

## LICENSING SUB-COMMITTEE - 22 JUNE 2016

### APPLICATION TO VARY A PREMISES LICENCE - FERNDALE STORES, 36-38 FERNDALE ROAD, NEW MILTON

#### 1. INTRODUCTION

- 1.1 The purpose of this report is to consider an application to vary a premises licence under section 34 of the Licensing Act 2003.

#### 2. APPLICATION

- # 2.1 Mr Bandula Dissanayaka has made an application to vary the premises licence for Ferndale Stores, 36-38 Ferndale Road, New Milton. The application seeks to permit an earlier sale of alcohol from 06:00 hours daily and the removal of certain embedded restrictions inherited from the Licensing Act 1964.

The application is attached as **Appendix 1**.

#### 3. REPRESENTATIONS

- 3.1 There are no representations from any of the Responsible Authorities.
- # 3.2 Representations have been received from 11 local residents, two supporting the application and nine objecting, these are attached as **Appendix 2**.

#### 4. REQUIREMENTS FOR A HEARING

- 4.1 The Licensing Authority must hold a hearing to determine the application where relevant representations addressing the licensing objectives are made. These being:
- The prevention of Crime and Disorder;
  - Public safety;
  - The prevention of public nuisance;
  - The protection of children from harm.
- # 4.2 Guidance about the licensing objectives issued by the Home Office under section 182 of the Licensing Act 2003 is attached as **Appendix 3**.
- 4.3 In determining the application the Licensing Sub-Committee must give appropriate weight to:
- The steps that are appropriate to promote the licensing objectives;
  - The relevant representations presented by all the parties;
  - The Home Office guidance;
  - The Council's own Statement of Licensing Policy.
- # 4.4 Additional guidance about determining actions that are appropriate for the promotion of the licensing objectives is attached as **Appendix 4**.

#### 5. CONCLUSION

- 5.1 The Licensing Sub-Committee must, having regard to the application and any relevant representations, consider which of the following measures are appropriate for the promotion of the licensing objectives:

- Modify the conditions of the licence; or
- Reject the whole or part of the application.

## **6. RECOMMENDATION**

6.1 That the Licensing Sub-Committee determines the application.

### **Further Information:**

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### **Background papers:**

Licensing Act 2003  
Section 182 Guidance  
NFDC Statement of Licensing Policy