

Licensing and Gambling Acts Sub-Committee

Agenda

Members of the Committee:

Cllr R Elliott (Chairman)

Cllr T Holden

Cllr W Kemp

Date

Thursday 17 December 2020

Time

10.00 am

Place

Remotely at
South Norfolk House
Cygnet Court
Long Stratton Norwich
NR15 2XE

Public Attendance

The meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRlmsTCIng>

Contact

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If you have any special requirements in order to attend this meeting,
please let us know in advance

Large print version can be made available

A G E N D A

- 1. To report apologies for absence and identify substitute voting members (if any);**
- 2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972. [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.];**
- 3. To receive Declarations of Interest from Members;**
(Please see guidance form and flow chart attached to the agenda page 4)
- 4. Application for a New Premises Licence;** (papers attached page 6)

Premises: 22 St Mary’s Close
Newton Flotman NR15 1AH (appendix 1 – page 12)
(appendix 2 – page 34)

Applicant: Rajendran Sivasutharjanan (appendix 3 – page 36)
Application for: New Premises Licence (appendix 4 – page 37)
(appendix 5 – page 43)
(appendix 6 – page 44)

Members of Committee and Accreditation details:

Members of Licensing, Appeals & Complaints and the Licensing and Gambling Acts Committees	Expiry of training accreditation-Taxi	Expiry of training accreditation-Licensing Act 2003
Elliott Cllr R	29/05/21	29/05/21
Kemp Cllr W	03/06/21	03/06/21
Burrill Cllr D	29/05/21	29/05/21
Curson Cllr F	03/06/21	03/06/21
Easter Cllr J	29/05/21	29/05/21
Glover Cllr L	03/06/21	03/06/21
Halls Cllr J	29/05/21	29/05/21
Hardy Cllr P	29/05/21	29/05/21
Holden Cllr T	29/05/21	29/05/21
Hornby Cllr J	03/06/21	03/06/21
Legg Cllr N	29/05/21	29/05/21
Rowe Cllr J		
Savage Cllr J	03/06/21	03/06/21
Spruce Cllr T	03/06/21	03/06/21
Wilby Cllr J	29/05/21	29/05/21

DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. affect yours, or your spouse / partner's financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

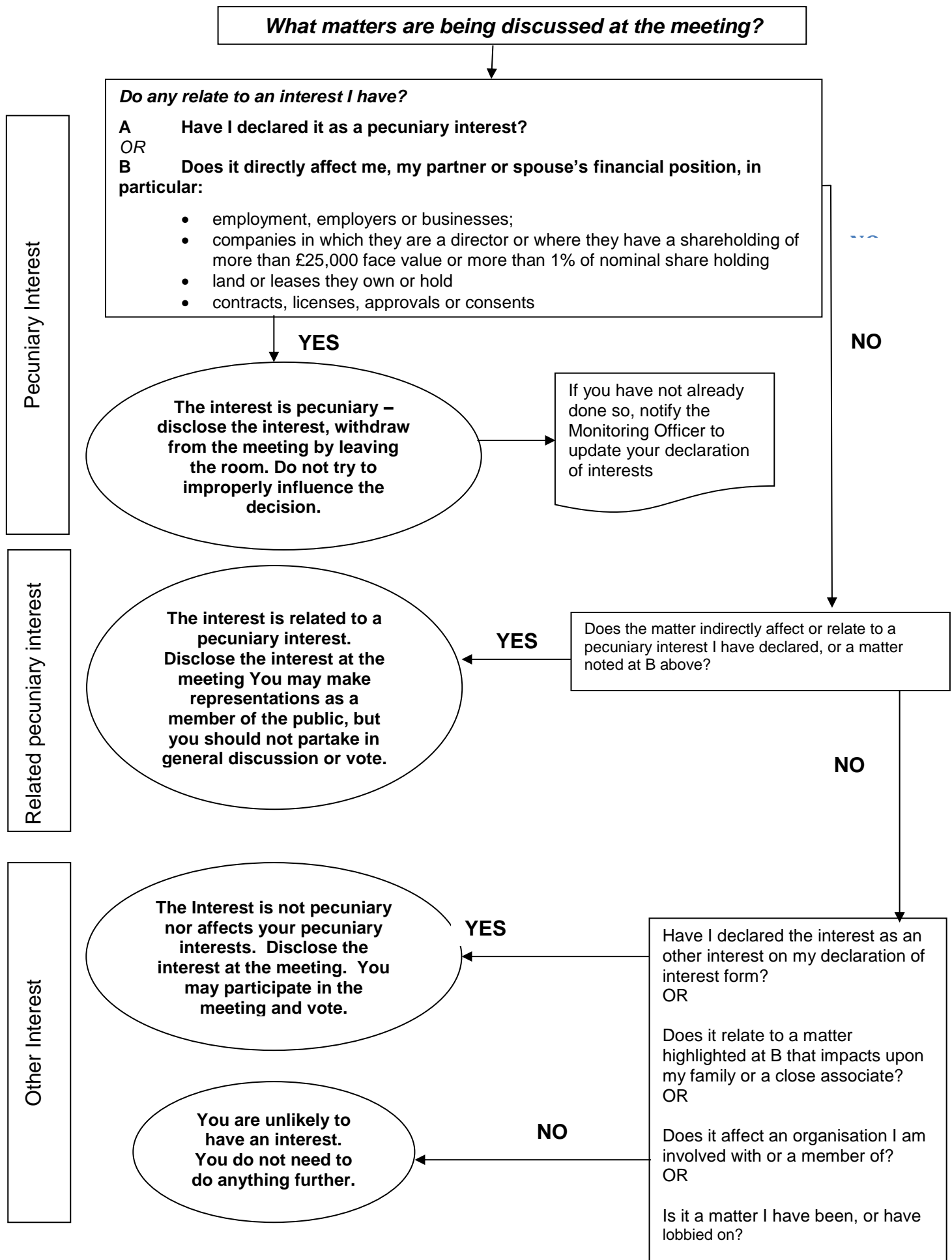
If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.

Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST
INSTANCE**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



LICENSING ACT 2003
NEW PREMISES LICENCE APPLICATION
22 ST MARY'S CLOSE, NEWTON FLOTMAN

Report Author(s):

Amanda Cox
Licensing Enforcement Officer 01508 533621
licensingteam@s-norfolk.gov.uk

Portfolio:

Clean and Safe Environment

Ward(s) Affected:

Newton Flotman

Recommendations:

The Sub-Committee is expected to make its determination based on an assessment of the evidence on both the risks and benefits for or against making the determination, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

The Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

Where a licensing authority determines an application, it must notify the determination and its reason of making it to –

- (a) The holder of licence
- (b) The applicant
- (c) Any person who has made relevant representations, and
- (d) The chief officer of police for the police area in which the premises are situated

1 SUMMARY

- 1.1 The purpose of this report is to determine a new application that has been made by Mr Rajendran Sivasutharjanan for a new premises licence at 22 St Mary's Close, Newton Flotman, NR15 1AH (premises name presently undisclosed). A relevant representation has been made regarding this application.
- 1.2 Given the above, the application must be determined by a hearing of the Licensing and Gambling Acts Sub-Committee.
- 1.3 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
- The steps that are appropriate to promote the licensing objectives;
 - The representations presented by all parties;
 - The revised guidance issued under section 182 of the Licensing Act 2003;
 - South Norfolk Council's Statement of Licensing Policy published in January 2016
- 1.4 The licensing objectives are;
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm

2 BACKGROUND

- 2.1 South Norfolk Council is the authority responsible for issuing licences within the district under the Licensing Act 2003 (the Act), which came into effect on the 24th November 2005.
- 2.2 An application was submitted on the 28th October 2020 by Mr Rajendran Sivasutharjanan for 22 St Mary's Close, Newton Flotman, NR15 1AH. The application form is attached as Appendix 1 and the proposed plan of the premises is attached as Appendix 2.
- 2.3 Mr Rajendran Sivasutharjanan made a subsequent amendment to the application with regard to the proposed hours prior to the commencement of the consultation which can be found as Appendix 3.
- 2.4 The applicant requests the following licensable activity:
- Supply of alcohol – Consumption off the premises
- Monday – Sunday 08:00 – 21:00

Opening Hours

Monday – Sunday 07:00 – 21:00

- 2.5 As part of the application process, the applicant is responsible for advertising the application by way of a notice in a specified form at the premises for not less than 28 consecutive days and in a local publication on at least one occasion within 10 workings days after the application has been submitted.
- 2.6 In accordance with the Licensing Act (Hearings) Regulations a notice of the application was also published on the Council's website for the duration of the consultation period.
- 2.7 A consultation was sent to the responsible authorities as provided in the Act and out of courtesy to the local Member and Parish Council. To provide an overview the following responses were received: -
- Newton Flotman Parish Council – No objection
- Norfolk Constabulary – Request for amendment to conditions -agreed with applicant
- Norfolk Fire Service – Acknowledgement of receipt
- SNC Community Protection – No objection or comments to make
- SNC Planning – No objection or comments to make
- 2.8 Full details of the above responses can be found at Appendix 4.
- 2.9 An invalid representation has been received from a local resident, however this does not fall under the licensing objectives and therefore does not form part of this report.
- 2.10 A valid representation has been received from a local resident objecting to the application under the public safety and prevention of public nuisance objectives. A copy of this representation can be found at Appendix 5.
- 2.11 It states in the Revised Guidance issued under section 182 of the Licensing Act 2003 (the Guidance): -

Section 10.5

It is not acceptable for licensing authorities to simply replicate the wording from an applicants operating schedule. A condition should be interpreted in accordance with the applicant's intention.

With regard to the above, correspondence was sent to the applicant on the 6th November 2020 with suggested amendments to the conditions contained on the operating schedule of the application. A copy of the Guidance extract and the suggested amended conditions can be found as Appendix 6.

To date a response to this email has not been received.

3 PROPOSED ACTION

- 3.1 The application for a new premises licence must be determined by a hearing of the Licensing Sub Committee, as under the Act, determination may not be delegated to officer level. This determination should only be made in relation to received representations relevant to the content of this application, the four licensing objectives, the Revised Guidance issues under Section 182 of the Licensing Act 2003 and South Norfolk Council's Statement of Licensing Policy published in January 2016.

4 OTHER OPTIONS

- 4.1 The authority must, having regard to the application and any relevant representations, take such steps mentioned below (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are –

(a) To grant the licence subject to –

- (i) the conditions mentioned in subsection(2)(a) modified to such extent as the authority considers (appropriate) for the promotion of the licensing objectives, and
- (ii) any conditions which must be met under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premise's supervisor;

(d) to reject the licence.

- 4.2 Conditions on a premises licence are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged.

Licence conditions;

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are not appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;

- should be proportionate, justifiable and capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

4.3 There is a right of appeal to the Magistrates Court within 21 days.

5 ISSUES AND RISKS

5.1 **Resource Implications** – Statutory requirement

5.2 **Legal Implications** – Statutory requirement

5.3 **Equality Implications** – The Sub-Committee in its decision making, must have due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

5.4 **Environmental Impact** – See licensing objectives

5.5 **Crime and Disorder** – See licensing objectives

5.6 **Risks** – the Council could incur costs in officer and legal representative time if a person is aggrieved by the decision of the Committee and pursues an appeal in the Magistrates Court.

6 RECOMMENDATIONS

6.1 The Sub-Committee is expected to make its determination based on an assessment of the evidence on both the risks and benefits for or against making the determination, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

6.2 The Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

6.3 Where a licensing authority determines an application, it must notify the determination and its reason of making it to –

- (a) The holder of the licence
- (b) The applicant
- (c) Any person who has made relevant representations, and
- (d) The chief of police for the police area in which the premises are situated

Appendices

Appendix 1 – Application Form

Appendix 2 – Proposed site layout and floor plans

Appendix 3 – Amendment to hours

Appendix 4 – Responses received from responsible authorities

Appendix 5 – Representation from local resident

Appendix 6 – Relevant section of the Revised Guidance issued under Section 182 of the Licensing Act 2003 and correspondence detailing suggested amendments to the proposed conditions.



**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We MR RAJENDRAN SIVASUTHARJANAN

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 22 ST MARYS CLOSE			
Post town	NORWICH	Postcode	NR15 1AH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ NOT KNOWN

Part 2 - Applicant details

Please state whether you are applying for a premises licence as: Please tick as appropriate

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname SIVASUTHARJANAN			First names RAJENDRAN		
Date of birth			I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality BRITISH					
Current residential address if different from premises address					
Post town				Postcode	I
Daytime contact telephone number					
E-mail address optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	0	1 1 2 0 2 0

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
OFF LICENCE STORE AND GROCERIES

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

In all cases complete boxes K, L and M

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Supply of alcohol (if ticking yes, fill in box J)

X

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sun				

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	21.00			
Tue	08.00	21.00			
Wed	08.00	21.00			
Thur	08.00	21.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) ALCHOL SALE WILL BE FROM 08.00 TO 21.00		
Fri	08.00	21.00			
Sat	08.00	21.00			
Sun	08.00	21.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name MR RAJENDRAN SIVASUTHARJANAN	
Date of birth :	
Address :	
Postcode	
Personal licence number (if known) LN000015889	
Issuing licensing authority (if known) LONDON BOROUGH OF EALING	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

THE PERSONAL LICENCE HOLDER WILL BE PRESENT ALL THE TIME AND TRAINED STAFF WILL BE IN THE PREMISES.
REGULAR TRAININGS WILL BE GIVEN TO STAFF.
DETAILED LOGBOOK WILL BE MAINTAINED IN THE SHOP, RECORDING THE INCIDENTS, DETAILS OF REFUSED SALES, BANNED CUSTOMERS, TROUBLE MAKERS WHICH WILL BE AVAILABLE TO THE RELEVANT AUTHORITIES UPON REQUEST.
CCTV WILL BE INSTALLED ALL AROUND THE SHOP AND FULL LIGHTS SPECIALLY IN FRONT AND BACK OF THE SHOP.
ALARM SYSTEMS WILL BE INSTALLED SUCH AS PANIC ALARM AND POLICE ALERTS ETC.
THE APRONS WILL BE DISPLAYED AT THE BACK OF THE COUNTER AND A DECENT SPACE WILL BE MAINTAINED FROM THE CUSTOMERS TO THE SPIRITS SHELVES.

c) Public safety

THE CCTV AND FULL LIGHTS AROUND THE BUILDING SPECIALLY FRONT AND BACK WILL DISCOURAGE CUSTOMERS LOITERING AND WILL ENSURE THE SAFETY OF OTHER CUSTOMERS.

DETAILED LOGBOOK WILL BE MAINTAINED IN THE SHOP, RECORDING THE INCIDENTS, DETAILS OF REFUSED SALES, BANNED CUSTOMERS, TROUBLE MAKERS WHICH WILL BE AVAILABLE TO THE RELEVANT AUTHORITIES UPON REQUEST.

FIRST AID KIT WILL BE AVAILABLE.

d) The prevention of public nuisance

THE CCTV AND POSTERS DISCOURAGING LOITERING AND PROHIBITION OF STANDING IN FRONT OF THE SHOP AND AT THE BACK WILL ENSURE NO PUBLIC NUISANCE TO THE PUBLIC AND RESIDENCE AROUND THE SHOP.

I WILL TAKE STRICT MEASURES AND MONITOR CCTV AND LIGHTS OUTSIDE THE PREMISES. EVEN STAFF AND MY SELF WILL BE CHECKING OUTSIDE VERY OFTEN DURING DARK TIMES.

ALL DELIVERIES WILL BE DURING DAY TIMES AND WILL BE PLACED WELL AWAY FROM ENTRANCE AND EXIT BEFORE THEY ARE SHELVED.

I WILL MAINTAIN A LOGBOOK TO HAVE ANY COMPLAINTS RECORDED FROM CUSTOMERS SO I CAN IMPROVE AND MAKE CHANGES AS SOON AS POSSIBLE

e) The protection of children from harm

THE STAFF AND MYSELF WILL TAKE CHILD CUSTOMERS AND THOSE WHO ARE VULNERABLE, VERY SERIOUS.

ID CHECKS WILL BE CARRIED OUT ALL THE TIME UNLESS IT IS APPARENT THE CUSTOMERS APPEAR OLD ENOUGH.

CHALLENGE 25 POLICY WITH ONLY FORMS OF ID ACCEPTED SUCH AS PHOTO DRIVING LICENCE/ PASSPORT ETC.

SIGNAGE AND POSTERS WILL BE IN PLACE CONFIRMING THE CHALLENGE 25 POLICY.

AUTOMATIC TRIGGER SYSTEM ALERTING THE CASHIER TO CHECK CUSTOMER AGE ON ALCHOL SALES.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). X

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

The data provided on this form and supporting documents, including any photographic image, will be used and held by South Norfolk Council as data controller for the purpose of issuing, maintaining and renewing (as applicable) (subject to eligibility) a (enter licence type here) Licence and is subject to the requirements of the Data Protection Act 1998. This personal data will be held and processed by the Council in accordance with the Data

Protection Act and may be disclosed to a public body or any agency nominated by a public body for the purpose of preventing and detecting fraud or other relevant criminal activity. The information will be held on computer files and relevant paper filing systems.

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08.00	21.00	
	07.00	21.00	
Tue	08.00	21.00	
	07.00	21.00	
Wed	08.00	21.00	
	07.00	21.00	
Thur	08.00	21.00	
	08.00	21.00	
Fri	08.00	21.00	
	07.00	21.00	
Sat	08.00	21.00	
	07.00	21.00	
Sun	08.00	21.00	
	07.00	21.00	

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	14/10/2020
Capacity	PRORIETOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Consent of individual to being specified as premises supervisor

MR RAJENDRAN SIVASUTHARJANAN

[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE

[type of application]

by

MR RAJENDRAN SIVASUTHARJANAN

[name of applicant]

relating to a premises licence **22 ST MARYS CLOSE NORWICH NR15 1AH**

[number of existing licence, if any]

for

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

MR RAJENDRAN SIVASUTHARJANAN

[name of applicant]

concerning the supply of alcohol at

22 ST MARYS CLOSE NORWICH NR15 1AH

[name and address of premises to which application relates]

I confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I have set out in this form.

Personal licence number

LN000015889

[insert personal licence number, if any]

Personal licence issuing authority

LONDON BOROUGH OF EALING

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

MR RAJENDRAN SIVASUTHARJANAN

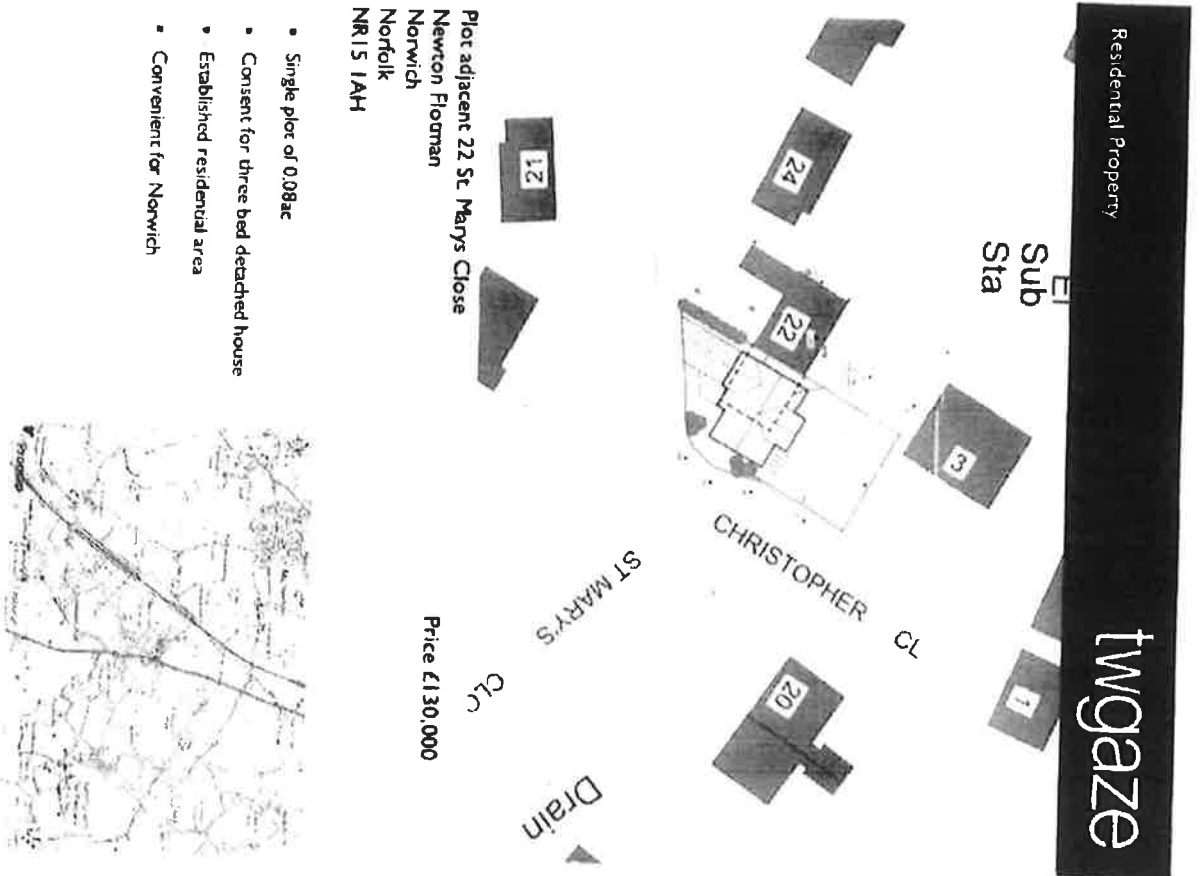
Date

14 OCTOBER 2020

10/18/2020

map.jpeg

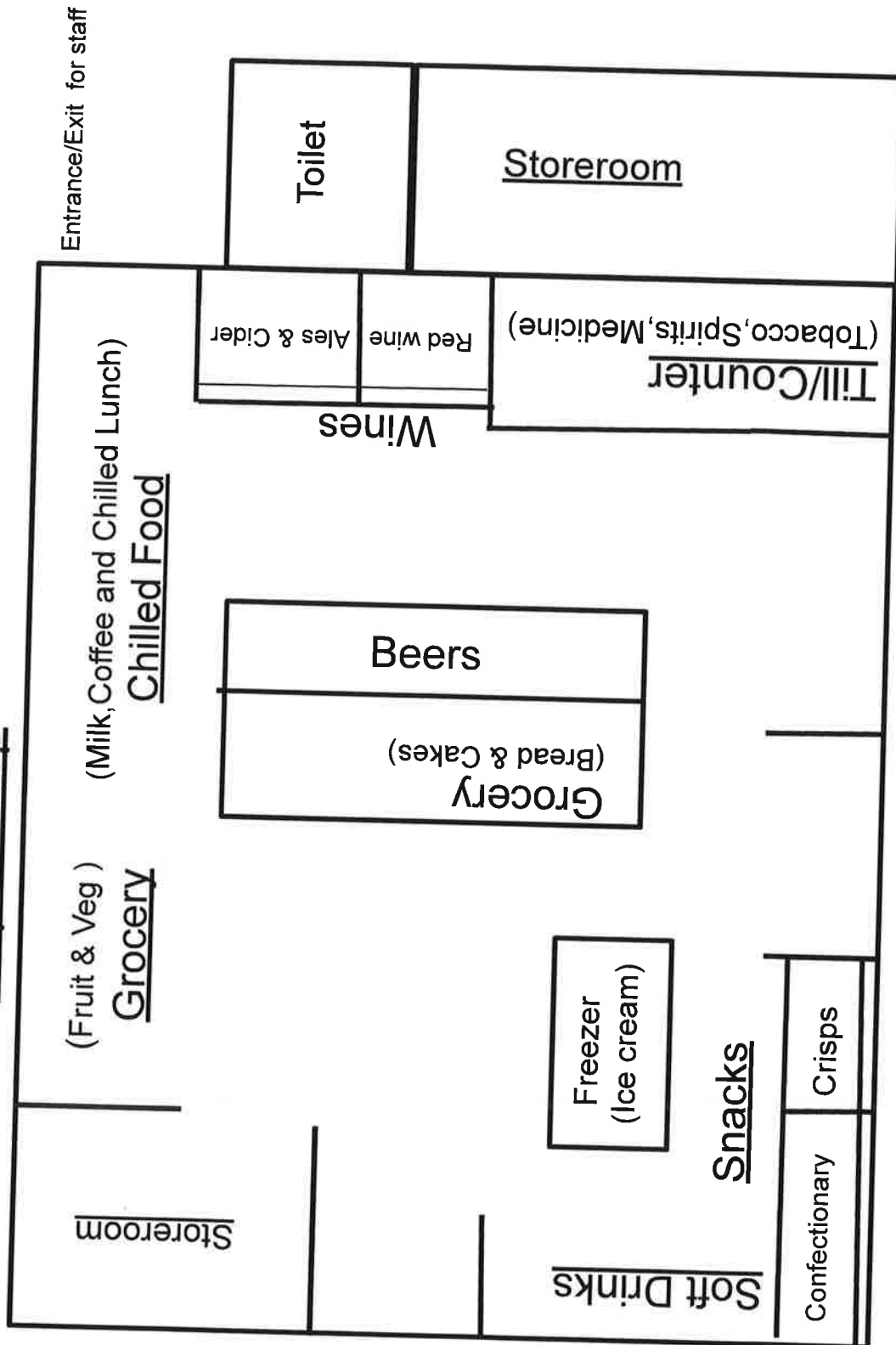
Appendix 2



twgaze.co.uk

<https://mail.google.com/mail/u/2/#sent/KtbxLwGgFqPWqNcgSfKSpnmzNGvkmnCJgV?projecto=1&messagePartId=0.1>

Map of shop



Address	22 St Mary Close	NR151AH
Name	Mr R Sivasutharjanan	

Hi Amanda madam please change for me opening time am 07.00-pm21.00
Alcohol time please start am 8.00 pm21.00
Thanks
R.Sivasutharjanan

On Wed, 28 Oct 2020 at 11:14, Amanda Cox <ACox@s-norfolk.gov.uk> wrote:

Good morning,

Thank you for sending across all the documents relating to this application. Please can you confirm the proposed opening times for the premises are 07:00-21:00 each day and the 08:00-21:00 referenced on the application form can be deleted?

Many thanks

Amanda Cox
Licensing & Enforcement Officer
t 01508 533621 e acox@s-norfolk.gov.uk



This email and any attachments are intended for the addressee only and may be confidential. If they come to your attention you must take no action based on them, not make any copy or show them to anyone. Please advise the sender by replying to this email immediately and then delete the original from your computer. Unless this email relates to Broadland District Council or South Norfolk Council business it will be regarded by the Council as personal and will not be subject to or controlled by the Council. The sender will have sole responsibility for any legal actions or disputes that may arise. We have taken steps to ensure that this email and any attachments are free from known viruses but in keeping with good computing practice you should always ensure they are virus free. Emails sent from and received by members and employees of Broadland District Council and South Norfolk Council may be monitored.

From: Newton Flotman Parish Clerk
Sent: 26 Nov 2020 12:05:50
To: ACox@S-NORFOLK.GOV.UK,
Subject: Re: 22 St Mary's Close, Newton Flotman
Attachments: image003.png,

Dear Amanda,

The Parish Council considered this when they met earlier in the week and agreed to make no objection.

Best regards,

Julie

Mrs Julie King
 Clerk to Newton Flotman Parish Council

Tel No.
 Email address: clerk@newtonflotmanpc.co.uk
 Website: www.newtonflotmanpc.co.uk

Keeping your data safe and increasing transparency are important to us. Our Privacy Statement on our website explains how we use your personal information and how you can exercise your privacy rights.

From: Amanda Cox
Sent: Thursday, October 29, 2020 12:53 PM

Cc:
Subject: 22 St Mary's Close, Newton Flotman

Good afternoon,

I have received and accepted a Premises Licence Application (New) for 22 St Marys Close, Newton Flotman, Norfolk, NR15 1AH (awaiting business name)

Applicant – Mr Rajendran Sivasutharjanan

Details of application – As attached. Please see email amending opening hours to 07:00- 21:00

Note: This application was received electronically and I am therefore completing on the applicants behalf.

This application is now subject to a 28 day consultation period expiring on the 26 November 2020. Should you wish to make representations, the Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which are: -

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each objective is of equal importance. These four statutory objectives are the only matters to be taken into account when determining licensing applications and associated operating schedules.

For further information please contact me on the details below.

Many thanks

Amanda Cox

From: Bartram, Michelle >
Sent: 24 November 2020 09:37
To: acox@s-norfolk.gov.uk
Cc:
Subject: FW: New Licence 22 St Marys Close
Attachments: Letter of representation 22 St Marys Close.docx

Amanda,

Please see the Police representation attached for 22 St Marys Close, Newton Flotman.

The applicant has agreed for the 2 proposed conditions to be added to the licence to ensure there are documented staff training records and that CCTV is accessible for 28 days.

Due to this agreement in the email below, there are no outstanding representations from Norfolk Police

Thanks

Michelle Bartram

Licensing Officer

Licensing,
Norfolk Constabulary
Bethel Street Police Station
Norwich, Norfolk, NR2 1NN

Tel:

From:
Sent: 23 November 2020 17:59
To:
Subject: Re: New Licence 22 St Marys Close

Hello Madam, Thanks for your email. I saw your consent and I agree. This matter already has occurred (to the council.)

Thanks you Regards,

Rajendran Sivasutharjanan

On Mon, 23 Nov 2020 at 15:44, Bartram, Michelle

Dear Sir

Norfolk Police have received a copy of the application for St Marys Close, Newton Flotman.

Please can you see the document attached and see if you are willing for these 2 extra conditions to be added to the licence.



NORFOLK

CONSTABULARY

Our Priority is You

Licensing Department
South Norfolk District Council
Swan Lane
Norwich

Friday 6th November 2020

The Licensing Team

Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel:

Fax:

Email:

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Sir/Madam

Application for a new premises licence – 22 St Marys Close, Newton Flotman Norwich

Norfolk Police have received a copy of the application for a new premises licence for 22 St Mary's Close, Newton Flotman, Norwich.

This application is requesting the sale of alcohol for consumption off the premises 0800-2100 hrs Monday-Sunday with opening hours 0800-2100 hrs daily in order for the premises to operate as a convenience shop with off licence facility.

The applicant, Mr Sivasutharjanan is already a DPS and runs a convenience store in Norwich which has been operating well since 2018.

The operating schedule with this application offers a number of measures such as staff training, incident log and CCTV. However, in order to ensure these conditions are enforceable, I request that they are amended to state:

- **Staff will be trained in relation to the sale of alcohol and a record of this training will be kept at the premises and available to Police or Licensing Authority on request.**
- **CCTV to be in operation to record the main areas of the shop. Footage to record for 28 days and be available to Police or Licensing Authority on request.**

With these conditions added to the premises licence, there are no outstanding representations from Norfolk Police

Yours faithfully,

Michelle Bartram
Licensing Officer

Website: www.norfolkfireservice.gov.uk

Email: Please ask for: Chris Soames
Direct Dial:
Email:
My Ref: 00092321
Your Ref:
03 November 2020

Dear Sir

The Regulatory Reform (Fire Safety) Order 2005
With reference to – Licensing Act 2003

Premises: Rajendran Sivasutharjanan, 22 St Marys Close Newton Flotman Norwich
NR15 1AH

I acknowledge receipt of the application for the above premises.

As these premises fall within the scope of the Regulatory Reform (Fire Safety) Order 2005, I would like to draw your attention to the following guidance document:

Offices and Shops: This guide is for all employers, managers, occupiers, and owners of Offices and Shop premises, it is a government published guide to assist you with the process of completing a fire risk assessment, **which is required for your premises.**

ISBN 13: 978 1 85112 815 0

This publication is available to download from:

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-offices-and-shops>

It is necessary where material alterations are proposed to comply with the Building Regulations 2000. In this case an application must be submitted to the Local Building Control Authority or an Approved Inspector.

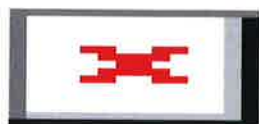
Should you require any further assistance please do not hesitate to contact me on the number shown above.

Yours faithfully

For Chief Officer

From: Adrian Nicholas
Sent: 02 Nov 2020 05:30:48
To: ACox@S-NORFOLK.GOV.UK,
Subject: RE: 22 St Mary's Close, Newton Flotman
Attachments: image001.png,

Hi Amanda,
Thank-you for consulting Environmental Protection with regard to a Premises Licence Application (New) for 22 St Marys Close, Newton Flotman, Norfolk, NR15 1AH.
Having reviewed the application, we have no objection or comments to make.
Regards,
Adrian.
Adrian Nicholas
Senior Community Protection Officer



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From: Amanda Cox <ACox@S-NORFOLK.GOV.UK>

Sent: 29 October 2020 12:53

To:

Cc: <ACox@S-NORFOLK.GOV.UK>

Subject: 22 St Mary's Close, Newton Flotman

Good afternoon,

I have received and accepted a Premises Licence Application (New) for 22 St Marys Close, Newton Flotman, Norfolk, NR15 1AH (awaiting business name)

Applicant – Mr Rajendran Sivasutharjanan

Details of application – As attached. Please see email amending opening hours to 07:00- 21:00

Note: This application was received electronically and I am therefore completing on the applicants behalf.

This application is now subject to a 28 day consultation period expiring on the 26 November 2020. Should you wish to make representations, the Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which are: -

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each objective is of equal importance. These four statutory objectives are the only matters to be taken into account when determining licensing applications and associated operating schedules.

For further information please contact me on the details below.

Many thanks

Amanda Cox

Licensing & Enforcement Officer

t 01508 533621 e acox@s-norfolk.gov.uk

From:Lynn Armes
Sent:09 Nov 2020 03:55:00
To:ACox@S-NORFOLK.GOV.UK,
Subject:ENQ/2020/1371 22 St Marys Close Newton Flotman
Attachments:

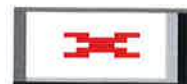
Dear Amanda

Thank you for your consultation on the new premises licence application at the above site
I can confirm we have no objections or comments to make.

Kind regards

Lynn Armes

Planning Officer



This email and any attachments are intended for the addressee only and may be confidential. If they come to you at work you must take no action (other than this) and must not copy or print them to anyone. Please advise the sender by replying to this email immediately and then delete the original from your computer. Unless this email relates to Broadland District Council or South Norfolk Council business it will be regarded by the Council as personal and will not be authorised by or sent on behalf of the Council. The sender will have sole responsibility for any legal actions or disputes that may arise. We have taken steps to ensure that this email and any attachments are free from known viruses but in keeping with good computing practice you should ensure that any virus-free. Emails sent from and received by members and employees of Broadland District Council and South Norfolk Council may be monitored.

From:
Sent: 16 Nov 2020 09:50:03
To: LicensingTeam@S-NORFOLK.GOV.UK,
Subject: LICENSING OBJECTION
Attachments:

Dear Licensing team

Re: Mr R Sivasutharjanan
22 St Mary's close Newton Flotman NR151AH

I wish to object to the application based on the following concerns.

- * The location is extremely close to quiet residential housing.
- * A business whose principle hours of business may extend to late night is not compatible with this location.
- * As there are residential properties and gardens in the immediate vicinity littering by persons possibly not in total control of their faculties is a major concern.
- * There is very limited parking on Christopher's close and none on St Mary's close and gets very busy when the schools finish for the day. An increase in traffic parked of otherwise will cause a rise in the risk of an accident occurring.
- * Parking on Christopher's close is very limited due to 24/7 access being required across the garden of 22 st Mary's close by the electricity company who service the sub station there which I believe is going to become a car park!
- * The road at this junction is in very poor condition and has recently been tested for subsidence as my property at No 20 begun suffering from subsidence in 2018 and is about to be underpinned early next year. Any increase in traffic will cause more damage to the road.
- * Generally any activity with a shop / off-licence will involve early morning delivery trucks making noise while unloading.
- * All of the above concerns are based on the activity that went on when the last shop / off-licence was there. Noise, anti social behaviour, littering, a break-in, drug dealing, boy racers on motor bikes and cars hanging about long after the shop shut revving their engines and playing loud music and police presence. The last I knew this was that a house was going to be built, we were not told it had changed to an off-licence.

I urge you to decline the application. Would you want this on your doorstep?

Regards !

From: Amanda Cox
Sent: 06 Nov 2020 03:40:06
To:
Subject: 22 St Mary's Close, Newton Flotman
Attachments:

Appendix 6

Good afternoon,

I am writing with regard to your current application for a new premises licence at 22 St Mary's Close, Newton Flotman which is presently under consultation.

As stated in the Revised Guidance issued under section 182 of the Licensing Act 2003: -

10.5

It is not acceptable for licensing authorities to simply replicate the wording from an applicants operating schedule. A condition should be interpreted in accordance with the applicants intention.

In light of the conditions proposed by yourself I suggest the following: -

A personal licence holder will be on the premises at all times the premises is open for licensable activity.

Staff will be trained in relation to the sale of alcohol and a record of this training will be kept at the premises and be made available to Police or Licensing Authority on reasonable request.

A refusal log will be kept at the premises to record all refused sales of alcohol and be made available to the Police or Licensing Authority on reasonable request.

CCTV is in operation and will cover the main public areas and immediately outside the premises. CCTV footage to record for a minimum of 28 days and made available on reasonable request to the Police or Licensing Authority.

An alarm system will be in operation.

All spirits will be contained behind the counter on dedicated shelving to prevent theft.

The premises will benefit from external lighting to the front and rear.

Notices will be displayed asking customers to leave the area quietly and respectfully to neighbouring properties.

Regular external checks will be made by staff members to discourage loitering.

All deliveries will be made between the hours of ?? and ?? " please specify

A complaints log will be kept and maintained at the premises.

A Challenge 25 policy will be in operation and signage will be on display to this effect.

An automatic trigger system will be in operation to alert cashiers to carry out age verification.

If you are happy with the above please kindly respond in writing. Please provide the hours for deliveries as highlighted in red above.

I look forward to hearing from you prior to the close of consultation on the 26th November.

Kind regards

Amanda Cox
 Licensing & Enforcement Officer
 t 01508 533621 e acox@s-norfolk.gov.uk

10. Conditions attached to premises licences and club premises certificates

General

- 10.1 This chapter provides further guidance in relation to conditions attached to premises licences and club premises certificates. General principles on licence conditions are set out in Chapter 1 (see paragraph 1.16).
- 10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.
- 10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

Proposed conditions

- 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

Consistency with steps described in operating schedule

- 10.6 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.
- 10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.