
Consideration of an application for a Premises Licence in respect of UK OFF LICENCE

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Applicant: Eyup Saliev

Premises Name: UK OFF LICENCE

Premises Address: 8 Bath Street, Frome, Somerset, BA11 1DH

Introduction

1 The premises is located on the High Street in Frome. It will predominantly be a convenience store supplying conveniences type goods as well as alcohol.

The applicant has applied for a premises licence in order to sell alcohol as an off licence.

A copy of the application is at **APPENDIX 1**.

A copy of the plan for the premises can be found at **APPENDIX 2**.

The applicant also owns the premises next door, which is known as UK Kebabs. The applicant will be the Premises Licence Holder and Designated Premises Supervisor, they hold a personal licence with Somerset Council.

The applicant has applied for the following;

Licensable Activity	Days	Start Time	Finish Time
Supply of Alcohol	Monday – Sunday	11:00	04:00
Hours Premises are Open to the Public	Monday – Sunday	06:00	04:00

Reason for referral to Licensing Sub-Committee

2 During the representation period, thirty-four representations were received from Other Persons.

The representations were deemed valid as they were relevant to at least one or more of the four licensing objectives.

A summary of the representations received can be found at **Appendix 3**.

A plan showing the radius area where a large proportion of the representations were received from can be seen at **Appendix 4**.

During the representation period, the Licensing Officer for Avon and Somerset Constabulary spoke with the applicant and agreed the following amendments to the timings on the original application.

Opening Hours: Monday – Sunday 0600-0400 **0600-2300**

Supply of Alcohol: Monday – Sunday 1100-0400 **1100-2300**

Conditions to be attached to the licence, should it be granted were also agreed with the applicant and the Police. These can be found at **Appendix 5**.

Following the amendments to the hours applied for, and the addition of the conditions 9 representations were withdrawn.

Relevant Observations

- 3 No representations have been received from Relevant Authorities in relation to this application.

A map showing the location of the premises is at **Appendix 6**.

Decision Making Process

- 4 The Sub-Committee must consider this application on its own merits and from the information contained within the application and this report.

Members are reminded that the duty of the Licensing Authority is to take steps necessary to promote the licensing objectives in the interests of the wider community, the Licensing Objectives, as follows:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

In its decision-making process, the Licensing Sub-Committee must have regard to:

- Licensing Act 2003, and subsequent amendments
- The Statutory Guidance issued under Section 182 of the Licensing Act 2003.
- Somerset Council's Statement of Licensing Policy. The policy is available on request and from the Somerset Council website [Licensing Policies and Policy Consultations \(somerset.gov.uk\)](http://somerset.gov.uk)

The options available to the committee are as follows: -

- Grant the application with no modifications, and only attach conditions as required by the 2003 Act. These shall include mandatory conditions and conditions consistent with the operating schedule.
- Grant the application, modified to such an extent as the Licensing Authority considers appropriate for the promotion of the Licensing Objectives

- Refuse the application, giving reasons for its decision.

Should the Committee be mindful to attach conditions to the licence, they must only do so if they are:

- Appropriate, necessary, and proportionate
- Precise, clear, and unambiguous
- Practical, realistic, and enforceable
- Non-duplicative of existing statutory requirements or offences
- Modern and fit for purpose.
- Consideration must also be given the number of conditions being attached.

The Licensing Authority recognises that most Licence Holders seek to follow the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly firm action will be taken.

Right of Appeal

- 5** All relevant parties to the decision of the Licensing Authority have the right of appeal to Magistrates Court, in connection with this matter. This must be done within 21 days of being notified in writing of the relevant decision.

Appendices

- 6** Appendix 1 – Application Form
 Appendix 2 – Plan of the Premises
 Appendix 3 – Summary of Representations received
 Appendix 4 – Plan showing area of Representations
 Appendix 5 – Conditions agreed with Police
 Appendix 6 – Map showing location of Premises

Representations

- Appendix 7 – Blackford Representation
- Appendix 8 – Dan Carr Representation
- Appendix 9 – Cllr Mark Dorrington Representation
- Appendix 10 – Kally Dunn Representation
- Appendix 11 - Catherine Warburton – Frome Town Council Representation
- Appendix 12 – David Grocott Representation
- Appendix 13 - Andrew Harding Representation
- Appendix 14 - Miriam Hare Representation
- Appendix 15 - Thomas Hockenhull & Rebekah Brown Representation
- Appendix 16 - Nick Hopkins & Family Representation
- Appendix 17 - Tamara Jones Representation
- Appendix 18 - Ashutosh Khandekar Representation
- Appendix 19 - Robert & Marion Laurence Representation
- Appendix 20 - Jennifer MacKay Representation
- Appendix 21 - Neil McCormack Representation
- Appendix 22 - Stephen Morgan Representation
- Appendix 23 - Jo Mosley Representation
- Appendix 24 - Tim Osmond, Susannah Walker & Edie Osmond Representation
- Appendix 25 - Angela Pater Representation
- Appendix 26 - Miranda Pickersgill Representation
- Appendix 27 - Colin Read Representation
- Appendix 28 - Freddie & Liz Rostand Representation
- Appendix 29 - Tom Revington Representation

Appendix 30 - Rowan James Representation
Appendix 30a - Rowan James Representation Attachment
Appendix 31 - Trevor Shortman Representation
Appendix 32 - M Trobe Representation

END OF REPORT