



NORWICH
City Council

Notice of Determination

Date of Hearing: Thursday 29 November 2012

Licence Type: Application for the Grant of a Premises Licence

Name of Applicant: Gowry Jeyachandran of 6 Wood Grove Parade Catton
Grove Road Norwich NR3 3NS

Name of Premises: A & J News

Postal Address of Premises (or description of premises): 6 Wood Grove Parade
Catton Grove Road Norwich NR3 3NS

Licensing Sub-Committee ("the Committee"):

Councillors Haynes (Chair), Barker and Price

Other Persons Present:

Luke Parker – Legal advisor to the Committee (Solicitor, nplaw)

On behalf of the applicant:

Tim Cary – Solicitor, Leathes Prior solicitors
Tej Thakkar – Trainee solicitor, Leathes Prior solicitors
Mrs Gowry Jeyachandram – Applicant
Mr Ratnasabapathy Jeyachandram – Applicant's partner

Determination:

In the absence of Ian Streeter, the Council's Licensing Manager, Mr Parker presented the Head of Citywide Services' report to the Committee ("the Report").

The Committee heard from the Applicant via Mr Cary. He said his client was a responsible shopkeeper who wants to make a living in accordance with the law. He confirmed that the conditions proposed by Norfolk Constabulary were agreed by his client and incorporated into the Applicant's application. That being so he noted that there were no outstanding representations from the Responsible Authorities. With regards to the Interested Parties that had made representations he noted that they were not present before the Committee. He submitted that there is no evidence that the sale of alcohol at the premises will lead to an increase in public nuisance. He referred the Committee to paragraph 30.2(v) of the Council's local licensing policy

which reproduces paragraph 10.13 of the national guidance that specifically addresses the sale of alcohol from shops, stores and supermarkets.

The Committee asked questions of the Applicant and noted that the alcohol would be positioned behind the counter at the premises; that a Challenge 21 policy would be in force; a refusal book kept and CCTV cameras in operation.

The Committee's decision:

The Committee granted the application as amended by the conditions agreed to between the Applicant and Norfolk Constabulary.

The Committee's reasons:

Members took into account the views of the Responsible Authorities insofar as there were no outstanding objections to the application. In addition they noted that the Interested Parties had not taken the opportunity to appear before them and provide further detail as to their representations. With regards to the "need" for the premises the Committee took into account paragraph 13.18 of the national guidance, namely that the commercial demand for a particular type of premises is not a matter for the licensing authority in discharging its licensing functions.

In summary and noting the availability of a review procedure, there was insufficient evidence to show that any of the licensing objectives would be harmed by the granting of the premises licence.

Right of a Party to appeal against the determination of the Authority

For your information, applicants and any person who has submitted a relevant representation, or submitted an objection notice, who is aggrieved by the decision, or the imposition of any term, condition or restriction, have a right of appeal to the Magistrates' Court within 21 days of the date on which they are notified of the decision.

Dated this 29th November 2012