

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item

5.

Hearing Date: 21st August 2013

Contact Officer: Ruth Boam – 01283 595716

DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE

Applicants Name	Aldi Stores Limited
Premises Name	Aldi
Address	Huntspill Road, Hilton, Derby, DE65 5JR

1. PURPOSE

To determine an application for a premise licence received by this Authority on the 4th July 2013 from Aldi Stores Limited. The consultation period was extended by one week as the blue notices were not erected corrected in the first instance (**application attached at Appendix 1**).

2. BACKGROUND

- 2.1 The applicant is seeking a new premises licence to permit the Sale by Retail of Alcohol. The full details are indicated below in paragraph 3.

3. APPLICATION DETAILS

- 3.1 The applicant requests the Licensing Authority to permit the following:

Activity	Days	Times
Sale by Retail of Alcohol for consumption off the premises only	Monday to Sunday	07:00hrs to 23:00hrs
Hours premises to remain open to members of the public	Monday to Sunday	07:00hrs to 23:00hrs

- 3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at pages 13 and 14 of the report.

4. CONSULTATION RESPONSES

Trading Standards -

Representation received during the 28 day consultation period. Full details can be found in **Appendix 2** pages 17 and 18.

No other representations have been received.

5. AGREEMENT BETWEEN PARTIES

1.

5.1 The applicant has mediated conditions with Derbyshire Constabulary, and have agreed to have the conditions requested by Trading Standards added to their licence. The full list of 10 conditions can be found in **Appendix 3** pages 19 to 21.

5.2 All parties have agreed to dispense with the need to hold a hearing.

6. DETERMINATION

6.1 The Licensing Act's scheme of delegation does not permit Officers to determine an application that has received a representation, even when all parties agree to dispense with the need to hold a hearing. The power to grant licences in these circumstances remains with the Licensing and Appeals Sub-Committee.

6.2 As all parties have agreed to dispense with a hearing, there is no requirement to hear evidence, and Members are asked to grant the licence subject to such conditions contained in the operating schedule, appendix 3 to this report, and any mandatory conditions required under the Licensing Act 2003.

7. RIGHT OF APPEAL

7.1 The applicant or persons making representation have a right of appeal against the decision of the Licensing Authority.

APPENDICES

1. Application for a premises licence to be granted under the Licensing Act 2003 – pages 3 to 16.
2. Trading Standards representation regarding application – pages 17 and 18.
3. Agreed conditions to be added to the operating schedule – pages 19 to 21.