

Meeting	Licensing Committee
Portfolio Area	Communities, Community Safety and Equalities
Date	16 August 2021

APPLICATION FOR A NEW PREMISES LICENCE – CITY TREE LTD – STATION SHOP, UNIT 1 LYTTON WAY, STEVENAGE, SG1 1XT.

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1 PURPOSE

- 1.1 To determine an application for a new Premises Licence for City Tree Ltd – Station Shop, Unit 1 Lytton Way, Stevenage, SG1 1XT. The British Transport Police and Hertfordshire Police have made representations against this application.

2 RECOMMENDATIONS

- 2.1 That the Committee reviews the evidence presented by the responsible authorities and applicant (and/or representatives) and determines what action should result in respect of the Premises Licence application.

3 SUMMARY OF APPLICATION

- 3.1 City Tree Ltd has applied for a new premises licence, for the sale of alcohol off the premises, at Station Shop, Unit 1 Lytton Way, Stevenage, SG1 1XT. The hours applied for are 8.00am to 23.00pm Monday to Saturday inclusive,

and 10.00am to 22.30pm on Sunday. This application was accepted as valid and duly made by the Council on 22nd June, 2021. A copy of the application is attached at Appendix A.

4 BACKGROUND INFORMATION

- 4.1 The Station Shop is situated within the public concourse of Stevenage Railway Station. It is accessible via all the pedestrian entrances to the Station. A location map is attached at Appendix B. The shop does not currently have a premises licence, and the applicant is operating the shop as a food store/general store selling non-licensable goods.
- 4.2 There are other refreshment outlets on the concourse and on the platforms. None of them has a premises licence.
- 4.3 Because this is an application for a new premises licence, there is no previous history relevant to this application.

5 RESPONSIBLE AUTHORITIES

- 5.1 Representations have been received from British Transport Police. These concern the Licensing Objectives of public safety, the prevention of public nuisance, and the protection of children from harm. Hertfordshire Constabulary have made representations in connection with the Licensing Objective of the prevention of crime. Both Police Forces have shown in their representations unacceptable, and on occasion tragic, behaviour that occurs in the vicinity of the station. Both Police Forces believe that such behaviour will increase if an alcohol licence is granted to the shop.
- 5.2 Both British Transport Police and Hertfordshire Constabulary believe that there are no licence conditions that could prevent the harm that would be caused through the shop selling alcohol. Both Police Forces request that the application is not granted. A copy of the representations is attached at Appendix C.

6 INTERESTED PARTIES

- 6.1 No interested parties have made representations.

7 IMPLICATIONS

7.1 Financial Implications

- 7.1.1 There are no financial or resource implications arising from the content of this report.

7.2 Legal Implications

7.2.1 The Committee is advised that paragraphs 9.1 – 9.10 & 9.3- 10.10 of the Guidance under section 182 of the Act describe the powers of a Licensing Authority on the determination of an application.

7.2.2 The following options are available to the committee under section 18(3) & (4) of the Licensing Act 2003:

- To grant the application in full
- To amend the hours requested for the sale of alcohol
- To modify the licence conditions offered
- To refuse the application
- To not accept the offered designated premises supervisor

7.3 Policy Implications

7.3.1 *Stevenage Borough Council Statement of Licensing Policy 2020 – 2025*

The following sections of the licensing authority's statement of licensing policy apply to this application:

17.2 The Licensing Authority, in determining if the application for a review is relevant, will have regard to the current guidance issued by the Secretary of State under section 182 of the Act in so far as to whether an application is frivolous, vexatious or repetitious. Representations made by a responsible authority cannot be deemed as being frivolous, vexatious or repetitious.

17.4 In instances where the crime prevention objective is being undermined, revocation, even in the instance of this being a first review of the premises licence, or club premises certificate, will be given serious consideration.

7.3.2 *Guidance issued under section 182 of the Licensing Act 2003*

The Committee is reminded of the Guidance issued under section 182 of the Licensing Act 2003. These particular sections are relevant to this review application:

The Review Process paragraphs 11.1 – 11.11

Repetitious Representations paragraphs 11.12 – 11.15

Reviews arising in connection with crime paragraphs 11.24 – 11.28

7.4 Equalities and Diversity Implications

7.4.1 Any decision by the Committee is based on evidence before it at the meeting; there are no equalities and diversity implications.

7.5 Crime and Disorder

7.5.1 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

8 BACKGROUND DOCUMENTS

BD1 Licensing Act 2003

BD2 Stevenage Borough Council, Statement of Licensing Policy 2020-2025

BD3 Guidance issued under section 182 of the Licensing Act 2003

9 APPENDICES

A Application for premises licence

B Location map

C Representations from Responsible Authorities