

### URN:

Subject: Application for a new premises licence : Magdalen Convenience Store, 97 Magdalen Way, Gorleston, Great Yarmouth

Report to: Licensing Sub-Committee - 18 April 2023

Report by: Licensing Officer

### SUBJECT MATTER AND DECISION REQUIRED

The Licensing Sub-Committee is asked to consider the application for a new premises licence in relation to Magdalen Convenience Store, 97 Magdalen Way, Gorleston, Great Yarmouth.

### Recommendations:

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

- 1. Application for a new premises licence
  - 1.1 Members are asked to consider an application made by Fruit and Spice Traders Limited for a new premises licence in relation to Magdalen Convenience Store, 97 Magdalen Way, Gorleston, Great Yarmouth.
  - 1.2 The premise is described as a convenience store/off licence.
  - 1.3 Mr Yogarajah Krishnapillai will be the designated premises supervisor for the premise.
  - 1.4 The applicant has applied for the following licensable activities and timings: -

Supply of alcohol (off the premises) 06:00 to 00:00 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, one valid representation objecting to the application was received from a local resident.

# 3. Additional papers

- 3.1 Application for a new premises licence
- 3.2 Copy of the representation objecting to the application
- 3.3 Plan of the general location of the premise (outlined in red)

# 4. Options for Members

- 4.1 Grant the application subject to the conditions identified in the operating schedule and modified to such an extent as the authority considers appropriate for the promotion of the licensing objectives.
- 4.2 To exclude from the scope of the licence any of the licensable activities to which the application relates.
- 4.3 Reject 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):	Yes - Nplaw consulted
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	

# 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	F	RUIT AND SPICE TRAI	DER	S LTI	>					
apply :	(Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises lescribed 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	– Pro	emises details								
Posta	9	ress of premises or, if none, ordnance, survey r MAGDALEN CON 7 MAGDALEN WAY	nap re VEA	ference or desc NENCE S	cription TERE					
	C	NORLESTON								
	(	GREAT YARMOUTH								
Post	town			Postcode	NR31 FAA					
Telep	hone	number at premises (if any)								
Non-	dome	stic rateable value of premises £ 4.004	1.0	lo						
Part 2	- <b>Ap</b>	plicant details								
Please	state	whether you are applying for a premises licen	ce as	Please tic	k as appropriate					
a)	an i	ndividual or individuals *		please compl	ete section (A)					
b)	a pe	rson other than an individual *								
	i	as a limited company/limited liability partnership	Ø	please compl	lete section (B)					
	ii	as a partnership (other than limited liability)		please compl	lete section (B)					
	iii	as an unincorporated association or		please compl	lete section (B)					
	iv	other (for example a statutory corporation)		please comp	lete section (B)					
c)	a re	cognised club		please comp	lete section (B)					
d)	a ch	arity		please compl	lete section (B)					

e)	the proprietor of an education	nal establishmer	nt		please comp	lete section (B)	
f)	a health service body				please comp	elete section (B)	
g)	a person who is registered un Care Standards Act 2000 (cl independent hospital in Wale	4) in respect of			please comp	elete section (B)	
ga)	a person who is registered un Part 1 of the Health and Soci (within the meaning of that P independent hospital in English	al Care Act 200 Part) in an			please comp	elete section (B)	
h)	the chief officer of police of a police force in please complete section (B) England and Wales						
	ou are applying as a person de below):	escribed in (a) or	(b) pl	ease (	confirm (by ti	cking yes to one	
prem	carrying on or proposing to carsises for licensable activities; or	r	s whic	h inve	olves the use	of the 😾	
I am	making the application pursua	nt to a				_	
	statutory function or						
	a function discharged by vir	tue of Her Maje	sty's p	rerog	ative	Ц	
(A) IN	DIVIDUAL APPLICANTS	(fill in as applica	able)				
Mr	☐ Mrs ☐ Miss	☐ Ms			er Title (for nple, Rev)		
Mr Surn			□ irst na	exan			
Surn	ame			exan mes		yes	
Surn	ame	Fi		exan mes	nple, Rev)	yes	
Surn Date Natio	ame of birth I a	Fi		exan mes	nple, Rev)	yes	
Surn Date Natio	of birth I a  onality  ent residential ess if different from ises address	Fi		exan mes	nple, Rev)	yes	
Date Natio	of birth I a  onality  ent residential ess if different from ises address	m 18 years old o		exan mes	Please tick	yes	
Surn  Date  Natio  Curre addre prem  Post	of birth I a conality  ent residential ess if different from ises address  town ime contact telephone numberail address	m 18 years old o		exan mes	Please tick	yes	

# SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗀	Mrs		Miss		:	Ms 🗀		ner Title (for imple, Rev)		
Surname						First	names			
Date of birt	h			I an	18 y	ears old	or ove	r 🔲 Pl	ease	tick yes
Nationality	Nationality									
checking ser	Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)									
address if di	Current residential address if different from premises address									
Post town								Postcode		
Daytime co	ntact te	lepho	ne numb	oer				,1,		
E-mail addi	ress			*						
Please provid	(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.								ture (other than a	
Name	FRZ	lIT	AN'	D 9	SPI	Œ	TR	ADERS		LTD
Address	17	MA	GDA	LEN	JU	NAY				
			STON							
			YA		out	TH,		NR31	7	AA
Registered n				_						
	14	-59	772	.9						
Description	Description of applicant (for example, partnership, company, unincorporated association etc.)									

COMPANY

Tele	ephone number (if any)	
E-m	nail address (optional)	
Part.	3 Operating Schedule	
	en do you want the premises licence to start?	D MM YYYY 2032023
	ou wish the licence to be valid only for a limited period, en do you want it to end?	D MM YYYY
Plea	ase give a general description of the premises (please read guidance	note 1)
	CONVENIENCE STORE - OFF L	ICENCE
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.	
What	licensable activities do you intend to carry on from the premises?	
(pleas	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act	2003)
Prov	vision 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)	(s)

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

In all cases complete boxes K, L and M

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	guidance note 7)		(prease read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue	******				
Wed		-	State any seasonal variations for performing p guidance note 5)	lavs (please re	ad
Thur					
Fri	***		Non standard timings. Where you intend to use for the performance of plays at different times the column on the left, please list (please read g	to those listed	l in
Sat					
Sun					

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	
guidance note 7)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	dance note 4)	
Tue					
Wed			State any seasonal variations for the exhibition read guidance note 5)	of films (plea	se
Thur	*** <u></u>				
Fri			Non standard timings. Where you intend to us for the exhibition of films at different times to column on the left, please list (please read guida	those listed in	
Sat	-				
Sun	-				

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			

Boxing or wrestling entertainments Standard days and			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timing	timings (please read guidance note 7)			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wreentertainment (please read guidance note 5)	estling	
Thur					
Fri			Non standard timings. Where you intend to use for boxing or wrestling entertainment at differ listed in the column on the left, please list (please)	ent times to tl	hose
Sat			note 6)		
Sun					

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	
			(prouse road guidance note 5)	Outdoors	
Day	Start	Finish		Both	
Mon		Samare	Please give further details here (please read gui	dance note 4)	
Tue		***************************************			
Wed			State any seasonal variations for the performation (please read guidance note 5)	nce of live mu	<u>sic</u>
Thur					
Fri	**************************************	***************************************	Non standard timings. Where you intend to us for the performance of live music at different t listed in the column on the left, please list (pleas	imes to those	- 2.
Sat			note 6)		
Sun					

Recorded music Standard days and timings (please read guidance note 7)		nd	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
			garana y	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the playing of (please read guidance note 5)	f recorded mu	sic
Thur					
Fri	11111		Non standard timings. Where you intend to us for the playing of recorded music at different t listed in the column on the left, please list (plea	imes to those	
Sat			note 6)		
Sun					

dance	rmances o		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		
timing	s (please note 7)	read	(transferred garantee)	Outdoors	
Day	Start	Finish		Both	
Mon	Mon		Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	***				
Fri	-		Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed the column on the left, please list (please read guidance note 6)		<u>d in</u>
Sat					
Sun					

descriptions described descriptions described	ing of a s ption to t within (d ard days as s (please s ace note 7)	hat e), (f) or nd read	Please give a description of the type of entertainment you wil providing		e
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both - please tick (please read guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premise 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 (please read guidance note 6)		<u>S</u>
Sun					

	a <b>ight</b> h <b>ment</b> ard days a	nd	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)  Indoors		
timing	s (please ice note 7	read	<b>1</b>	Outdoors	
Day	Start	Finish		Both	
Mon	Mon		Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	-5				
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, those listed in the column on the left, please list (please read		
Sat		•	guidance note 6)		
Sun		1			

Standar timings	of alcohord days and control of the order of	nd read	Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises Off the premises	
Day	Start	Finish		Both	
Mon	GAM	12 PM	State any seasonal variations for the supply of alcohol (ple read guidance note 5)		е
Tue	6AM	12 PM			
Wed	GAM	12 PM			
Thur	6 AM	12 PM	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)		_
Fri	6AM	12 PM			
Sat	6AM	12 PM			
Sun	6AM	12 PM			

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	YOGARAJAH	KRISHNA	PILLAI
Date of b	irth			
Address		33		
	119 C	HURCH ROAD		
	GORL	ESTON		
	GREA	T YARMOUT	H	
Postcode	N	R31 6LW		
Personal	licence n	umber (if known)	154321	
Issuing li	icensing a	uthority (if known)	BRENT	

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).

WE HAVE KEEP ALCOHOL RESTRICTED AREA CCTV
ALWAYS CHECKED FD

 $\mathbf{L}$ 

Hours premises are open to the public Standard days and timings (please read guidance note 7)		lic nd read	State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	6 <sub>AM</sub>	12 PM	
Tue	GAM	12 PM	
Wed	GAM	12 PM	Non standard timings. Where you intend the premises to be
Thur	GAM	12 PM	open to the public at different times from those listed in the
Fri	GAM	12pm	
Sat	GAM	12PM	
Sun	GAM	DPM	

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)

\* NO ID NO BALE, ALWAYS CHECK ID

\* CHALLENGE 21 K25 YEARS LOW

\* WE HAVE REFUSAL SALE LOGBOOK FOR DUR REGRA

\* FIRE LOG BOOK DAILY

b) The prevention of crime and disorder

\* CCTV 24 HOURS

& WE HAVE LOG BOOK RECORD ALL INSIDENT

\* TRAINED STAFF ADD LEGAL TO WORK IN 21K

a WE CHALLENCYE 21 Years 625 years Prijer

c) Public safety

KFIRE RISK ASSESSMENT OPERATION OF EMERGENCY LIGHTING FIRE EXIT, NOT BLOCK CLEAR BASILY OPENED

d) The prevention of public nuisance

WE HAVE SIGN IN FRONT DOOR FOR OUR CUSTOMER "PLEASE LEAVE THE PREMISES QUIETLY TO AVOID DISTURBING THE LOCAL RESIDENTS THANK YOU

e) The protection of children from harm

CCTV OPERATIONS ON THE PREMISES. NO ID NO SALE NE ALWAYS ASIC & CHECK PHOTO ID BEFORE SALE WELL TRAINED STAFF ALL ALCOHOL AND ACRE RESTRICTED PRODUCT DISPLAY SEPERATLY.

LOG BOUR REFUSAL SALE RECORDED. FOR NEXT STAFF TO KNOW THE PERSON.

# Please tick to indicate agreement

I have made or enclosed payment of the fee.	
I have enclosed the plan of the premises.	
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.	
I understand that I must now advertise my application.	
I understand that if I do not comply with the above requirements my application will be rejected.	
[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 or my share code issued by the Home Office online right to work checking service (please read note 15)	
	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.  I understand that I must now advertise my application.  I understand that if I do not comply with the above requirements my application will be rejected.  [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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

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	• [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).
	<ul> <li>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</li> </ul>

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	20/02/2023
Capacity	DIRECTOR

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	

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

1011	L YOGARAJAH	KRISIHNAPILL	.A \	
	,			
Post town		Post	ode	
Telephone nu	mber (if any)			



# Great Yarmouth Borough Council Licensing Act 2003

Consent of individual to being specified as premises supervisor

MR YOGARAJAH KRISHNAPILLAI  [full name of prospective premises supervisor]
of 119 CHURCH ROAD
GORLESTON
GREAT YARMOUTH
NR31 GLW
[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
SUPPLY ALCOHOL  [type of application]
by
FRUIT AND SPICE TRADERS LTD
relating to a premises licence [number of existing licence, if any]
97 MAGDALEN WAY
GORLESTON
GREAT YARMOUTH
NR31 TAA [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 FRUIT AND SPICE TRADERS LTD
[name of applicant]
concerning the supply of alcohol at

97 MAGDALEN WAY
GORLESTON
GREAT YARMOUTH
NR31 7AA

Date

[name and address of premis	es to which a	application relates]
		work in the United Kingdom and am applying for, old a personal licence, details of which I set out
Personal licence number		
[insert personal licence number		
Personal licence issuing	authority	
BRENT [insert name and address and		umber of personal licence issuing authority, if any]
Signed		
Name (please print)	MR	YUGARAJAH KRISHNAPILLA

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

20/02/2023

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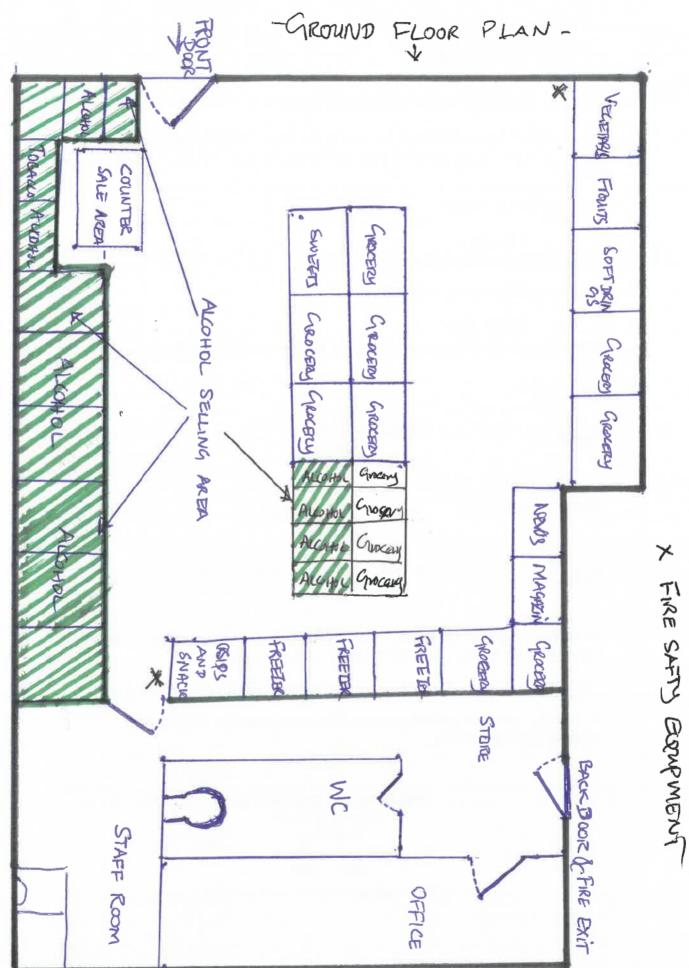
The information supplied will be processed under Article 6(1)(e) - Public Task

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

Please return this form to:

Licensing Team
Town Hall
Great Yarmouth
NR30 2QF
(licensing@great-yarmouth.gov.uk)

FRUIT & SPICE TRADERS LTD 97, MAGDALEN WAY, GORLESTON, GREAT YARMONDHA. NR317AA.



From: Ruth White
To: licensing
Cc:

Subject: Representation in respect of a Premises Licence - Magdalen Convenience Store, 97 Magdalen Way

Date: 28 February 2023 18:34:19

# Good Evening

I would like to make an objection to the above premises being allowed to have an alcohol licence for the hours requested. We already have the Co-op and Morrisons Daily selling alcohol till 2200 and 2300. With the takeaway being open as well till

0100 and the possibility of alcohol being available so late at night it is an open invitation for trouble and litter that potentially will overspill into the road and into our gardens as well as any antisocial behaviour that could occur.

Kind Regards Ruth White			
THE THE RESERVE AND THE RESERVE AND ADDRESS OF THE PARTY	THE EPHONE IS NOT TO COMPANY TO COMPANY AND A SALE A SALE AND	TERMINANI INI NY ROMANTAN' AND	
	_		

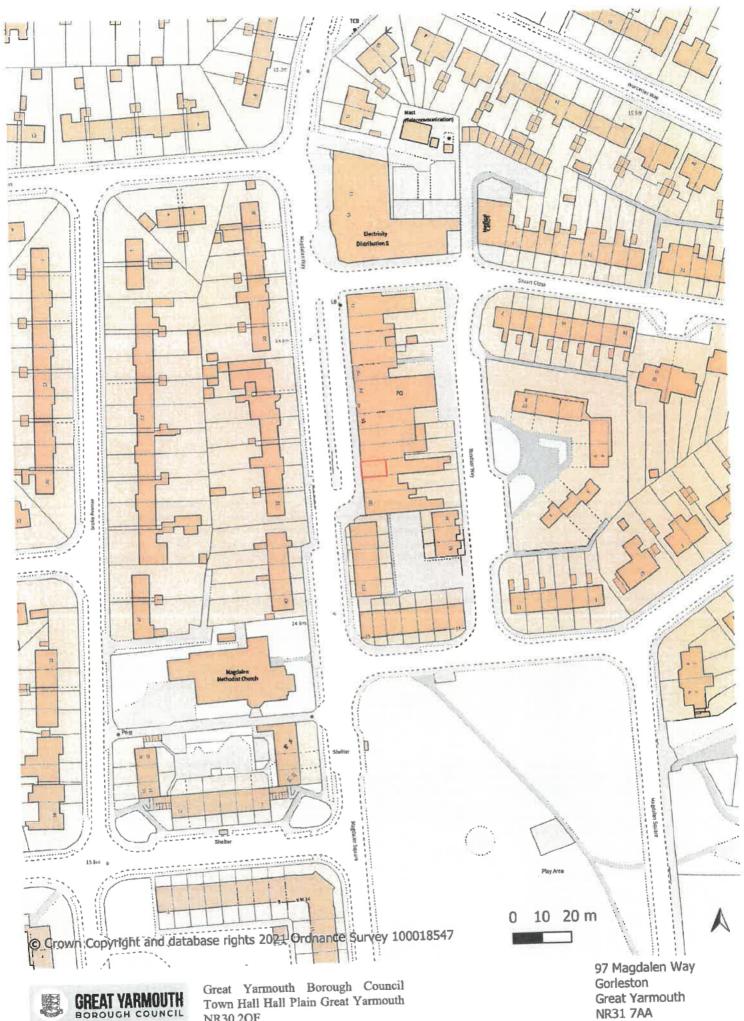
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NR30 2QF