

19 October 2024

Dear [REDACTED]

**APPLICATION FOR A PREMISES LICENCE  
NEW SHOP AT 82-84 WADDICAR LANE, MELLING, L31 1DY**

I hope you are well.

I am contacting you on behalf of my client, Mr Thevappody Nithiyanthan (known as Nithi), in respect of his application for a new premises licence at the above shop.

The Council have sent me a copy of your representation and I thought it would be useful if I contacted you to outline this application further, and to explain the steps that would be taken to promote the licensing objectives.

Firstly, Nithi is fully appreciative of the concerns of the lady that lives [REDACTED]. He will do everything that he can to ensure that there are no problems or disturbance caused.

The new shop, which as you know is currently empty and is being refurbished, will become a new general convenience store selling a wide range of goods including bread, milk, magazines, snacks, sweets, dairy goods, soft drinks, household goods etc.

Nithi would also like to include some alcohol for sale alongside all the other goods. The proposed alcohol sales would just be a part of the overall business. The focus of the shop will be as a general convenience store - this isn't a shop that would just focus on alcohol sales.

The application includes a document called an Operating Schedule – this is an important part of a licence application as it shows the steps that would be taken at the shop to promote the licensing objectives. Each of these steps become legally enforceable licence conditions should the application be approved.

I'm not sure if you've had sight of the proposed Operating Schedule for the shop – and so I attach a copy (see below) for your information. The proposed conditions include;

a CCTV camera system covering inside and outside the shop;

the adoption of the 'Challenge 25' under age policy to ensure that all measures are in place to ensure that no-one under 18 is able to buy alcohol and other age-restricted goods;

regular staff training, keeping an incident log and monitoring the area outside.

Every new application involves an extensive consultation exercise carried out with the various responsible authorities including the Police, the Councils Licensing Authority, Trading Standards, Environmental Health, Public Health, Child Protection, Planning, etc

**Please note that none of the Responsible Authorities have submitted any representations against this application.**

In particular, the Police are important in respect of new licence applications as they are the Council's main source of information regarding local crime, disorder and ASB. The Police are satisfied that this application would not impact on local crime and disorder, and raise no issues.

Nithi is a responsible person and an experienced operator. He has a Personal Licence, plenty of retail experience and he knows the local area very well. He would run the shop well, with a licence, and will of course do everything that he can, within his control, to prevent any disturbance or problems.

Nithi is also the current premises licence holder at 88 Waddicar Lane (on the same parade). The site at 88 Waddicar Lane hasn't opened since the licence was approved last year and if this new application is approved, the licence for 88 Waddicar Lane will be surrendered.

Matters such as traffic and parking, whilst they are important matters, I have to advise that they are not matters which can be considered in terms of this licence application. The Licensing Authority will be able to confirm this. Any such issues are dealt with by Planning and/or Highways.

However, I can advise that Nithi will arrange his deliveries at appropriate times and will also put notices up telling customers to park sensibly and not cause an obstruction.

In terms of the area outside the shop, if anyone does start to congregate, he will take steps to disperse them. There will be CCTV cameras outside which can also act as a deterrent and prevent any problems.

Please note that this licence application is only about whether the shop can sell some alcohol – it isn't about whether the shop can open as a convenience store, or if a new shop is needed in the area.

Licensed premises are well-regulated - they must promote the licensing objectives and comply with all of their licence conditions. If they don't, then the Authorities can take action - this includes prosecution, a licence review, revocation of the licence, etc.

If there was evidence of problems at this shop in the future (if granted a licence) in connection with the licensing objectives, then the licence to be reviewed - the matter would then be considered by the Licensing Sub Committee.

Nithi will do everything that he can to make sure the shop runs well and doesn't cause any problems or disturbance.

I hope the above information is helpful - please contact me if you have any queries or if you would like to discuss the matter further.

Yours sincerely

***Ian Rushton***

***JL Licensing***

***Email -*** 

**See below for proposed operating schedule**

## **Operating schedule/proposed licence conditions**

This operating schedule has been put together having regard to the current information such as the Council's Statement of Licensing Policy and the Home Office Guidance.

This is a new business venture and the site, currently empty, will be completely refurbished to become a new general convenience store selling a wide range of goods including magazines, groceries, soft drinks, cigarettes, dairy goods, snacks, confectionery, household goods, etc.

The applicant, an experienced retailer and a personal licence holder, would like to include some alcohol sales to allow the business to develop and offer the full all-round convenience service. The focus of the shop will be as a general convenience store with the proposed alcohol sales just being a part of the overall business.

The applicant is the premises licence holder at 88 Waddicar Lane (on the same parade). The site at 88 Waddicar Lane hasn't opened since the licence was approved last year and, if this new application is approved, the licence for 88 Waddicar Lane is to be surrendered.

The proposed licence conditions are shown below;

### **Prevention of crime and disorder**

A CCTV camera system capable of providing quality images shall be used. Cameras will cover the inside of the premises and the area immediately outside. Images will be retained for a period of at least 28 days and be made available to Police Officers on reasonable written request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

A staff training scheme shall be used for all staff authorised to sell alcohol. The training will cover the importance of preventing under age sales and complying with licence conditions. Refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities

The PLH and staff will be vigilant and monitor the area immediately outside the shop to check that youths are not causing annoyance by congregating.

Spirits will be kept behind the counter.

An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature, witnessed by staff. The incident book shall be available for inspection at all reasonable times by an authorised officer of relevant responsible authority and/or Police Officer. The records will be retained for at least 12 months.

The premises shall operate an alcohol refusals policy - alcohol will not be sold to;

- (1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);
- (2) Any person found to be drinking alcohol in the street;
- (3) Any person who is drunk or appears to be drunk;
- (4) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;
- (5) Any person unable to provide valid ID when requested by staff;
- (6) Any person who is verbally or physically abusive towards staff or customers.
- (7) To any person suspected of trying to buy alcohol for another person(s) who may be under age.

A notice advising customers of the refusals policy shall be on display.

An appropriate number of staff shall be on duty in the shop - the number of staff on duty will be assessed and determined on a regular basis by the PLH/DPS taking account of any peak periods in terms of sales, volume of customers, etc.

## **Public safety**

No specific risks have been identified under the Licensing Act 2003 (note - the applicant is aware of the need to comply with other legislative requirements to ensure that the shop is safe for customers and staff).

## **Prevention of public nuisance**

Deliveries to the premises will be arranged so as not to cause will not lead to any public nuisance.

Notice(s) shall be on display in the premises asking customers to leave the premises quietly, and to park their cars respectfully.

Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of, any litter from the premises.

## **Protection of children from harm**

The shop shall adopt the Challenge 25 Policy.

Anyone who appears to be under 25 years old who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.

A refusals register (for the sale of alcohol) will be kept and be available for inspection by responsible authorities.

A notice shall be displayed in the premises where it can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.