



NORWICH
City Council

NOTICE OF DETERMINATION

Date of Hearing: 6 March 2013
Licence Type: Application for Premises Licence
Name of Applicant: Thuraivan Kalaiarasy
Name of Premises: 32 St. Benedicts Street, Norwich NR2 4AQ
Postal address of Premises: 32, St Benedicts Street, Norwich.
NR2 4AQ

Licensing Sub-Committee: Councillors Kendrick (Chair) Neale & Sands

Determination:- The Committee heard the application for a premises licence for 32, St Benedicts Street Norwich. Present to make representations were;

Christine Way, Harriet Carter & Ken Reeve.

The applicants did not attend and enquiries were made by Ian Streeter. The committee were told that the applicants knew of the hearing and were content for the application to be heard in their absence.

The committee heard about the application from Ian Streeter.

The hours for the sale of alcohol for consumption off the premises:

00:00-03:00 & 06:00-00:00hrs Monday –Sunday

The hours opening of the premises;

00:-03:00 & 06:00-00:00hrs Monday – Sunday

Representations were made by the police as a Responsible Authority.

These included;

The sale of alcohol for consumption off the property and the opening hours is amended to 06:00-01:00hrs daily.

A CCTV system to be installed and operating at all times when the premises are open and maintained in good working order.

A burglar alarm to be fitted to the premises.

A Challenge 21 policy to be in use.

All staff to be trained in relation to the sale of alcohol and a record of this training to be available on site and available to the police and the licensing authority upon request.

A refusals book to be kept on the premises to record all refused sales of alcohol. This is to be made available to police and the licensing authority upon request.

An incident book is to be kept upon the premises and maintained by the staff. This will be available to the police and licensing authority on request. The premises will not stock or sell any beers or ciders that are over 6.5% alcohol volume.

The police advised the committee that they had discussed these conditions with the applicants who were happy to accept them.

Representations were made by those objecting to the application.

Christine Way: Local Resident

These related to increase of crime and disorder if alcohol more readily available in the area together with an increase in public nuisance with increased vehicular and foot traffic which would spoil quiet enjoyment of home

Harriet Carter: Local Resident

She informed committee that she has witnessed crime and disorder in the area since her arrival in 2012, police were often there. Used to be problems with another premises selling alcohol but with co-operation from that owner these have been sorted out. There was an ongoing problem with litter and with people using the area as a toilet.

Ken Reeve: Owner of Reds

He informed the committee that he did not stock beers or ciders with an alcohol volume over 6.5% and that he had worked hard with residents and the police to sell alcohol responsibly. He was concerned that an increase in the hours alcohol could be sold in the area would undermine his and the police efforts to reduce crime and disorder.

The other objectors confirmed that Mr Reeve had worked within the community to sell alcohol responsibly in what was a residential area.

No representations were made by any other of the Responsible Authorities.

The Committee's Decision:-

The Committee granted the application but imposed conditions;

Not to stock beers or ciders with an ABV above 6.5%

The hours for the sale of alcohol to be reduced to;

Monday-Saturday 08:00-23:00hrs & Sundays 08:00-22:30hrs

The conditions suggested by the police were all included except the condition relating to the installation of a burglar alarm.

The Committee's Reasons:-

The committee imposed the conditions stated above because they believed that they were necessary and proportionate in order to promote the licensing objectives. Concern had been raised by local residents and business owners that there had previously been more crime and disorder when alcohol had been available to buy in the area late at night. The committee felt that the problems had been addressed by co-operation between the police local businesses and residents. The area is a residential one and the committee had to balance the rights of shops to sell alcohol with the rights of residents to peaceful enjoyment of their homes.

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

For your information, applicants and any party who made a relevant objection, 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 10 April 2013