ruscote

Links to Corporate Plan and Policy Framework

Not applicable

Lead Councillor

Not applicable

Document Information

Appendix No	Title
Appendix 1	Copy of premises licence application and Copies of objections
Appendix 2	Statement of licensing policy
Background Papers	
None	
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