



NORWICH
City Council

NOTICE OF DETERMINATION

Date of Hearing: 23 January 2018

Licence Type: application for a Premises Licence under the Licensing Act 2003.

Name of Applicant: Mr Rebaz Mohammad Aziz

Name of Premises/Postal address of Premises: 128 Magdalan Road, Norwich NR3 4AN known as Magdalen Road Convenience Store

Members of Licensing Sub-Committee: Councillors Button (Chair); Maxwell and Raby

Other persons present: Ms Maxine Fuller (for the Licensing Department), the applicant Mr Aziz, Mr D Lowens and Mrs N Rankin of nplaw.

The councillors determined to exclude the press and public from the meeting under sch12A Local Government Act 1972 on the grounds that confidential information being the financial or business affairs of the applicant was to be discussed.

Ms Fuller presented the report and confirmed the Norfolk Constabulary had withdrawn their representation.

Mr Aziz responded to questions from councillors relating to the nature of the physical layout of the premises, giving details of the layout and locations of cigarettes, alcohol and the fire escape. Mr Aziz confirmed that the matters referred to in the Home Office representation were spent.

The committee received legal advice as to the weight to be given to the spent convictions.

Committee took time to consider the application in private.

DETERMINATION OF COMMITTEE

The application under the Licensing Act 2003 for a premises licence for 128 Magdalan Road was approved in the terms sought. Committee did not impose any additional conditions on the premises licence.

REASONS FOR THE COMMITTEE'S DECISION

Committee noted that those matters contained in the representation from the Home Office were spent. Having heard from Mr Aziz and considering the details given as



to the layout of the premises Committee were happy to grant the premises licence noting that there were no sustainable and evidence based reasons under any of the licensing objectives to refuse the application. The councillors also considered those additional conditions proposed by the Home Office but felt that insufficient justification had been given as to why these were appropriate under any of the licensing objectives in respect of these particular premises and this applicant.

RIGHTS OF APPEAL

Rights of appeal are set out in schedule 5 of the Licensing Act 2003. Any person wishing to exercise their right of appeal should do so within twenty one days of notification of the decision appealed against by issuing proceedings in the Magistrates Court.

Dated this 25 day of January 2018

Signature..........

Councillor Button, Chair, Licensing Sub-Committee