

(Report of the Licensing Officer, Samantha Potts 7364)

Application – New Premises Licence

Premises – Unit 23, Klondyke Industrial Estate, Rushenden Road, Queenborough

Provisions	Days	Requested Hours	Approved Hours/Comments
Sale of alcohol	Monday - Sunday	18.00 – 05.00	

Background

Mr Brian Thorpe has applied for a new Premises Licence under the Licensing Act 2003, the application requests the sale of alcohol only. The application is for a storage unit on Klondyke Industrial Estate. Under the Licensing Act 2003 if a business operates by way of internet or telesales then the premises at which the alcohol is stored and dispatched from must be licensed. Mr Thorpe's application requests that the storage unit be licensed as he intends to operate a delivery service at night. Customers would telephone an order through, this would then be collected from the unit and delivered.

Mr Thorpe originally applied to licence a storage unit at Storage King in Sittingbourne but he was unable to provide evidence that he had access for the times that he wished to be licensed for, he subsequently withdrew that application and sought alternative premises in Queenborough.

The premises are situated on an Industrial Estate, there is a small café nearby but no residents. Mr Brian Thorpe is a personal licence holder, his licence was issued by this Authority in December 2010. On the application Mr Jordan Thorpe has been listed as the Designated Premises Supervisor, he is not currently a personal licence holder and therefore this would not be possible at this time.

We have received a letter of authorisation from the owner of the premises, confirming that Mr Thorpe has 24 hour access and that alcohol can be stored there. See attached.

Survey

The premises were visited by both the Police Licensing Officer and the Councils Licensing Enforcement Officer.

Consultation

I have consulted in the normal manner with the Police, Fire Brigade, Pollution Team, Planning, Child Protection Services and Weights and Measures.

Swale Police objected to the application and have requested 8 conditions and a change to the hours of operation, please see attached report.

Mr Thorpe has been made aware of the Police representation but he is unhappy to accept the conditions and suggested hours.

Kent Fire and Rescue have also contacted Mr Thorpe as they have concerns over the storage of flammable liquids, they have requested that he provide them with a Fire Risk Assessment. As this is covered by their own legislation they are dealing with this outside of the Licensing Act 2003, however they wished their concerns to be noted.

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Conclusion

- Mr Brian Thorpe has applied for a new Premises Licence to cover the supply of alcohol, the application is for a retail storage unit as this is where the alcohol will be dispatched from following a telephone order.
- Swale Police have objected and requested conditions and different hours of operation.
- Kent Fire and Rescue have concerns over the storage of flammable liquids.
- Councillors must decide if the licence can be granted, and if so, if any conditions would be imposed.

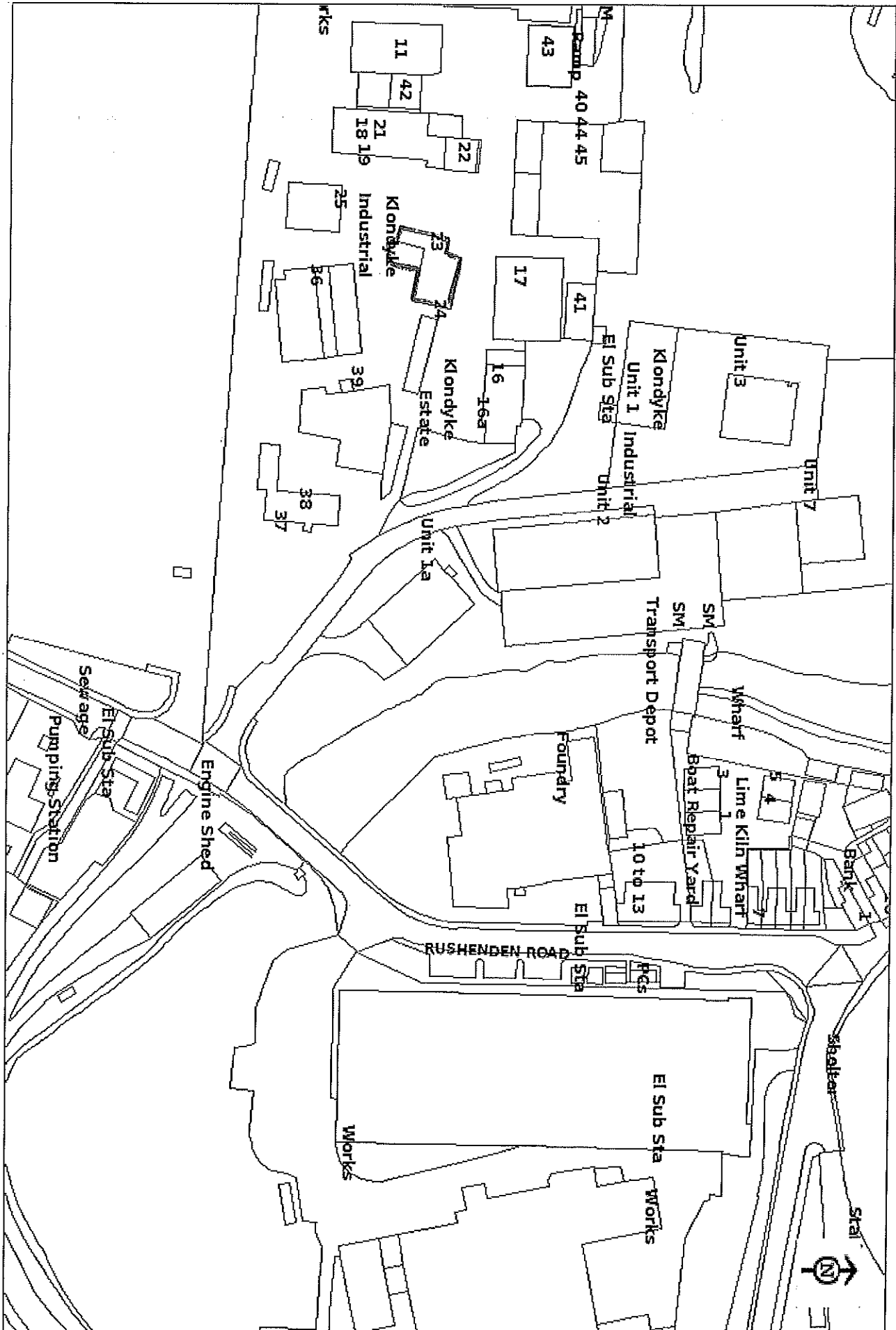
Supporting documents

Plan of the area

Police representation

Letter from premises owner

Part P of the application (the operating schedule)





Details of person making objection

Name of Chief Officer of Police	
Postal Address: (Area Headquarters)	Sittingbourne Police Station Central Avenue Sittingbourne ME10 4NR
E-mail address	geoff.rowley@kent.pnn.police.uk
Telephone Number:	07807340266

Details of premises representation is about

Name of Premises:	Unit 23
Address of premises:	Sheppey Group Rushenden Road Queenborough Kent ME11 5HH
Date application received by police	28 th January 2011
Date representation sent to Licensing Authority	10 th February 2011
<p><i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, Part 4 Reg. 22.</i></p>	

The Chief Officer of Police has received an application for the grant of a premises licence made under the provisions of Section 17 Licensing Act 2003, and under Section 18 of that Act, asks the Licensing Authority to consider these representations in respect of: -

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? NO

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Due to the exceptional circumstances of this case, I am satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective because

Please use separate sheets where necessary

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

The premises are located on a industrial estate with security at the entrance however due to the vunerale nature of working with alcohol in isolated circumstances the need to have CCTV in the premises and showing the entrance/loading areas to prevent crime and disorder is required. Delivery of alcohol gives concerns to the risk of theft and assault on staff conditions to protect staff and public must be in place. Particulary concerns regard protection of children from harm by the supply of alcohol to locations by delivery. Public safety and nuisance issues as detailed in the application must also be covered. The attached conditions are asked for should the licence be granted

Please use separate sheets where necessary

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary. Consider s106 Licensing Act 2003.

- 1) The DPS will be a member of the swale safe scheme with the agreement of the board of directors.
- 2) The DPS or a named authorised person accepting an order at the point of sale must check what ID will be presented to the delivery driver.
- 3) Challenge 25 policy is to be adopted, the only forms of id to be accepted are a full photographic driving licence, A valid UK passport or proof of age card with the PASS logo.
- 4) Payment will only be made by credit card. Details of Id being provided must be clearly on the Office copy of the credit card receipt. NO cash transactions are to be taken.
- 5) There will be a maximum to what can be delivered ie 1 case of beer 24 cans, 6 bottles of wine. 1 bottle of spirit. No spirits are to be delivered after 22:00 hours.
- 6) Deliveries will be made by at least 2 persons of which one is to be a personal licence holder.
- 7) CCTV is to be installed and working in accordance with the Best practice Code issued by the Information Commissioners' Office, in each delivery vehicle and storage premises and loading area. Recordings are to be maintained for at least 31 days. If the equipment fails the police and licensing authority must be informed as soon as possible and immediate steps taken to put the equipment back into service.
- 8) There must be a copy of documents and addresses kept of all orders taken for delivery, This is to be made available for inspection upon request from an authorised officer. (reason if the police have incidents regarding domestics, noise issues or violence involving alcohol, officers will be able to check to see if alcohol was being supplied from these premises)

Suggested hours of operation 17:00 - 23:00 hours.

Signed:

Date: 10..\.02...\..2011.

Print name: Geoff Rowley.(Licensing Officer)....

Force Number: ...N/A.....

pp Chief Officer of Police for the Police Area in which the licensed premises are situated

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. Please return this form along with any additional sheets to the Licensing Authority. This form must be returned within the Statutory Period.



RUSHENDEN ROAD
QUEENBOROUGH
KENT ME11 5HH
SALES 01795 580181
FAX 01795 580649
www.sheppy.ltd.uk
e-mail: sales@sheppy.ltd.uk

3rd March 2011

Mr. B. Thorpe
3 St. Katherine's Road
Halfway
Sheerness
Kent ME12 3AH.

Dear Mr. Thorpe,

Re: Unit 23C, Klondyke Industrial Estate, Rushenden Road, Queenborough

We confirm that we have agreed to rent to you the above unit on our premises for the sole purpose of storing alcohol only and that you will have 24 hour access to the property.

Your sincerely,

Miss C. Poynter
For and on behalf of
Sheppy Industries Limited

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

THIS SERVICE WILL STOP DRINK DRIVERS TO MAKE A SAFER KENT.
We want to do a delivery service with ALCOHOL.
There will be set prices. There will ALWAYS be 2
people delivering the alcohol. It is to the door only policy.
The only way customers can contact us is by phone.

b) The prevention of crime and disorder

- 1 Never sell ALCOHOL to the under age
- 2 Before handing over alcohol I will always check Id.
- 3 We will work with the police at all times
- 4 This service we provide will stop drink drivers to make a safer Kent.
- 5 NO ID NO SALE.
- 6 IF they are drunk NO SALE

c) Public safety

- 1 Never sell ALCOHOL to people who are drunk.
- 2 There will always 2 people to sell the alcohol at there door.
- 3 We will only sell alcohol at there door never on the street.
- 4 NO ID NO SALE
- 5 There will ALWAYS be a premises supervisor or the licence holder at work
- 6 No body will be allowed on site apart from employees.
- 7 All Id will be looked at properly incase of FRAUD.

d) The prevention of public nuisance

- 1 NEVER turn up to somebody house using my horn
- 2 ALWAYS be polite. IF they appear to be drunk we will walk away.
- 3 I will TURN OFF the engine when delivering the alcohol.
- 4 WE will only sell alcohol to people front doors.
- 5 We will never turn up to somebody house with loud music on.

e) The protection of children from harm

- 1 Never sell to underage kids
- 2 NO ID. NO SALE
- 3 IF a child opens to the door we will not give them the alcohol we will just walk away.
- 4 IF I see kids drinking I will phone the police
- 5 NO ID. NO ALCOHOL.
- 6 NO children on site.