



LICENSING SUB-COMMITTEE

Thursday 18th July 2023

APPLICATION DETAILS

Type:	New – Premises Licence
Name of Applicant(s):	Logeswaran Nadarajan
Address of Applicant(s):	6 Trafalgar Street, Norwich NR1 3HN
Type of applicant (Premises Only):	Individual
Name of Premises:	Framlingham Local Stores
Address of premises:	22 Bridge Street, Framlingham Woodbridge Suffolk IP13 9AH
Description of Premises:	Convenience store

EXECUTIVE SUMMARY:

- This is an application for a new Premises Licence
- The application seeks to permit the sale of alcohol off the premises.

Is the report Open or Exempt?	Open
Wards Affected:	Framlingham
Cabinet Member:	Councillor Mike Ninnmey, Cabinet Member with responsibility for Community Health
Supporting Officer:	Jodie Fisher Licensing Officer 01394 444363 Jodie.Fisher@eastsoffolk.gov.uk

1. PROPOSED LICENSABLE ACTIVITIES

Sale of alcohol – off sales

Monday to Saturday 08:00 to 23:00

Sunday 08:00 to 21:00

2. PROPOSED OPENING HOURS

Monday to Sunday 07:00 to 23:00

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.

General

We participate in NO ID NO SALE policy.

Relevant signage will be display clearly visible to every customer.

Whose responsibilities include the retail sale of alcohol will receive the necessary training on induction and every 6 months. The training will include the understanding of the terms, conditions and restrictions of the premises licence and the operation of the CCTV equipment and also the prevention of unlawful sales of alcohol.

Prevention of crime and disorder

Premises will be installed with 24- hour CCTV recording focusing on licenced products and the customer service area.

Refusal register will be kept in store to note all the underage attempts to buy any age restricted goods. We will make sure the CCTV system serving the premises will be maintained fully operational and in good working order at all times and the system will be able make retain clear images.

Public safety

All necessary steps will be taken to ensure all the fire and safety regulations are active and adhered to at all times. Fire fighting equipment are installed and easily accessible. We will keep records written in English with the date, time and circumstances of any challengers made in accordance with the 'Challenge 25' scheme and disorder, ejection or other relevant incident that occurs on the premises. This book of records will be kept on the premises at all times.

Prevention of public nuisance

Prominent signage will be in display advising customers not to gather in large numbers in or outside the premises. CCTV will be in operation 24 hours and any customers causing nuisance will be advised to respect neighbours. Front and rear of the premises are kept littler free at all times. No alcohol products are allowed to be consumed on the premises. Alcohol is only allowed outside the premises.

Protection of children from harm

We participate in challenge 25 and NO ID NO sale policy so that children have no access to any age restricted products. We will operate 'Challenge 25' age verification policy at the premises. Any person who appears under 25 years of age will be requested to provide acceptable form of ID such as passport, UK photo driving licence.

The plan of the premises is attached as **Appendix A**.

4. REASON FOR HEARING

4.1 One representation against the application has been received from a local resident.

4.2 The applicant has been provided with a copy of the representation and it is attached as **Appendix B**.

4.3 Summary of grounds for representation:

The proposed off licence, is too close to the takeaway shop in Bridge street, which serves a great many young people. It may encourage them to buy alcohol, as underage drinkers.

The hours of opening are unsociable, and could cause disturbance locally to it, in the late evening. Especially if people are drinking in the nearby vicinity.

4.4 During the consultation period, and after receiving three representations, the applicant has now amended the timings for the sale of alcohol and the opening times.

The amended times are:

Sunday to Wednesday 08:00 to 18:00

Thursday to Saturday 08:00 to 21:00

Following this amendment two of the representations were withdrawn.

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 the person making the representation and they have until 12th July 2023 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 representation that has been made and there may be mediation between the applicant and the Responsible Authority 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	Plan of the premises
Appendix B	Representation

BACKGROUND PAPERS
None