



NORWICH City Council

Notice of Determination

Date of Hearing: 6 December 2012

Licence Type: Grant of a Premises Licence

Name of Applicant: Sinnathurai Sivasuthan

Name of Premises: Claren's Food and Wine

Postal Address of Premises (or description of premises): 30 Prince of Wales Road,
Norwich NR1 1LG

Licensing Sub-Committee:

Councillors Haynes (chair) Button and Wright

Other Persons Present:

Mr and Mrs Sivasuthan, their representative Mr Robert Jordan, Ian Streeter, Licensing Officer with Norwich City Council and Sue Woods representative of the Norfolk Constabulary.

David Lowens, Solicitor nplaw

Determination

At the start of the hearing the applicant via his representative amended the operating hours/hours for the supply of alcohol for consumption off the premises to 08.00 to 02.00 the following day on Monday to Thursday, 08.00 to 03.00 the following day on Friday and Saturday and Sundays preceding bank holidays and 08.00 to 24.00 on Sundays other than Sundays preceding bank holidays.

The applicant also agreed to include in his operating schedule the following conditions as proposed by the Norfolk Constabulary:

1. A burglar alarm will be fitted to the premises.
2. Management will have the facility to cover the alcohol from the public when alcohol sales are not permitted.
3. Staff will be trained in relation to the sale of alcohol and a record of this training will be available on site and will be provided to the police and the licensing authority on their request.

4. A CCTV system will be installed and in use at all times when the premises is open for business and will be maintained in good working order.
5. The CCTV system will record and store images for a minimum of 28 days which will be available to the police and the licensing authority on their request.
6. A Challenge 25 proof of age policy is to be in use.
7. A refusal book is to be kept on the premises to record all refused sales of alcohol. This book will be available to the police and to the licensing authority upon their request.
8. There will be one SIA door supervisor on duty from 21.00 hours until the close of business the following day on Thursday, Friday and Saturday nights and on Sunday nights before bank holidays.
9. A record of the door supervisor's name badge, date and shift times will be kept on the premises and will be made available to the police and to the licensing authority on their request.
10. An incident book is to be kept and maintained by the SIA door supervisor and by the staff and this is to be provided to the police and to the licensing authority on their request.
11. Management is to make patrons aware of the designated public places order in relation to the consumption of alcohol by means of a written notice on display.

During the meeting the applicant agreed to amend his operating schedule to include the following conditions:

1. At least once a day a litter patrol will take place for the area outside the front of the premises.
2. Signage will be placed advertising the Challenge 25 policy.
3. Signage will be placed advertising that the proxy sale of alcohol is not acceptable.
4. Signage will be placed requesting patrons to leave the premises quietly.
5. Signage will be placed advertising the presence of CCTV.
6. Signage will be placed detailing the alcohol controls under the designated public places order.
7. No more than 30% of retail shelf space in the premises will be used for the placing of alcoholic drinks.

Members of committee heard directly from the applicant, their partner and their representative and heard from Sue Woods on behalf of the Norfolk Constabulary detailing their concerns regarding the significant level of crime and disorder in the Prince of Wales Road area. Councillors questioned the applicant regarding training policies and the approach to intoxicated patrons amongst other factors. Committee members noted the written objections received from other business and reviewed the premises licences existing in Prince of Wales Road in respect of numbers 68, 76 and 83. The police via their representative Sue Woods also addressed committee regarding the suggested condition that alcohol from the premises be permanently marked with an identification of the premises.

The Committee's decision:

The committee granted the premises licence application following the amendments made to hours and the additional matters noted above added to the operating schedule.

The committee imposed the following condition:

1. All alcoholic stock at the premises both whilst on display to the public and when sold to the public is to be permanently marked with the premises name.

The Committee's reasons:

The committee noted the significant amendments made to the operating schedule and took account of the nature of Prince of Wales Road and also took account of the other existing premises licences in the area and the hours available for the sale of alcohol. The premises were yet to open and noting the proposed approach to training and control suggested by the applicant there was no direct evidence to indicate that the grant of the licence within the amended hours would lead to crime and disorder and nuisance within the Prince of Wales Road area. Members noted the existence of the review procedure and felt that the obligation to mark all alcoholic stock with the name of the premises would be of benefit in the case of any review.

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

For your information applicants, the responsible authority and any party who made 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 from the date on which they are notified of the decision.

Dated this: 27 March 2012