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**Meeting:** Licensing Sub-Committee  
**Date:** 8 March 2016  
**Subject:** Application for the grant of a Premises Licence under The Licensing Act 2003 at The Perfume Shop, Unit 1, Prologis Park, Arenson Way, Houghton Regis, Bedfordshire  
**Report of:** Head of Public Protection  
**Summary:** The report provides information on which the Sub-Committee may base its determination of a premises licence application.

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**Advising Officer:** Marcel Coiffait, Director of Community Services  
**Contact Officer:** Margaret James/Guy Quint, Principal Public Protection Officers (Licensing)  
**Function of:** Licensing Committee of a licensing authority  
**Public/Exempt:** Public  
**Wards Affected:** Dunstable Icknield  
**Ward Councillors** John Chatterley, David McVicar  
**Location** Arenson Way, Houghton Regis, Dunstable  
**Applicant** The Perfume Shop Ltd  
**Applicant's agent** Bond Dickinson LLP  
**Reason for consideration by Sub-Committee** There have been 2 representations against the licensing application from the Police Licensing Officer and the Trading Standards Officer  
**Recommended decisions:** **The Sub-Committee determines the application in accordance with the Statutory Guidance issued under the Licensing Act 2003, our Licensing Policy and the information contained within this report**  
**That, having regard to the application and relevant representations, the Sub-Committee takes such steps mentioned below as it considered necessary for the promotion of the licensing objectives.**  
**That the Sub-Committee provides the reasons for its decision**

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

Determination of this matter meets a particular Council priority as follows:

- Promote health and wellbeing and protecting the vulnerable.

### **Financial:**

1. There are no direct financial implications for the Council.

### **Legal:**

2. Licensing applications are considered pursuant to specific legislation, explained within the report.
3. Any decision made by the Sub-Committee could be the subject of an appeal to the Magistrates Court by the license applicant or by an objector to the application.

### **Risk Management:**

4. All Council members are aware that any licensing matter decision which is unreasonable or unlawful could be open to challenge and could result in reputational damage and potential financial penalty.
5. The report details the options available to the Sub-Committee in determining the application/s and recommends a decision/s which could be reached. Any decision taken by the Sub-Committee has a risk of appeal to the Magistrates Court.

### **Staffing (including Trades Unions):**

6. Not Applicable.

### **Equalities/Human Rights:**

7. To ensure that any decision does not unfairly discriminate, public authorities must be rigorous in reporting to Members the outcome of an equality impact assessment and the legal duties.
8. Public Authorities must ensure that decisions are made in a way which minimises unfairness, and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors are aware of this duty before they take a decision.

**When decisions are made, decision makers must have the relevant data, including the results of equality impact assessment, and of consultation and involvement, to ensure they reach an informed decision.”**

### **Public Health**

9. All licensing applications are sent to Health as a Responsible Authority they have the opportunity to make representations in relation to the four licensing objectives.

**Community Safety:**

10. The Sub-Committee is required under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and is reminded of the Council's responsibility to co-operate in the reduction of crime and disorder in Central Bedfordshire.

**Sustainability:**

11. Not Applicable.

**Procurement:**

12. Not applicable.

**Location of the Premises**

13. The premises is within a distribution centre which is part of a business park.

**Details of the present application**

14. This is an application for the grant of a premises licence by The Perfume Shop Ltd, for the supply of alcohol for consumption off the premises by way of online sales.

The hours requested for the supply of alcohol are 06.00hrs to 21.00hrs Monday to Sunday.

15. A copy of the application is attached at Appendix A.

**Representations**

Representations have been received from the Police Licensing Officer (See Appendix B) and the Trading Standards Officer (See Appendix C)

<b>Responsible authority</b>	<b>Comment</b>
Police	Representation
Fire	No representations
Environmental Health	No representations
Health & Safety	None
Planning	None
Child Protection	No representations
Public Health	None
Trading Standards	Representation

**Application Guidance**

16. In accordance with the provisions of the Licensing Act 2003 and the Councils scheme of delegation, all applications with relevant representations must be determined by a sub-committee.

17. When determining the application, Members should only consider issues, which relate to the licensing objective , which in this case is:

The Protection of Children From Harm

18. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. (Section 7.4 refers to the relevant licensing objective).
19. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the representations and shall only determine the application having had an opportunity to consider all relevant facts.

### **Options**

Option A: Grant the premises licence

Option B: Grant the premises licence with conditions (may include restrictions on licensable activities/hours)

Option C: Reject the application

### **Appendices:**

Appendix A – Application for the premises licence

Appendix B – Representation from Police Licensing Officer

Appendix C – Representation from Trading Standards Officer

### **Background Papers:** (open to public inspection)

The Licensing Act 2003

Central Bedfordshire Council

(on website)