

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item: 3

Hearing Date: 23rd April 2018

Contact Officer: Faye Tucker – 01283 595724

DETERMINATION OF AN APPLICATION FOR THE VARIATION OF A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

Applicants Name	Tesco Stores Ltd
Premises Name	Tesco Express
Address	Common Road Church Gresley Swadlincote Derbyshire DE11 9NW

1. PURPOSE

- 1.1 To determine an application to vary a premises licence received by this Authority on the 23rd March 2018 from Tesco Stores Ltd. The application is attached at **(Appendix 1)**.

2. BACKGROUND

- 2.1 The applicant is seeking a full variation to a premises licence to change the hours for the sale by retail of alcohol and the current opening hours of the premises to the times stated in paragraph 3.

The applicant is also seeking to remove the Good Friday and Christmas Day trading restrictions (Licensing Act 1964) as noted in the licensable hours and embedded conditions.

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	Monday - Sunday	06:00hrs – 23:00hrs
Opening hours of the premises	Monday - Sunday	06:00hrs – 23:00hrs

- 3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at section M of the application form.

4. CONSULTATION RESPONSES

4.1 No representations were received from any of the Responsible Authorities.

4.2 Other Interested Parties

Mrs N. J. Lilley

Representation received during the 28 day consultation period. Full details can be found at **(Appendix 2)**.

5. AGREEMENT BETWEEN PARTIES

5.1 Mrs N. J. Lilley has since decided to withdraw her representation as shown at **(Appendix 3)**.

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

6. DETERMINATION

6.1 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, together with proposed conditions from Environmental Health and any mandatory conditions required under the Licensing Act 2003.

7. RIGHT OF APPEAL

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

8. APPENDICES

1. Application for a premises licence to be varied under the Licensing Act 2003
2. Representation from Mrs N. J. Lilley
3. Withdrawal of representation from Mrs N. J. Lilley