



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Licensing Sub-Committee

Members:

Councillor Tony Cooper
Councillor Colin Hedgley
Councillor Mark Newton

Members are invited to a **Meeting of the Licensing Sub-Committee** to be held in the Deben Conference Room, East Suffolk House, Melton on **Thursday, 10 November 2022 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://www.youtube.com/watch?v=1Oji26-XqvY>

An Agenda is set out below.

Part One – Open to the Public

Pages

-
- 1 Election of a Chairman**
To elect a Chairman for the Licensing Sub-Committee
 - 2 Apologies for Absence**
To receive apologies for absence, if any.

3 **Declarations of Interest**

Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

4 **Declarations of Lobbying and Responses to Lobbying**

To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.

5 **Variation of Premises License, Leiston Newsagent, 75 High Street, Leiston, IP16 4BX ES/1338**

Report of the Licensing Officer

1 - 11

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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LICENSING SUB-COMMITTEE

Thursday 10 November 2022

APPLICATION DETAILS

Type:	Variation – Premises Licence
Name of Applicant(s):	Pratheepa Thayapararan
Address of Applicant(s):	54a King George's Avenue, Leiston, IP16 4JG
Type of applicant (Premises Only):	Individual
Name of Premises:	Leiston Newsagent
Address of premises:	75 High Street, Leiston, IP16 4BX
Description of Premises:	Newsagents

EXECUTIVE SUMMARY:

- This is an application for a variation to an existing Premises Licence.
- The application seeks to extend the licensed times for the following licensable activities: Sale of alcohol for off the premises.

Is the report Open or Exempt?	Open
Wards Affected:	Aldeburgh & Leiston
Cabinet Member:	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
Supporting Officer:	Leonie Houlton Licensing Officer 01502 523624 Leonie.Houlton@eastsoffolk.gov.uk

1. PROPOSED LICENSABLE ACTIVITIES

Sale of alcohol – off sales

Monday to Sunday 05:30 to 23:00

1.1 EXISTING LICENCED TIMES FOR ACTIVITIES

Sale of alcohol – off sales

Monday to Saturday 08:00 to 00:00

Sunday 10:00 to 22:30

Good Friday 08:00 to 22:30

Christmas Day 12:00 to 15:00 & 19:00 to 22:30

2. PROPOSED OPENING HOURS

Monday to Sunday 05:30 to 23:00

2.1. EXISTING OPENING HOURS

Unrestricted other than by planning or other legislation

3. OPERATING SCHEDULE

- 3.1 The following steps have been proposed in order to promote the four licensing objectives. These are proposals offered by the applicant and in their own words. Some submissions may already form part of the licence, as mandatory conditions; others may be re-worded by officers to form meaningful, enforceable conditions on the licence.

To keep all existing conditions and to also add these conditions.

General

We have CCTV, it works 24 hours, indoors and outdoors.
Voice record alarm system.

Prevention of crime and disorder

No additional conditions

Public safety

No additional conditions

Prevention of public nuisance

No additional conditions

Protection of children from harm

All staff work with awareness.

A copy of the existing premises licence and the plan that accompanies the premises licence are attached as **Appendix A & A1**.

4. REASON FOR HEARING

- 4.1 One representation against the application has been received from an 'other person'.
- 4.2 A representation against the application has also been received from Leiston-cum-Sizewell Town Council.
- 4.3 The applicant has been provided with a copy of these representations and these are attached as **Appendix B** for members of the Sub-Committee.
- 4.4 No representations against the application were received from Responsible Authorities.
- 4.5 Summary of grounds for representation:
- The main concerns are the longer licenced hours in the early hours of the morning and the possibility that this could lead to increased noise and disturbance for local residents. As well as set a precedent for other local businesses in the town.
 - The local Town Council also had concerns that the extended hours would encourage anti-social behaviour, as well as wishing to protect children from the sale of alcohol on the way to school; and concerns over the health and wellbeing of local residents.

5. POINTS FOR CONSIDERATION

- 5.1 In exercising its licensing functions, the Licensing Authority has stated in its licensing policy that it will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.

- 5.2 The attention of the Sub-Committee is drawn to the following:

- a) The Licensing Act 2003 Section 4 requires the Sub-Committee to have regard to:
- Guidance Issued under Section 182 of the Licensing Act 2003.
 - The Council's Statement of Licensing Policy

If the Sub-Committee has reason to depart from the above it is asked to give full reasons for so doing.

- b) Human Rights Act 1998

The Human Rights Act 1998 came into force on the 2 October 2000. The Sub-Committee is urged to have careful regard of its provisions.

It is unlawful for a public authority (this expression includes local authorities) to act in a way which is incompatible with a human right.

As far as the applicant's right to a fair hearing is concerned (Article 6), the applicant has a right to be heard by the Licensing Sub-Committee. If this application is refused or granted subject to modification, the applicant has a right of appeal to the Magistrates' Court.

In assessing the impact of human rights, the Sub-Committee must seek to strike a balance between the right of the proprietors in the business to conduct it as they wish and local residents who may find its activities intrusive. In this context a business is a “possession” and the human right is expressed to be for the “peaceful enjoyment” of it. A rider to this human right empowers the Council to control the enjoyment of that business by its proprietors in the general interest. At the same time, local residents are entitled to the peaceful enjoyment of their homes.

- 5.3 The relevant notices about this hearing have been served on the applicant and other persons and they have until 3 November 2022 to confirm that they intend to attend, or not, as the case may be and give notice that they wish to call witnesses.

6. CONCLUSION

- 6.1 The applicant has been advised of the representations that have been made and there may be mediation between the applicant and the other persons before the hearing in order to achieve agreement. In the event that an agreement is not possible, the Sub-Committee will be asked to determine this application by:
- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application and any condition which must be included in the licence in accordance with the Licensing Act 2003.
 - Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives (for example, by excluding a licensable activity or restricting the hours when a licensable activity can take place), and any condition which must be included in the licence in accordance with the Licensing Act 2003.
 - Rejecting the application.
- 6.2 If the decision reached by the Sub-Committee results in differences between the conditions attached to the licence and the planning permission currently in force for these premises, the applicant should be advised that the planning permission must be adhered to unless and until it is amended to reflect the conditions attached to the licence.
- 6.3 Depending on the decision of the Sub-Committee, the applicant and / or responsible authority and interested parties that have made representations have rights of appeal to the Magistrates Court.
- 6.4 When announcing its decision, the Sub-Committee is asked to state its reasons.

APPENDICES	
Appendix A	A copy of the existing premises licence
Appendix A1	A copy of the plan that accompanies the premises licence

Appendix B	Representations (private document for the Sub-Committee only)
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BACKGROUND PAPERS
None

Licensing Act 2003 Premises Licence

PREM0308

ES/1338

LOCAL AUTHORITY



Suffolk Coastal District Council

Melton Hill
Woodbridge
Suffolk
IP12 1AU

tel: 01394 444802

web: www.suffolkcoastal.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Leiston Newsagents

75 High Street, Leiston, Suffolk, IP16 4BX.

Telephone 01728 830743

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Saturday	8:00am	11:00pm
	Sunday	10:00am	10:30pm
	Non Standard Timings:		
	On Good Friday 08:00 to 22:30.		
	On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted other than by planning or other legislation.		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Pratheepa Thayaparan

75 High Street, Leiston, Suffolk, IP16 4BX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

Premises Licence

PREM0308

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE
AUTHORISES THE SUPPLY OF ALCOHOL

Pratheepa THAYAPARAN

75 High Street, Leiston, Suffolk, IP16 4BX.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. MK00116228

Issued by Milton Keynes



ANNEXES

Annex 1 - Mandatory Conditions

Where a premises licence authorises the sale of alcohol, the licence must include the following conditions:

1.(1) No supply of alcohol may be made under the premises licence -

- At any time when there is no designated premises supervisor in respect of the premises, or
- At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions Consistent with the Operating Schedule

OFF-LICENCES AND OFF-SALES DEPARTMENTS OF ON-LICENCES

Licensing Act 1964, S 60, 63, 86 and 164

1. **Alcohol shall not be sold or supplied except during permitted hours.**

2. **In this condition, permitted hours means:**

- On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- On Good Friday 8 a.m. to 10.30 p.m.

3. **The above restrictions do not prohibit:**

- the consumption of alcohol on the premises during the first 20 minutes after the above hours;
- the taking of the alcohol from the premises (unless the alcohol is supplied or taken in an open vessel) during the first 20 minutes after the above hours;
- the consumption of the alcohol on the premises by persons taking meals there during the first 30 minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;
- The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;***

4. **Alcohol shall not be sold in an open container or be consumed in the licensed premises.**

Annex 3 - Conditions attached after a hearing by the licensing authority



LOCAL AUTHORITY

**Suffolk Coastal District Council**

Melton Hill
Woodbridge
Suffolk
IP12 1AU

tel: 01394 444802

web: www.suffolkcoastal.gov.uk

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

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Pratheepa Thayaparan

75 High Street, Leiston, Suffolk, IP16 4BX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

Premises Licence Summary

PREM0308

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Pratheepa THAYAPARAN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No



SCALE : 1:100
REFERENCE : konesani
DATE DRAWN : 14/08/2004
DATE REVISED : DD/MM/YY
DRAWING BY : David Alden

G.D.P. Design & Shaping Ltd
Tel: 01508 550939 Fax: 01508 550900

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