

BRECKLAND COUNCIL

At a Meeting of the

LICENSING SUB COMMITTEE

**Held on Monday, 27 July 2015 at 10.00 am in
Anglia Room, Council Office, Elizabeth House, Walpole Loke, Dereham, NR19 1EE**

PRESENT

Mr S.G. Bambridge (Chairman) Mr K. Martin
Mr K.S. Gilbert

Also Present

Mr P S Wilkinson

In Attendance

Josie Hoven - Licensing Officer
David Lowens - Solicitor, nplaw
Helen McAleer - Senior Democratic Services Officer

Action By

4/15 APOLOGIES (AGENDA ITEM 1)

None.

5/15 DECLARATION OF INTERESTS (AGENDA ITEM 2)

No declarations were made.

**6/15 APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE
UNDER THE LICENSING ACT 2003 - SHOPPERS SHOP, MARKET
STREET, EAST HARLING, NORFOLK, NR16 2AD (AGENDA ITEM 3)**

The following persons were in attendance to speak:

Applicant

Mr Shanmugam

Applicant's Representative

Mr Paul Byatt

Interested Parties

Ms T Irvine

Ms G Leverett

The hearing was conducted in accordance with the procedure as set out in the Agenda.

The Chairman advised that Councillor Wilkinson was present as an observer and would not speak at the meeting or take part in the deliberations of the Committee.

Action By

Decision

That having considered all the oral and written evidence submitted and having given consideration to the Licensing Act 2003 and its regulations, the national guidance and the Council's licensing policy as appropriate to this application that the application be granted for a premises licence for the premises known as Shoppers Shop, Market Street, East Harling, to operate during the hours sought and subject to the mandatory conditions drawn from the Licensing Act and the following conditions:

1. CCTV will be installed to monitor all public areas and CCTV cameras will be present outside the premises to monitor and record persons entering and exiting. CCTV recordings will be held for a minimum of 28 days and the system will continuously record whilst the premises are open to the public. CCTV recordings shall be provided upon request to Public Health, Trading Standards, Police and Local Authority Licensing Teams.
2. Challenge 25 signs will be placed in the premises.
3. All refusals of sale of alcohol will be logged in a written refusal/incident book which will be available for inspection by Officers of the Police, Trading Standards and Local Authority Licensing Team upon request.

Findings of Fact

The hours sought are reasonable, noting the other businesses in the local area.

Reasons for Decision

The Police have not made any objection. The operator has a satisfactory record according to the Council's Licensing Officer. This village has two public houses and another shop and the hours of these other businesses have been noted. Pre-loading by customers is outside the control of both the Applicant and this Committee, but it will be a criminal offence to sell alcohol to a drunk individual. Human Rights have been taken into account. Property loss of value, even if true, is not a relevant consideration.

We have imposed what we feel are sensible and appropriate conditions in respect of Closed Circuit Television to guard against public nuisance and crime and disorder.

The hours sought do not disturb sleep and are not unreasonable when compared to other businesses in the area.

National guidance is clear that the behaviour of individuals once outside the control of the Applicant is a matter for individual responsibility.

Proposed conditions from the Applicant are amended where inconsistent with the imposed conditions.

Review is available if the premises are run badly.

The meeting closed at 12.20 pm

CHAIRMAN