

URN:

Subject: Application for variation of a premises licence : Post Office Stores, 40 – 42 St Peters Road, Great Yarmouth

Report to: Licensing Sub-Committee – 12 September 2023

Report by: Licensing Officer

SUBJECT MATTER AND DECISION REQUIRED

The Licensing Sub-Committee is asked to consider the premises licence variation application in relation to Post Office Stores, 40 – 42 St Peters Road, Great Yarmouth.

Recommendations:

It is recommended that the Sub-Committee determines the application for variation of the premises licence in accordance with one of the options set out in paragraph 4 below.

1. Application for a variation of a premises licence

- 1.1 Members are asked to consider an application made by SSGR Ltd for a variation of the premises licence of Post Office Stores, 40 – 42 St Peters Road, Great Yarmouth.
- 1.2 The nature of the variation is:
 - To increase the hours for the sale of alcohol (off the premises) to 24 hours each day.
- 1.3 The current premises licence authorises the sale of alcohol (off the premises) from 6.30am to 1.00am each day.

2. Background information

- 2.1 The application was sent to the Responsible Authorities, advertised by notice at the premise and in a newspaper and detailed on the Council's website.
- 2.2 Upon expiry of the 28 day representation period, three representations objecting to the application were received. The representations are from a local business owner, Environmental Health and the Police.

3. Additional papers

- 3.1 Premises licence variation application.
- 3.2 Copy of the current premises licence
- 3.3 Copy of the representations objecting to the application
- 3.4 Plan of the general location of the premise (outlined in red)

4. Options for Members

- 4.1 Grant the application on the terms requested.
- 4.2 Modify the conditions of the licence.
- 4.3 Reject the whole or part of the application.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	
Existing Council Policies:	
Financial Implications (including VAT and tax):	None
Legal Implications (including human rights):	
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	



Great Yarmouth Borough Council

Licensing Act 2003

(Code: L3/ROLI9430)

Application to vary a premises licence 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 SSGR Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL0651

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

40 St Peters Road

Post town

Great Yarmouth

Postcode

NR30 3AA

Telephone number at premises (if any)

Non-domestic rateable value of premises

£10,000

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Postcode

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The store operates under the Londis franchise and our store operates from 6:30 am to 1 am, seven days a week, providing essential services and convenience to the local community and visitors alike. I request your consideration for the granting of a 24-hour alcohol license, which would enable us to extend our operating hours and offer alcohol sales throughout the day and night.

First and foremost, extending our operating hours to 24 hours would greatly enhance convenience for the local residents. There are individuals who work night shifts, late-night commuters, and those with unconventional schedules who would greatly appreciate the availability of essential items, including alcohol, during the late hours. By offering a 24-hour service, we can ensure that our customers can rely on us whenever they need our services, promoting a sense of safety and security in the community.

Additionally, the extended hours of operation would be particularly beneficial for tourists visiting our area. Many travelers arrive from different time zones or have late-night flights, and they often find it challenging to locate a place to purchase essentials during unconventional hours. By offering a 24-hour service with alcohol sales, we can cater to their needs and provide a welcoming environment for tourists, thereby enhancing their experience and contributing to the positive reputation of our neighborhood as a tourist-friendly destination.

Furthermore, our store is committed to responsible alcohol retailing. We will strictly adhere to all legal requirements and regulations related to the sale and consumption of alcohol. Our well-trained staff members will be vigilant in checking identification and ensuring that only those of legal drinking age are served. We prioritize the well-being and safety of our customers, and implementing a 24-hour alcohol license would not compromise these principles.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

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) ☐

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

☐

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<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 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<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 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 2)	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 3)		
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 4)		
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 5)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Fri					
Sat			<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 5)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) None		
Mon	24 Hours				
Tue	24 Hours				
Wed	24 Hours				
Thur	24 Hours				
Fri	24 Hours				
Sat	24 Hours				
Sun	24 Hours		<u>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</u> (please read guidance note 5) N/A		

K

<p>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 8).</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

- Every supply of Alcohol under the premises license must be made or authorised by a person who holds a personal license or trained by a personal license holder. (Retraining must be signed every 6 months)
- The premises license holder shall ensure that an age verification policy applies to the premises in relation to the sale of alcohol.
- All staff shall be trained in responsible of alcohol trading. The training log and records are to be kept on the premises and must be provided on request of the police or Licensing Authority.
- Spirits to be kept strictly behind the counter.
- Two people will be present between 6PM and 7am daily when the premises is open.

b) The prevention of crime and disorder

- AN EXCELLENT CCTV SYSTEM IS INSTALLED, OPERATED AND MAINTAINED IN GOOD WORKING ORDER AT THE PREMISES. THE CCTV WILL PROVIDE ADEQUATE COVERAGE OF ALL SALES AND TILL AREAS AS WELL AS THE ENTRANCE DOOR AND THE OUTSIDE OF THE PREMISES.
- THE CCTV MUST RETAIN ALL IMAGES FOR A MINIMUM OF 28 DAYS AND THESE MUST BE KEPT AVAILABLE FOR THE POLICE AND LICENSING AUTHORITY.
- STAFF MUST BE TRAINED AND ABLE TO OPERATE THE SYSTEM.
- ANY PERSON WHO APPEARS TO BE DRUNKEN AND AGGRESSIVE WILL NOT BE PERMITTED INTO THE PREMISES AND WILL NOT BE ALLOWED TO PURCHASE ALCOHOL
- ANY INCIDENTS MUST BE REPORTED TO THE POLICE. A LOGBOOK MUST BE MAINTAINED TO RECORD ANY SUCH INCIDENTS.
- A APPLICATION IS GETTING PROCESSED TO JOIN GREAT YARMOUTH TOWN CENTRE PARTNERSHIP CCTV TEAM

c) Public safety

- We prioritise public safety by implementing robust health and safety protocols and ensuring that our premises are well-maintained and free from hazards. Our staff members receive training in fire safety, emergency procedures, and first aid, enabling them to respond effectively to any potential safety concerns. We also comply with all relevant health and safety regulations, including proper storage and handling of goods to mitigate any risks to public safety.
- ALL EXIT DOORS TO BE EASILY OPENABLE, AUTOMATIC AND WITH A ELECTRIC SWITCH
- MEANS OF ESCAPE TO BE MAINTAINED, UNOBSRUCTED AND CLEARLY IDENTIFIED WITH EMERGENCY LABELS
- COMPLIANCE WITH ALL CURRENT FIRE AND HEALTH &SAFETY LEGISLATION AS REQUIRED BY THE LAW

d) The prevention of public nuisance

- We strive to minimise any potential public nuisance arising from the operation of our convenience store. We maintain strict noise control measures, ensuring that our activities do not cause unnecessary disturbance to neighboring properties or the local community. Additionally, we closely manage the disposal of waste and litter to ensure cleanliness and prevent any nuisance or environmental impact.
- REGULAR CHECKS BY STAFF OF THE IMMEDIATE OUTSIDE AREA TO BE MADE AND ALL LITTER TO BE REMOVED FROM THE VICINITY OF THE PREMISES
- EXTERNAL CCTV CAMARAS ARE INSTALLED AND MONITORED FROM THE PREMISES TO ENSURE NO CUSTOMER STARTS DRINKING ON THE PAVEMENT

e) The protection of children from harm

- The protection of children is of paramount importance to us. We have implemented measures to prevent the sale of age-restricted products, including alcohol, tobacco, and other products with age restrictions, to minors. Our staff members are trained to challenge anyone who appears to be underage for age verification. We strictly adhere to all legal requirements and regulations related to the sale and consumption of age-restricted products to protect children from harm.
- AN EFFECTIVE 'CHALLENGE 25 POLICY' SHALL BE MAINTAINED IN PLACE AT THE PREMISES
- ANY PERSON APPEARING TO BE UNDER THE AGE OF 25 WHO ATTEMPTS TO PURCHASE ALCOHOL MUST BE CHALLENGED IN RESPECT OF THEIR AGE AND ARE REQUIRED TO PROVIDE ADEQUATE PROOF (ONLY PHOTOGRAPHIC BASED FROMS OF IDENTIFICATIONS)
- THESE MUST BE ACCREDITED TO THE PASS SCHEME OR SUBSEQUENT EQUIVALENT BUT COULD ALSO INCLUDE PASSPORT, DRIVING LICENSE OR NATIONAL ID CARD
- ALL CHALLENGED CUSTOMER DATA KEPT ON LOG AND WILL BE MADE AVAILABLE TO THE POLICE OR TRADING STANDARD

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have sent copies of this application and the plan to (if applicable) to the responsible authorities on the attached list. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	20/06/2023 19 July 2023
Capacity	DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Great Yarmouth Borough Council is committed to protecting the rights and privacy of individuals with regard to the processing of personal data.

The information supplied will be processed under Article 6(1)(e) – Public Task

To view the complete Licensing privacy statement please go to www.great-yarmouth.gov.uk/licensing

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

[REDACTED]
[REDACTED]

Post town	[REDACTED]	Post code	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

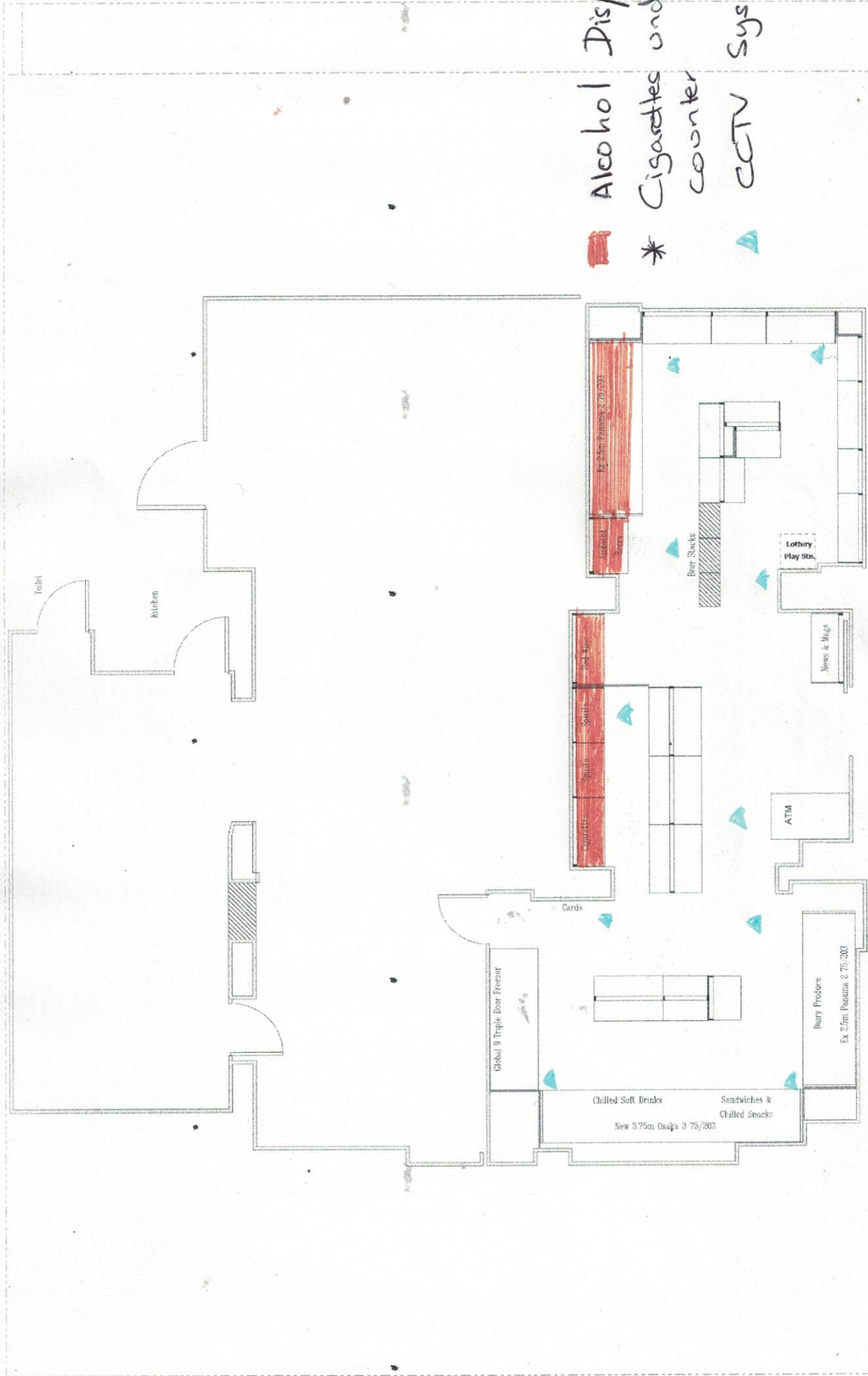
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Great Yarmouth Borough Council, Town Hall, GREAT YARMOUTH, NR30 2QF

Telephone: 01493 846304 / 846530

Email: licensing@great-yarmouth.gov.uk



SCALE : 1 : 50
REFERENCE : Gaarth2
DATE DRAWN : 10 / 09 / 15
DATE REVISED : 22 / 03 / 21
DRAWING BY : Chris Suckling

G.D.P. Design & Shopfitting Ltd
Tel : 01603 962726 Mob : 07710 226539

Prepared For : Gaarthiga Sutharsan. 40 - 42 St Peter's Rd. Gt Yarmouth. NR30 3AA



Licensing Act 2003

Premises Licence

PL0651

Part 1 - Premises Details

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

Post Office Stores

40-42 St Peters Road, Great Yarmouth, Norfolk, NR30 3AA.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday	6:30am	1:00am
	Tuesday	6:30am	1:00am
	Wednesday	6:30am	1:00am
	Thursday	6:30am	1:00am
	Friday	6:30am	1:00am
	Saturday	6:30am	1:00am
	Sunday	6:30am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday	6:30am	1:00am
Tuesday	6:30am	1:00am
Wednesday	6:30am	1:00am
Thursday	6:30am	1:00am
Friday	6:30am	1:00am
Saturday	6:30am	1:00am
Sunday	6:30am	1:00am

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

- J. Supply of alcohol for consumption OFF the premises only

Part 2

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

SSGR Limited

Flat 1, 910 High Road, London, N12 9RW.



Licensing Act 2003

Premises Licence

PL0651

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

SSGR Limited

08076624

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

Sutharsan SUNDARALINGAM

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. 044544

Issued by Redbridge

ANNEXES

MANDATORY CONDITIONS RELATING TO THE SUPPLY OF ALCOHOL (OFF SALES)

1. No supply of alcohol may be made under the premises licence:
 - At a time when there is no designated premises supervisor in respect of the premises licence, 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.
3. (a) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(c) 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 either -

a holographic mark or an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
5. For the purposes of the condition set out in paragraph 4 -



Licensing Act 2003

Premises Licence

PL0651

ANNEXES continued ...

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

6. Where the permitted price given by Paragraph (b) of paragraph 5 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7. -(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 5 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



Licensing Act 2003

Premises Licence

PL0651

ANNEXES continued ...

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Prevention of Crime and Disorder

The Licensee should ensure that a CCTV system is in operation at the premises and that recordings are held for a period of 30 days.

The Licensee is to maintain a log of refusal sales. The log is to be in writing and kept on the premises and should be provided to the Licensing Authority and Police on request.

The Licensee shall ensure that two persons will be present on the premises from 19.30 hours until closure.

The Licensee shall ensure that a log is maintained on the premises of all incidents of crime and disorder.

The Licensee shall ensure that all staff are trained and a copy of the staff training record is to be provided to the Police and Licensing Authority on request.

The Licensee will join a pubwatch/night safe scheme if requested to do so.

The Licensee shall operate a zero drugs tolerance scheme.

Promotion of Public Safety

The Licensee shall ensure that a fire and public safety risk assessment be carried out.

The Licensee shall ensure that an electrical inspection is carried out and appropriate certificate obtained.

The Licensee should ensure that staff are provided with first aid training.

Prevention of Public Nuisance

The Licensee shall arrange for litter disposal at the premises.

Protection of Children from Harm

The Licensee shall operate a 'no ID, no sale' policy and will display signage at the premises.

The Licensee shall operate a 'Challenge 25' policy at the premises.



Licensing Act 2003

Premises Licence

PL0651





Licensing Act 2003

Premises Licence Summary

PL0651

Premises Details

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

Post Office Stores

40-42 St Peters Road, Great Yarmouth, Norfolk, NR30 3AA.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday	6:30am	1:00am
	Tuesday	6:30am	1:00am
	Wednesday	6:30am	1:00am
	Thursday	6:30am	1:00am
	Friday	6:30am	1:00am
	Saturday	6:30am	1:00am
	Sunday	6:30am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday	6:30am	1:00am
Tuesday	6:30am	1:00am
Wednesday	6:30am	1:00am
Thursday	6:30am	1:00am
Friday	6:30am	1:00am
Saturday	6:30am	1:00am
Sunday	6:30am	1:00am

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

- J. Supply of alcohol for consumption OFF the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

SSGR Limited

Flat 1, 910 High Road, London, N12 9RW.

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

SSGR Limited

08076624



Licensing Act 2003

Premises Licence Summary

PL0651

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

Sutharsan SUNDARALINGAM

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



Licensing
Great Yarmouth Borough Council
Hall Plain
Great Yarmouth
NR30 2QF



19th July 2023

Dear Sir/Madam

Re: application to vary the premises license of Post Office Stores, 40-42 St Peters Road, Great Yarmouth.

The Environmental Protection Team of Great Yarmouth Borough Council has been notified of the application to vary the Premises License of Post Office Stores, 40-42 St Peters Road, Great Yarmouth. The Environmental Protection Team covers a wide area of topics including anti-social behaviour, community safety and noise nuisance. Due to several issues in the nearby vicinity, the Team would like to make a representation in opposition to the variation to extend licensable hours being granted.

The area of Great Yarmouth surrounding St Peters Road has been awarded funding through the Safer Streets Scheme as part of the government's initiative in tackling hotspots where anti-social behaviour is an issue.

The Council has received reports of street drinking in the southern and central Great Yarmouth areas. It is believed that increased access to alcohol, by extending licensing hours of the premises, could exacerbate the issues that the Council is already trying to mitigate.

The Council has identified that street drinkers use existing premises from extremely early in the morning (i.e. upon opening) and is concerned that the brief period of respite for local residents (when shops are unable to sell alcohol) will be removed if the premises is permitted to have a 24 hour license.

The Council has also received multiple reports of groups of people gathering in the central areas of Great Yarmouth and leaving alcohol related litter in the street. Although a direct relationship between Post Office Stores and the littering has not yet been established, the two locations are within easy walking distance of each other.

The Council has also received reports of noise issues in and around St Peters Street from persons out in the street- such issues have included, shouting, swearing and bottles being smashed. A recent survey regarding anti-social behaviour and the public's perception of safety in the local area led several respondents to state that drunken behaviour was a concern.

If the Licensing Team require any further information or clarification regarding any of the points raised in this representation, please do not hesitate to contact the Environmental Protection Team.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Shucksmith', with a long horizontal line extending to the right.

Paul Shucksmith
Waste & Environmental Protection Manager
Tel: 01493 846620
Email: paul.shucksmith@great-yarmouth.gov.uk

Dear Licensing team,

Please find a letter of support for the Environmental Protection objection to the extension of hours at this premises.

Please see the determination notice after the last hearing.

The findings here are recent and relevant and demonstrate the premises, at this time, was not promoting the crime and disorder licensing objective.

Respectfully submitted for consideration,

Chris Brooks

Licensing Officer

Norfolk Constabulary

Building 8, OCC,

Wymondham, NR18 0WW.

Mobile 07825 582890

Tuesday-Friday 08-16hrs

GREAT YARMOUTH BOROUGH COUNCIL

NOTICE OF DETERMINATION

Application to vary a Premises Licence under the Licensing Act 2003 for Post Office Stores, 40-42 St Peters Road, Great Yarmouth

Date of Hearing: 5th October 2022

Applicant – SSGR Limited, holder of premises licence PL0651

Members of the Licensing Sub-Committee and other persons present were:

Cllr G Carpenter (Chairman)

Cllr B Walker

Cllr R Hanton

David Lowens, solicitor, legal advisor.

Elaine Hignett (Licensing Officer)

Lara Clare (Licensing Enforcement Officer)

Sammy Wintle (Corporate and Democratic Services Manager)

Sergeant Dan Smith, Norfolk Constabulary

Mr Chris Brooks, Licensing Officer, Norfolk Constabulary

Mr Henry Poyraz (Objector)

Dr Gaarthiga Sutharsan (on behalf of the Premises License Holder)

Mr Nigel West (Character witness for Dr G Sutharsan)

Ms Salina Hoang-Curson, trainee solicitor, observer.

There were no apologies received and no declarations of interest were made by the councillors present. No papers additional to those included with the agenda were produced either before or during the meeting except that a document "List of CCTV

footage" had been provided with the CCTV footage to the parties in advance of committee.

SUMMARY NOTES OF HEARING

Mr Henry Poyraz mentioned to committee that his parents were the previous owner of the Express Store in this area, but that business had now been sold.

Ms Hignett presented the report, noting that 24-hour alcohol sales were requested under this variation. At present the premises were authorised to supply alcohol by retail for consumption off the premises between the hours of 6:30 a.m. and 1 a.m. There were two objectors who had made relevant representations, the Norfolk Constabulary and Mr Poyraz.

CCTV footage had been supplied by Mr Poyraz as part of his representation. Cllr Carpenter enquired whether those present had viewed the CCTV provided in advance of committee, this was confirmed by those present.

The applicant company's representative (hereafter "the applicant") Dr Surathsan was invited by the Chairman to present the application. She explained that she owned the freehold of the premises and was granted the existing premise licence in February 2013 and was hoping to open to 3 am currently, moving to 24-hour opening next year. She responded to a councillor explaining what was meant by a fortress counter, this being a combined counter and screen. Intoxicants were held behind this counter other than beers which were in a chiller at another part of the store.

Mr West addressed committee as a character witness for the applicant, noting that the applicant wished everything done correctly and that she was a dream client with an excellent grasp of details whom he had known for three to four years.

Mr C Brooks on behalf of the Norfolk Constabulary addressed committee. He detailed the police concerns set out in the letter of the 13th September contained on pages 28 and 29 of the agenda including that 24-hour sales of alcohol were not welcomed by the police. He further dealt with his visit to the premises on the 22nd September as detailed in the letter of the following day contained on page 31 of the agenda. He confirmed that he had spoken to the DPS on this visit which had lasted from 10:45 to 11:30 approximately. The available premises licence summary, displayed in the shop, was never issued in the format mentioned, and it had been seized by the police. False details were shown on the premises licence summary as detailed in that letter. A crime had been committed and this was under investigation.

A councillor asked whether the police had records of any problems arising at these premises. Mr Brooks confirmed that he was not aware of any problems shown on police records. He agreed with a councillor that the proposed wording of the additional condition mentioned in the police's written representation was of little, if any practical value.

Mr Brooks mentioned that the police were concerned about 24-hour sales from this premises due to the proximity of Marine Parade, and persons buying alcohol were likely to remain in the area rather than dispersing.

He was asked whether there were other 24-hour licences in the area, and he confirmed he was aware of one such premises.

He noted the clear and useful CCTV received from Mr Poyraz, which had not been available at the time of the original police representation. The CCTV footage was provided to the committee and other parties 3 days before the hearing. Mr Brooks suggested that granting an extension would be inappropriate noting the matters shown on the footage, together with the potential fraud arising from a false licence being on display.

The applicant was invited to question Mr Brooks, she had no questions to Mr Brooks but did mention that there were five off-licences within 7-minute walking distance, in the area.

Mr Poyraz was invited to address committee. He mentioned the CCTV showing the sale of alcohol was past authorised licensed hours. The premises were not abiding by the current premises licence controls and there was also the alleged case of fraud from the display of a false licence summary. He agreed that there were other licensed premises with 24-hr sales in the area.

Mr Poyraz responded to questions from a councillor regarding how close he lived to the variation premises. He lived in the flat above a different shop in the same street.

The applicant questioned Mr Poyraz as to the freehold or leasehold interests of his parents in their premises.

The applicant noted to committee that she felt the responses to the variation application were targeted bullying.

Sgt Smith of Norfolk Constabulary addressed committee. He was Chair of the local Community Alcohol Partnership, and that part of their work was harm reduction. Ease of access to alcohol was a concern. Premises with a 24-hour licence for alcohol sales already existed in the area and alcohol was readily available. More alcohol availability meant more harm, and there were already groups gathering in the area causing public nuisance concerns.

There were no questions to Sgt Smith from the applicant.

Mr C Brooks asked the applicant about her compliance with matters of detail, noting the opening of the premises beyond 1am as shown on the CCTV provided in advance of committee. The applicant said this was for the sale of groceries and electricity account matters, and that the premises did not sell alcohol after 1am.

Mr Brooks mentioned the CCTV images showing an apparent sale of a bottle of wine on one occasion and a crate of corona on another occasion beyond permitted hours. The CCTV showed persons entering the premises without these items and leaving with them. CCTV from the premises had been used on other occasions to assist the

police and he had found the timings shown on the footage from Mr Poyraz to be accurate timings.

The applicant Dr Sutharsan noted that she had interior CCTV footage which she had not had time to present at committee, taken on 10th September showing that sales of alcohol had not taken place.

Mr Brooks said he had noted five occasions on the CCTV provided of persons leaving with items of concern.

The applicant said she viewed the CCTV as an attempt to frame her, and again noted that the CCTV she held of the 10th September did not show sales of alcohol. She said that either her CCTV of 10th September was lying or the CCTV provided by the objector was lying. Regarding the deletion of CCTV from inside the premises, as mentioned by the police, the applicant noted that she had not deleted CCTV footage. The previous system had only held one week's footage, on being informed by Michelle Bartram from the police licensing team that four weeks recording was needed she had got in a company to make the necessary changes. The applicant noted that she had had little time to review the CCTV footage provided by Mr Poyraz. The applicant explained she is holding her own internal investigation and has asked HMRC to provide her with all receipts after 1am.

The legal advisor mentioned that relevant excerpts from the CCTV footage could be played now at committee, as identified on the summary which accompanied the CCTV footage, but the Chairman and other councillors were of the view that they had previously seen all the necessary data and did not wish to or need to revisit the CCTV footage. No party requested the playing of the CCTV footage.

The legal adviser stated the committee will need to make a finding of fact on two points, whether the CCTV does show persons leaving the premises with alcohol and two, whether on the police visit, as noted in their representations, there was a document on the wall giving false licensing hours.

The Chairman invited the parties to sum up their views.

Mr Poyraz did not wish to add anything further.

Mr Brooks for the police noted that he felt the relevant issue was the promotion of the licensing objectives by the premises licence holder and DPS. A false premises licence had been on display, logically for financial gain, there have been assertions made at committee that they do not sell alcohol after 1am but the CCTV from the objector and the problems the police had in gaining CCTV from the premises show that the premises licence conditions are probably being ignored. If the business cannot be trusted now to comply with conditions it would be wrong to extend the hours further.

Mr West asked whether the metadata of the CCTV had been examined and noted that the video mentioned by Dr Sutharsan had not been seen, being 1am to 2am inside the shop.

Dr Sutharsan on behalf of the applicant company said that the premises licence had existed for ten years. There had never been any incidents reported except since the 14th August.

The discussion closed at 10:58. Members retired to consider their decision in private.

DECISION OF COMMITTEE:

By a majority, to reject the whole of the application.

REASONS FOR THE COMMITTEE DECISION:

In coming to its decision, the Committee had regard to the Statutory Guidance as published under S182 of the Licensing Act 2003, as well as the Council's own licensing policy and the evidence heard at and provided to committee including CCTV footage seen in advance of committee. Committee members noted their obligation set out in s35(3) of the Act to have regard to the representations and take such of the steps mentioned in s35(4) as they consider appropriate for the promotion of the licensing objectives.

The committee noted that they had not seen footage mentioned by Dr Sutharsan noted as being from 1am to 2am on the 10th September 2022, as this had not been provided to committee. However, the footage they had seen provided by Mr Poyraz of the 10th September 2022 included apparent footage of a male leaving the shop holding two bottles at 01:20am and also footage post 3am of persons leaving the premises with a bottle of wine, which when taken with other footage of concern on the 18th and 28th August and the 2nd and 3rd September, as detailed on the summary sheet circulated in advance of committee, indicated repeated alcohol sales outside permitted hours. The footage was of good quality and following the evidence of Mr Brooks about the reliability of timings from the holder the committee members were happy that the dates and times shown were accurate and could be relied upon. In summary the CCTV showed what are likely to be alcohol sales on the dates mentioned above post 1am. On the balance of probabilities unlawful alcohol sales have taken place.

Committee notes the false premises licence summary displayed at the premises, this was an attempt to deceive persons as to the authorised hours for the sale of alcohol. It is not known how long the false summary had been on display.

Committee notes the concerns of the police as to whether the premises licence holder and the designated premises supervisor can be relied upon to promote the licensing objectives at these premises. The presence of the false summary, and the failure to provide police with the CCTV footage requested by them, and the noted sales beyond permitted hours are all matters of concern to the committee regarding a failure to adequately promote the licensing objectives.

By a majority decision, the councillors believe that the prevention of crime and disorder licensing objective will be promoted if this variation is rejected in whole. Current premises licence conditions are not being followed.

Note - Committee did not take into account the concerns of the police regarding the availability of alcohol in this area and the gathering of persons causing public nuisance when coming to this decision, as the behaviour of persons when outside the control of the premises licence holder is a matter for personal responsibility.

RIGHTS OF APPEAL:

Rights of appeal are set out in schedule 5 of the Licensing Act 2003. As the variation has been refused in whole the applicant may appeal this decision.

Any person wishing to appeal any decision by the licensing authority should do so within the period of 21 days from the receipt of written notification of the decision appealed against by raising an appeal directly with a magistrates' court.

Dated October 2022

Signed:  (Chairman, Licensing Sub-Committee)

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

Statement of: SERGEANT SMITH Daniel 363427

Age: 18 or over

Occupation: Sergeant 363427

This statement signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



Date: 15 Aug 2023

I am Police Sergeant 3427 currently station at Great Yarmouth Police Station holding the position of the Operational Partnership Sergeant as well as the Neighbourhood Sergeant for the area of South Yarmouth.

I make this statement in relation to Post Office Stores, 40-42 St Peters Road, Great Yarmouth applying for an extension to extend their hours of licencing to sell alcohol.

As the Safer Neighbourhood Sergeant for the Neighbourhood of South Yarmouth I am acutely aware of Anti-social Behaviour and Crime along St Peters Road, which is an area of residential properties, businesses and a School. Within the last few years we have surveyed the Residents a number of times who have complained about a number of types of Anti-Social Behaviour which impact on their daily life including drunken behaviour late into the evening and alcohol related litter in the area. As the Chair of the Community Alcohol Partnership for the area I am also aware of the impact of readily available alcohol has not only on Anti-Social Behaviour but also the health and wellbeing of the local community and would object to extending the licencing hours of this premises in an area, which already feels saturated with venues where alcohol can already be purchased from.

Periodically this area has been a location for Street Drinkers to regularly gather and cause issues to the local Residents and Businesses.

I believe extending licencing hours of a Premises located in a residential area such as close to a school can only increase the harm to the local community but also increase Anti-Social Behaviour later into the evening whilst residents are trying to sleep.

Signature:



From: [vethanayakampillai.satheeskumar](#)
To: [licensing](#); [Elaine M. Hignett](#)
Subject: OBJECTION - SSGR Limited Post Office Stores, 40/42 St Peter's Road, Great Yarmouth NR30 3AA
Date: 15 August 2023 07:52:48

Dear Licensing Team,

I would like to formally object to the licence application of SSGR Limited Post Office Stores, 40/42 St Peter's Road, Great Yarmouth NR30 3AA Sale of alcohol (off the premises): 24 hours, each day.

Reasons for objection

This store has previously sold alcohol outside of its licenseable hours. Evidence was provided in the previous representation and to date they have not provided evidence to the contrary.

I believe granting this store an extension of their current licence would be wrong given that they have not cleared previous issues raised to the council in the previous objection. This would set a wrong example to other business owners who are honest and abide by the rules.

In their application they are applying as a Post Office. This store is no longer a post office and should not be using that name as it creates a false impression.

This store is very small. How do they plan on addressing issues such as crime and disorder, public safety, the prevention of public nuisance and issues such as fire exits and how does the council plan to make sure any plans are enforced such as extra staff etc.

SSGR Limited - has an active proposal to strike off in their company for not providing financial statements.

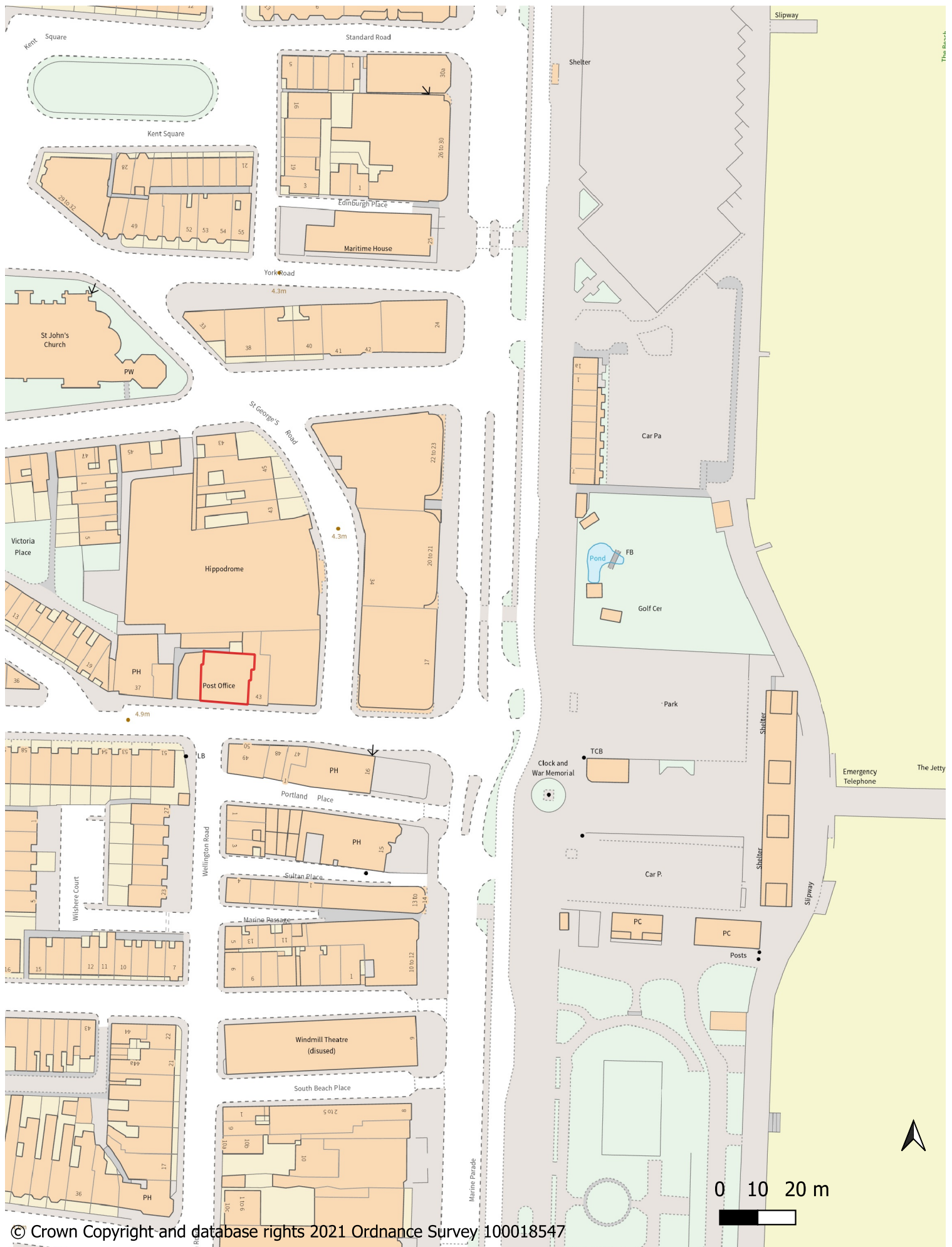
The reason I am mentioning this is there are numerous examples of them not following the rules.

There are other stores in the vicinity with a 24 hour licence the issue here is not them being granted a licence but despite breaching their current licenseable obligations previously they will be allowed to extend their licence.

I implore the council to not overlook previous evidence provided in regards to the breach of their licence by serving alcohol outside of licenseable hours and to reject their application accordingly .

Kind Regards,

Vethanayakampillai Satheeskumar of 29 Saint Peters Road Post Office Express Store,
NR30 3BQ



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Post Office Stores 40-42 St Peters
Road, Great Yarmouth