

## URGENT ITEM

### **Licensing Act 2003 – An application for a Premises Licence in respect of Zakopane, 16 Market Street, Torquay TQ1 3AQ**

This is a convenience store that has applied to sell alcohol 'off' the premises between 0800 and 2200 Sunday to Thursday and between 0800 and 2300 on Friday and Saturday.

The application has a substantial number of proposed conditions.

There has been **one representation** from the Police requesting a slight alteration to one condition. The reason being that the premises is situated within the Torbay Council Cumulative Impact Area where there is evidence of concerns in relation to street drinkers. The above condition would allow the premises to sell bottles of high strength beer/cider/lager, including 2 & 3 litre bottles of these products, such as Frosty Jacks which has an abv of 7.5%. The majority of off sale premises within the area are prohibited from selling any beer/lager/cider with an abv of more than 6.0%.

This original condition

*No cans of beers or ciders with an ABV of 6.5% or above will be stored or sold*

To be replaced by this one

*No beer/cider/lager with an abv of more than 6.0% shall be sold from the premises.*

The applicant is agreeable to this and has stated so in writing.

The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary. Both parties, The Police and the applicant, do not feel a hearing is necessary. However as there is a representation on the table, the decision to grant must be made by the Licensing Sub-Committee.

**Decision Required:** That the Licensing Sub-Committee agreed to grant the application as is, with the exception that the application condition is replaced with the one proposed by the Police.