

DATE: 15 November 2018
MY REF: Licensing Sub-Committee
YOUR REF:
CONTACT: Democratic Services
TEL NO: 0116 272 7640
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To Members of the Licensing Sub-Committee

Cllr. Marian Broomhead

Cllr. Trevor Matthews

Cllr. Bev Welsh

Cllr. Bev Welsh

Cllr. Guy Jackson (Reserve)

Dear Councillor,

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the Brooks Room - Council Offices, Narborough on **MONDAY, 26 NOVEMBER 2018** at **2.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



Colin Jones
Corporate Services Group Manager



AGENDA

1. Election of Chairman

2. Apologies for Absence

3. Disclosures of Interests from Members

To receive disclosures of interests from Members (i.e. the existence and the nature of those interests in respect of items on this agenda).

4. New Premises Licence (Pages 3 - 20)

To consider the report of the Senior Licensing & Enforcement Officer (enclosed).

Blaby District Council
Licensing Sub-Committee

Date of Meeting 26 November 2018
Title of Report **Application for a New Premises Licence – Post Office 18
Hinckley Road, Leicester Forest East, Leicester LE3 3GH**
Report Author Senior Licensing & Enforcement Officer

1. What is this report about?

- 1.1 The Licensing Sub-Committee is required to determine and application for a new premises licence relating to The Post Office, 18 Hinckley Road, Leicester Forest East, Leicester LE3 3GH

2. Recommendation

- 2.1 That the Licensing Sub-Committee determines the application in accordance with the Licensing Act 2003.

Having considered the application and representations, members must consider whether to:

- Grant the licence without modification
- Grant the licence subject to conditions
- Exclude from the licence any of the licensable activities
- Refuse to accept the proposed premises supervisor
- Reject the application

Giving full reasons for their decision.

3. Reason for Decision Recommended

- 3.1 The Licensing Act 2003 requires that the Licensing Sub-Committee determine an application for a new premises licence where relevant representations are received.

4. Matters to consider

- 4.1 The Licensing Authority received a complete application for a new premises licence on 1st October 2018. The application was submitted in accordance with the requirements of the Licensing Act by Deepa Visram and requested the following licensable activities to be authorised at the premises.

- To permit the sale of alcohol for consumption off the premises
Monday to Saturday 08:00 to 22:00
Sunday 08:00 to 14:00

The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule.

In arriving at its decision on this new application the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

A copy of the full application is attached at Appendix A

4.2 Relevant Representations

Responsible Authorities – There were no representations received from any of the Responsible Authorities.

Other Persons – Letters of representation were received from 1 resident and 1 business. The letters of representation were in relation to the prevention of public nuisance and the prevention of crime and disorder.

Copies of the letters of representation are attached at Appendix B

4.3 Appropriate Consultations

The Act requires that the applicant sends a copy of their application to the Licensing Authority and all Responsible Authorities. When the application is accepted the applicant must place a notice detailing the application and the relevant dates for representations to be submitted, once in a local publication and on, at or near to the premises for 28 consecutive days. The Licensing Authority must also display a notice detailing the application on their website for 28 consecutive days commencing on the day after the application has been accepted.

4.4 Significant Issues

Human Rights have been considered but there are no overarching matters for concern in relation to this report. There are no specific legal or Human Resources implications. There is no requirement for an EINA or DPIA.

5. Other significant issues

- 5.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

6. Appendix

- 6.1 Appendix A – A copy of the application for a new premises licence
- 6.2 Appendix B – A copy of the letters of representation made by other persons

7. Background paper(s)

- 7.1 The Licensing Sub-Committee shall refer to the current Statement of Licensing Policy, in particular sections:

5.0 Consideration of Cumulative Impact
7.0 Promotion of the Licensing Objectives,
8.0 Prevention of Public Nuisance,
9.0 Prevention of Crime & Disorder
13 Planning & Building Control

The current Guidance, issued under Section 182 of the Licensing Act 2003 (April 2018), by the Home Office should also be taken into consideration.

In particular:

Section:

- 1.2 – 1.5 Licensing objectives and aims
- 1.15 – 1.17 General Principles – each application on its own merits
- 2.1 – 2.6 Crime & Disorder
- 2.15 – 2.21 Public nuisance
- 8.41 – 8.49 Steps to promote the licensing objectives
- 9.31 – 9.41 Hearings
- 9.42 – 9.44 Determining actions that are appropriate for the promotion of the Licensing objectives
- 10.1 – 10.3 Conditions - general
- 10.8 – 10.9 Imposed conditions
- 10.25 – 10.60 Mandatory conditions in relation to the supply of alcohol
- 14.51 – 14.52 Licensing Hours

8. Report author's contact details

Mandy Geary Senior Licensing & Enforcement Officer
mandy.geary@blaby.gov.uk 0116 272 7513

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Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We DEEPA RAMANLAL VISRAM
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
POST OFFICE 18 HINCKLEY ROAD LEICESTER FOREST EAST LEICESTER LE3 3GH.			
Post town	LEICESTER	Postcode	LE3 3GH
Telephone number at premises (if any)			
Non-domestic rateable value of premises £ 15250			

Part 2 – Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |

- iv other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname VISRAM			First names DEEPA		
Date of birth			I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality BRITISH					
Current residential address if different from premises address					
Post town	LEICESTER			Postcode	LE1 1TL
Daytime contact telephone number					
E-mail address (optional)	i				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
3	0	2018

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises is a local Post Office serving the local community, providing a range of services from Royal Mail postal services to the provision of hot take away food and general sales of food, cards, and other household supplies

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J) ✓

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	x
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0800	2200			
Tue	0800	2200			
Wed	0800	2200			
Thur	0800	2200			
Fri	0800	2200			
Sat	0800	2200			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	0800	1400			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name HITESHKUMAR PRANGIVANE	
Date of birth	
Address:	
Postcode	LE4 6FQ
Personal licence number (if known) APPLICATION IN PROCESS with Leicester Licensing	

Issuing licensing authority (if known) LEICESTER

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	0800 -----	2200 -----	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	0800 -----	2200 -----	
Wed	0800 -----	2200 -----	
Thur	0800 -----	2200 -----	
Fri	0800 -----	2200 -----	

Sat	08 00	2200	
Sun	080 0	140 0	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

TRAINING FOR ALL MEMBERS OF STAFF IN THE PREVENTION OF UNDER AGE SALES AND IN ALCOHOL SALES, IN ADDITION, ALL PERSONNEL WILL ALSO UNDERGO CUSTOMER SERVICE TRAINING AND CONFLICT MANAGEMENT
This training will be reviewed every 6 months with CPD training which could be online or face to face with an accredited instructor.
New signage will be displayed throughout the Post Office in relation to the Prevention of Under Age Sales, as well as information to prevent alcohol abuse generally, CCTV is installed and conforms to national Post Office Requirements

b) The prevention of crime and disorder

The Premise will operate strict Policies of "NO ID NO SALE" for all those not meeting the Challenge 25 criteria, We have a Proof of age policy for both the Post Office and for Alcohol sales, which must be Government ID with a clear photo and date of Birth on it.
CCTV is installed with HD 1080 resolution and we believe conforms with Leicestershire Police requirements of 31 days recording on to a DVR POE system housed in a secure area within the Post Office section of the Building

c) Public safety

All staff are trained in Health & Safety and Fire evacuation procedures and what to do in an incident of attack on the Post Office this training is mandatory for Post office staff,
Signage will be displayed within the premises on the dangers of Alcohol abuse and the requirement for ID to purchase Alcohol or other Under age Sales these will be at the point of sale and near the alcohol

d) The prevention of public nuisance

CCTV is installed and registered with the ICO and all staff are trained in the sale and responsibility of selling alcohol and the prevention of alcohol misuse and preventing under Age sales through positive customer service and vigilance.
Where individuals are identified as being violent or abusive Leicestershire Police Force will be informed and CCTV footage shared as appropriate
Staff will ensure noise is a minimum, but this is not seen as a problem due to our opening hours
The outside areas are monitored by CCTV

e) The protection of children from harm

Challenge 25 signage and staff training in the prevention of underage sales

Proof of Age Policy

Records of training for all employees to ensure this is an ongoing procedure of training and staff best practice

Alcohol Awareness posters will be displayed in the relevant areas and can be seen by staff behind counters

A refusal register will be kept detailing a description or name of the date and time the attempt was made by an underage or drunk person.

All other procedures within this document

Checklist:

Please tick to indicate agreement

- ✎ I have made or enclosed payment of the fee.
- ✎ I have enclosed the plan of the premises.
- ✎ I have sent copies of this application and the plan to responsible authorities and others where applicable.
- ✎ I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- ✎ I understand that I must now advertise my application.
- ✎ I understand that if I do not comply with the above requirements my application will be rejected.

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

- I have enclosed the plan of the premises. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<div style="border-top: 1px solid black; width: 100%;"></div>

Consent of individual to being specified as premises supervisor

Hiteshkumar Pranivane

I

[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE

[type of application]

by

Hiteshkumar Pranivane

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

LEICESTER FOREST EAST POST OFFICE
18 HINCKLEY ROAD
LEICESTER
LE3 3GH

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Hiteshkumar Pranivane

[name of applicant]

concerning the supply of alcohol at

LEICESTER FOREST EAST POST OFFICE

18 HINCKLEY ROAD

LEICESTER

LE3 3GH

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

LE18RS4145

[insert personal licence number, if any]

Personal licence issuing authority

LEICESTER

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

Hiteshkumar Pranivane

Date

08/09/19

Plans to change post office into a convenience store:

Mark Maxwell

Date:23/10/2018

10 Holmfield Avenue West

Leicester Forest East

Leicester

LE3 3FE

Deepa Visram

Post Office

18 Hinckley Road#

Leicester Forest East

Leicester

LE3 3GH

Dear Sir/Madam

We are a family that live across the road from the post offices and have on a numerous occasions had problems with customers parking over our drive, so I do believe if now there proposal to change into a convenience store and have longer opening hours and sell alcohol this would make matters worse for us as well as our neighbours.

Have spoken to Deepa Visram at the post office about the parking situation and litter in the past, and have found her rude and uncooperative.

Lastly I would like to add we already deal with litter left by customers using the sandwich bar at the post office just disposing of their litter, so now with them proposing to sell alcohol ! will have more litter and more people hanging about.

This is the reason why we as a family are strongly against the changes to be made.

Yours Sincerely

Mark Maxwell

Hayre Convenience Store
16 Hinckley Road
Leicester Forest East
Leicester
LE3 3GH

22nd October 2018

Dear Sir/ Madam,

DEEPA VISRAM
Post Office
18 HINCKLEY ROAD,
LEICESTER FOREST EAST,
LEICESTER,
LE3 3GH

Ref Sale of Alcohol.

I am writing to complain and object to the application for a premises licence **DEEPA VISRAM (POST OFFICE) 18 HINCKLEY ROAD, LEICESTER FOREST EAST, LEICESTER, LE3 3GH**. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. Creating more litter picking left by customers maybe cheap alcohol competition among the stores.

And to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 8.00am and 22.00pm, and Sunday 08.00 – 14.00 seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already Naming a few Stores very local to us Co-op Store Hinckley Rd, Hayre Convenience Store, and Sainsbury, Tesco? Both on Hinckley Rd JC Mini Market Wardens Walk, Braunstone Lane Convenience Store,

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night.

I would also urge the Blaby Council Committee to consider the findings of Impact Assessment.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully

J S HAYRE