

Public Document Pack



Special Regulatory Sub Committee

Monday, 3 October 2022 10.00 a.m.
Willow Room - Municipal Building,
Widnes

S. Young

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Pamela Wallace (Chair)
Councillor John Abbott
Councillor Kevan Wainwright

Please contact Gill Ferguson on 0151 511 8095 or gill.ferguson@halton.gov.uk for further information.

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. APPLICATION TO VARY A PREMISES LICENCE - ABI MINI MART, HALTON BROOK, RUNCORN	1 - 52

Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.

REPORT:	Regulatory Sub-Committee
DATE:	3 October 2022
REPORTING OFFICER:	Operational Director – Legal and Democratic Services
PORTFOLIO:	Resources
SUBJECT:	Application to Vary a Premises Licence – ABI Mini Mart, Halton Brook, Runcorn
WARDS:	Bridgewater

1. PURPOSE OF REPORT

To assist Members of the Regulatory Committee in their consideration of an application by Mr Aravendan Kanthanathan for a variation of the premises licence for the ABI Mini Mart, Halton Brook, Runcorn, WA7 2DY (“the Mini Mart”).

2. RECOMMENDATION

The committee considers the contents of the report and makes a determination on the application.

3. BACKGROUND INFORMATION

- 3.1 The Mini Mart is a licensed general convenience store located next to a row of shops in the middle of a residential area known as Halton Brook. The row of shops which is known as the Hillcrest Centre includes another licensed premise and is surrounded by a car park and open space. The Mini Mart backs on to Leaside. A map and google images of the area are enclosed at Appendix A.
- 3.2 The Mini Mart was originally a pub known as the Burma Star which held a premises licence from 24th November 2005 until it was surrendered on the 17th September 2009.
- 3.3 In December 2014, a new application for a premises licence was submitted for a shop which included the sale of alcohol.
- 3.4 A licence was granted on the 9th December 2015 and a copy is attached at Appendix B. The licensable activities are:

Supply of alcohol Monday to Sunday 07:00 to 23:00.
Hours open to the public Monday to Sunday 06:00 to 23:00.

- 3.5 The applicant now seeks an extension to the opening hours and for the supply of alcohol by 2 hours with the premises closing at 02:00 each day and to add to the licence a further licensable activity, namely the provision of late night refreshment.

4. THE APPLICATION

- 4.1 The application has been made under section 34 of the Licensing Act 2003 (“the Act”). In summary, the application seeks:-

- Provision of Late Night Refreshment between the hours of 23:00 and 02:00 each day.
- Supply of Alcohol (off the premises) between the hours of 07:00 and 02:00 each day.
- Hours open to the public between the hours of 06:00 and 02:00 each day.

- 4.2 A copy of the application can be found at Appendix C.

- 4.3 In its Operating Schedule accompanying the application, the applicant has provided the following further detail in respect of the hours of operation:-

“This is also for the business to develop further in terms of deliveries – the ordering and delivery aspect is becoming more important and common-place now”.

The Operating Schedule also sets out a number of conditions which seek to ensure the responsible sale and delivery of alcohol and to minimise littering outside the shop. Further details are set out at Appendix D.

5. REQUIREMENT FOR A HEARING

- 5.1 The application was submitted on 9 August 2022 and was advertised in the local newspaper on 18 August 2022. Officers have confirmed that the advertisement requirements were complied with.

- 5.2 There was 1 representation from the responsible authorities (Cheshire Police) and 2 further representations from other persons, namely local residents.
- 5.3 Following the Police representations, the Applicant agreed to amend its application as set out below and, on this basis, the Police have removed its objections. The Applicant has notified the residents of this but, at the time of drafting this report, their objections remain.
- 5.4 Where, as here, relevant representations have been made and not withdrawn, the licensing authority must hold a hearing to consider them (unless agreed by the parties).
- 5.5 The hearing is held in accordance with the Act and the Licensing Act 2003 (Hearings) Regulations 2005. The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 5.6 The hearing is solely concerned with those aspects of the application, which has been the subject of the relevant representations as defined in the Act. These are the representations made by the residents.
- 5.7 The Applicant has indicated that it will be making submissions to the Sub-Committee at the hearing. The other parties have all been informed of the hearing and are expected to attend.

6. RELEVANT REPRESENTATIONS RECEIVED

6.1 RESPONSIBLE AUTHORITIES

Cheshire Police

The following email has been received from Halton VR Licensing at Cheshire Police:-

“Having discussed with the applicants solicitor and Licensing Officer Lesley Halliday the representations previously submitted I can confirm that we have come to agreement on a revised set of conditions which believe to be suitable to promote the Licensing Objectives in particular the prevention of Crime & Disorder and those amended and agreed conditions are as follows;

The shop will be open to the public – 06:00 to 01:00
From 01:00 to 02:00 the premises will operate a delivery service only.

Delivery conditions:

Alcohol may not be sold from the delivery vehicle.
The delivery driver may only carry alcohol that has been pre-ordered.

CCTV

The premises will retain CCTV footage in an unedited format for a minimum of 28 days.

CCTV shall be provided to the Police and Local Authority upon reasonable request”.

On this basis, the objections/ representations from Cheshire Police have been withdrawn.

6.2 **ANY OTHER PERSON**

Two letters containing representations has been received from residents who live Leaside behind the Mini Mart. They objected to the original application on the grounds of crime and disorder, nuisance and public safety. A copy of the redacted representations are at Appendix E.

The applicant has written to the residents setting out the amendments to its application and information to address their concerns. These letters are at Appendix F.

6.3 **EVIDENCE**

In accordance with the normal procedure it is noted that the relevant representations do not amount to evidence. The objector has been requested to supply the evidence they intend to rely on no later than 5 working days prior to the hearing. When received this will be forwarded to the applicant and members of the committee.

7. **LEGAL AND POLICY FRAMEWORK**

7.1 Under the Act, the Sub-Committee must promote the licensing objectives, namely:-

- The prevention of crime and disorder;
- The prevention of public nuisance;
- Public Safety;
- The protection of children from harm.

7.2. In promoting the licensing objectives, the Sub-Committee must also have regard to the national guidance issued under

section 182 of the Licensing Act 2003 (“the Guidance”) and the Council’s Statement of Licensing policy.

7.3 Paragraph 1.17 of the Guidance states that each application “must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy... Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.”

7.4 Members’ attention is also drawn to the following paragraphs of the Council’s Statement of Licensing Policy:-

...

15. The Council’s vision as set out within the Corporate Strategy 2018/2020 and within Halton’s fifteen year Sustainable Community Strategy 2011–2026 is that:

“Halton will be a thriving and vibrant Borough where people can learn and develop their skills; enjoy a good quality of life with good health; a high quality, modern urban environment; the opportunity for all to fulfil their potential; greater wealth and equality, sustained by a thriving business community; and safer, stronger and more attractive neighbourhoods”.

...

17. Locally due to the high levels of alcohol-related harm Halton experiences the Halton Health and Wellbeing Strategy 2017/2022 includes the reduction in the harm from alcohol as a priority area.

18. The strategy identified a number of issues which may be affected by the licensing regime in Halton including:

- A significant proportion of cases of domestic violence are alcohol related
- Alcohol related crime and alcohol related violent crimes are worse in Halton than for both the North West and England as a whole
- Alcohol specific admissions (both among adults and those aged under 18) are much higher than the national and regional averages.

19. In addition due to the high levels of alcohol-related harm Halton was one of only twenty areas in the country to be awarded the status of being a “Local Alcohol Action Area” (LAAA). This award provided support from the Home Office and Public Health England during 2014/15 related to addressing the harm from alcohol across three areas – health, crime and anti-social behaviour, and diversifying the night time economy.

...

21. The vision of the strategy is to: “Enable people in Halton to have a sensible relationship with alcohol that promotes good health and wellbeing and ensures Halton is a safe place to live”.

22. In order to achieve this vision and minimise the harm from alcohol in Halton the strategy will seek to deliver three interlinked outcomes:

1. Reduce alcohol-related health harms
2. Reduce alcohol-related crime, antisocial behaviour and domestic abuse
3. Establish a diverse, vibrant and safe night-time economy.

22. So far as is consistent with the licensing objectives, the Council will carry out its licensing functions with a view to promoting these priorities and themes (including priorities and themes which may be adopted from time to time).

23. The Council will encourage the provision of a wide range of entertainment activities within the Halton area including promotion of live music, dance and so on, in the interests of broadening cultural opportunities within the local community.

...

34. In addressing this matter, the Council will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned. Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

...

48. Licensing hours

49. With regard to licensing hours, consideration will be given to the individual merits of an application.

- The Council recognises that, in certain circumstances, longer licensing hours with regard to the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance.
- The Council also wants to ensure that licensing hours should not inhibit the development of a thriving and safe evening and night-time local economy.

...

51. Shops stores and supermarkets

52. With regard to shops, stores and supermarkets, the norm will be for such premises to be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are very good reasons for restricting those hours. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.

53. Mobile, remote, internet and other delivery sales

54. The sale by retail of alcohol is a licensable activity and may only be carried out in accordance with an authorisation under the 2003 Act. Therefore, a person cannot sell alcohol from a vehicle or moveable structure at a series of different locations (e.g. house to house), unless there is a premises licence in respect of the vehicle or moveable structure at each location at which a sale of alcohol is made in, on or from it.

55. The place where the order for alcohol, or payment for it, takes place may not be the same as the place where the alcohol is appropriated to the contract (i.e. the place where it is identified and specifically set apart for delivery to the purchaser). This position can arise when sales are made online, by telephone, or mail order. Section 190 of the 2003 Act provides that the sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. It will be the premises at this location which need to be licensed; for example, a call centre receiving orders for alcohol would not need a licence but the warehouse where the alcohol is stored and specifically selected for, and despatched to, the

purchaser would need to be licensed. These licensed premises will, as such, be subject to conditions including the times of day during which alcohol may be sold. The premises licence will also be subject to the mandatory licence conditions.

56. Persons who run premises providing 'alcohol delivery services' should notify the Council that they are operating such a service in their operating schedule. This ensures that the Council can properly consider what conditions are appropriate. Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact the Council for its view on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required. Steps must be in place to ensure that any designated premises supervisor and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold to persons underage.

...

87. CCTV

88. The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

...

95 The control of excessive Alcohol consumption

It is an offence under the Licensing Act 2003 to sell to, or obtain alcohol for, a person who is drunk on licensed premises. In practical terms this includes:

- Selling an alcoholic drink to someone who you know is drunk
- Buying an alcoholic drink for someone who you know is drunk

The Council expects all premises licence holders to take steps to control excessive consumption and drunkenness on relevant alcohol licensed premises. All serving staff should be

trained in recognising the signs of drunkenness, how to refuse service and the premises duty of care. The premise should display prominent signage at point of sale that it is an offence to sell alcohol to anyone who is drunk. This will reduce the risk of anti-social behaviour occurring both on and away from the premises after customers have departed. Premises licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities.

8. OPTIONS

8.1 The Committee has the following options under Section 34 of the Act:

- (1) To grant the application subject to such conditions as appropriate for the promotion of the licensing objectives; and any mandatory conditions.
- (2) To exclude from the scope of the licence any of the licensable activities to which the application relates.
- (3) To reject the application.

9. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Guidance issued under Section 182 of the Licensing Act 2003	Licensing Section/ Government Website see link 1 below.	Kim Hesketh
Halton Council's Statement of Licensing Policy	Licensing Section/ Council website see link 2 below.	Kim Hesketh

- 1. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf
- 2. <https://www3.halton.gov.uk/Documents/business/licencing/alcoholent/StatementofLicensingPolicy.pdf>

APPENDIX A

Plans

Plan 1 – shows the area where ABI Mini Mart is situated

Plan 2 – shows ABI Mini Mart

Plan 3 – shows ABI Mini Mart in relation to the other licensed premises

Plan 4 – shows the row of shops in the area this also shows on the left of the picture the other licensed premises.

Plan 5 – shows the parking area

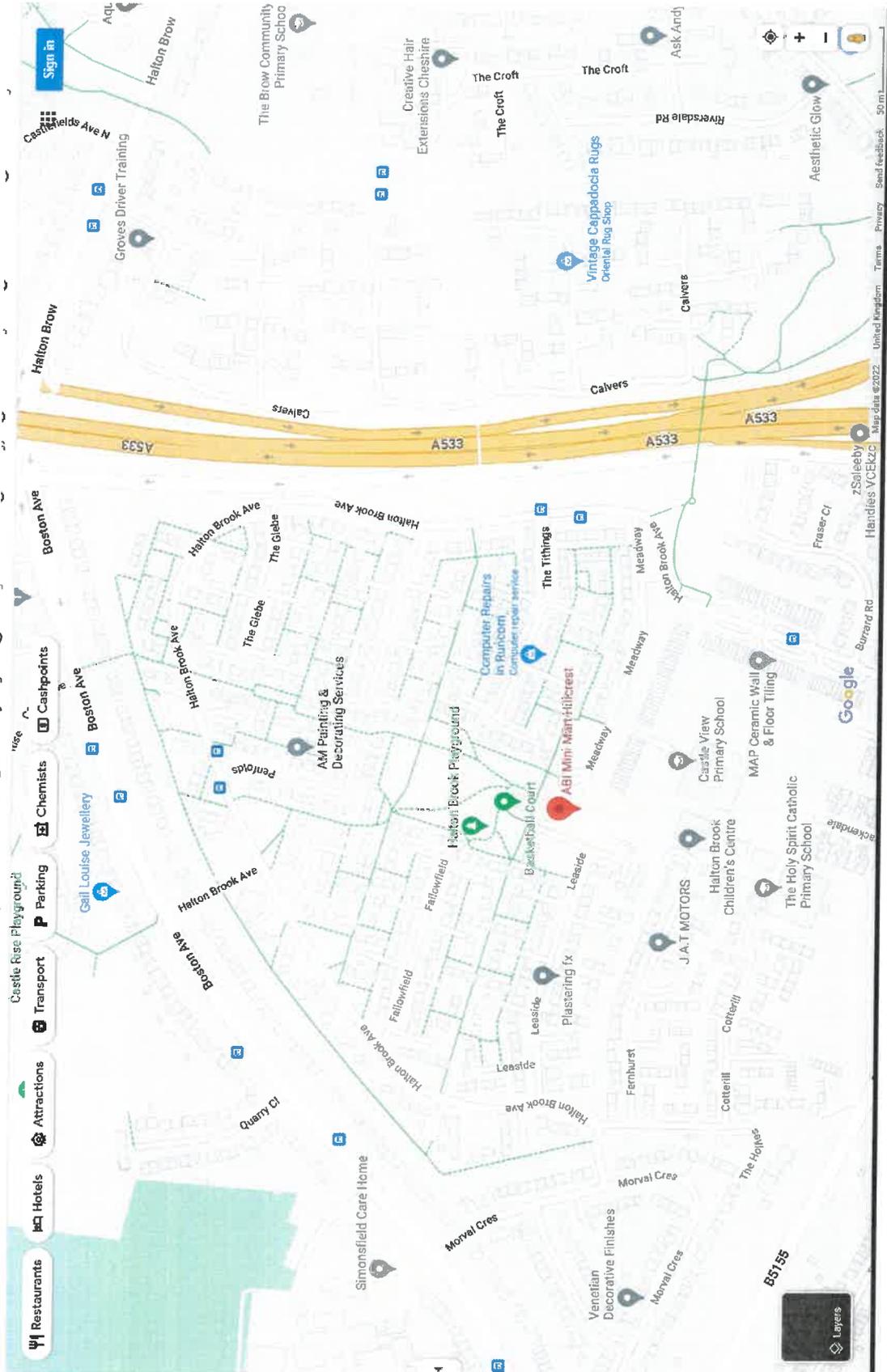
Plan 6 – shows the park area and the houses in relation to the shops

Plan 7 – shows the open space around the area

Plan 8 – shows the back of the premises which leads onto Leaside

Plan 9 – shows the back of the rest of the shops

Plan 10 – shows Leaside and some houses in Leaside





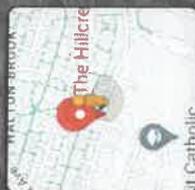




51 Meadway
Ramcorn, England

Street View - Nov 2020

Google



Plan 5



Plan 6



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Plan 9







Licensing Act 2003

Premises Licence**LPA0367**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

ABI Mini Mart

Hillcrest, Halton Brook, Runcorn, WA7 2DY.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	7:00am	11:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	11:00pm

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Aravendan Kanthanathan

64 Tavington Road, Halewood, Merseyside, L26 6BA.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Aravendan KANTHANATHAN





Licensing Act 2003

Premises Licence

LPA0367

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 082560

Issued by Liverpool

ANNEXES

Definitions:

"Act" means the Licensing Act 2003

"Application" means the Application for this Licence submitted by or on behalf of the Holder

"Holder" means the Licence Holder named on this Licence

"Licensing Authority" means Halton Borough Council

"Operating Schedule" means the Operating Schedule accompanying the Application

THIS LICENCE CONSTITUTES A NEW LICENCE AS DEFINED IN THE ACT

The Holder shall comply with the following conditions:

A Alteration of details relating to this Licence

No details set out on this Licence shall be altered without the consent of the Licensing Authority

B Compliance with the Operating Schedule

The Holder shall comply with the Operating Schedule and the details set out in the Application except as varied or inconsistent with anything set out in this Licence

C Conditions agreed by the Holder during the Licence application process dated 8 December 2014 CHESHIRE POLICE

TRADING STANDARDS

- Accepted methods of proof of age are; valid passports, valid photo driving licences, military ID and PASS accredited proof of age cards e.g. Validate, Connexions, Citizen Card, Prove It Card
- Failure to produce such evidence must be followed by a refusal to serve alcohol to that individual. The date, time and reason for refusal shall be noted in a register kept for that purpose. The register shall be made available for inspection by Local Authority officers and the Police.
- A documented training scheme shall be introduced for all staff who may sell or serve alcohol and shall include as a minimum information on how to prevent underage sales. Details of the training and records of attendance shall be made available for inspection by Local Authority officers and the Police.
- Notices shall be displayed in and at the entrance to the premises where they can be seen clearly and read and shall indicate that there is a "Challenge 25" policy in place at the premises. The notice shall indicate that it is an offence for a person under 18 to buy or attempt to buy alcohol or for a person over 18 to buy alcohol on behalf of a person who is under 18.





Licensing Act 2003

LPA0367

Premises Licence

ANNEXES continued...

- The Designated Premises Supervisor or Premises Licence Holder shall conduct six monthly reviews with all members of staff authorised to sell or serve alcohol in order to reinforce the training and to promote best practice. A written record shall be kept of the content of such reviews which shall be made available for inspection by Local Authority officers and the Police.

D Conditions consistent with the Operating Schedule in the application dated 5 December 2014

D - Display of Licence

D1 The Summary Licence or a certified copy of that summary must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D2 A notice specifying the position held at the premises by any person nominated for the purposes S 57 (2) of the LA 2003 (which relates to the keeping at the premises of the premises licence or a certified copy of it) must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D3 Whenever the premises are being used for one or more licensable activities authorised by the licence a constable or an authorised officer may require any person referred to in D2 as the person nominated for the purposes of S 57 (2) L A 2003 to produce the premises licence or a certified copy of it.

E Mandatory Conditions

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature

3. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

General

An effective CCTV system will be designed and installed in accordance with Cheshire Constabulary's CCTV





Licensing Act 2003

Premises Licence

LPA0367

ANNEXES continued ...

guidance document call 'CCTV in Licensed Premises - An operation requirement'

The licence holder will demonstrate that their CCTV system complies with their operational requirements. A commissioning test will be carried out with the Licensing and CCTV Liaison Officers before hand over of the system. The commissioning test will demonstrate the following:-

1. Recordings are fit for their intended purpose
2. Good quality images are presented to the officer in a format that can be replayed on a standard computer.
3. The supervisor has an understanding of the equipment / training
4. Management records are kept
5. Maintenance agreements and records are maintained
6. Data protection principles and signage are in place.

The licence holder, DPS and staff will be vigilant to ensure that youths do not congregate immediately outside the entrance of the shop.

The licence holders will run the premises well and be a responsible retailer to promote the licensing objectives.

The licence holders will maintain good working relationships with responsible authorities in particular the Police.

The prevention of Crime and Disorder

- All spirits shall be displayed behind the counter area only and not offered for self service.
- The shop is fully alarmed and roller shutters are used when the shop is closed.
- Any incidents of crime and disorder at the premises, witnessed by staff will be recorded in an incident book kept at the shop.

Public Safety

- The premises will be well maintained safe and the licence holders will comply with appropriate Health & Safety legislation.
- Appropriate fire safety equipment will be available.

The prevention of public nuisance

- Deliveries will be arranged at appropriate times so as not to cause any disturbance to local residents.
- Notices will be placed in prominent positions asking customers to leave the premises quietly.

The protection of children from harm

- Anyone who appears to be under 25 years of age who is attempting to purchase alcohol will be asked to prove their age.
- Accepted methods of proof of age are passports, photo driving licences, military ID and PASS accredited proof of age cards, e.g. Validate Connexions, Citizens Card, Prove It Card. Failure to produce such evidence must be followed by a refusal to serve alcohol to that individual and details of such refusals shall be noted in a register kept for that purpose.
- A documented training scheme shall be used for all staff authorised to sell alcohol which shall include continuous re training at intervals of not more than 6 months.





Licensing Act 2003

Premises Licence

LPA0367

ANNEXES continued ...

- An appropriate number of notices shall be displayed in and at the premises where they can be seen clearly and read and shall indicate 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.

F Miscellaneous conditions

NONE

G Pre-existing conditions

NONE

H Plans

The Plan(s) submitted with the Application form part of this Licence

SEASONAL AND NON STANDARD TIMINGS

N/A





Licensing Act 2003

LPA0367**Premises Licence Summary**

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**ABI Mini Mart**

Hillcrest, Halton Brook, Runcorn, WA7 2DY.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	7:00am	11:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	11:00pm

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Aravendan Kanthanathan

64 Tavington Road, Halewood, Merseyside, L26 6BA.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Aravendan KANTHANATHAN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

APPENDIX C



Halton
Application to vary a premises licence
Licensing Act 2003

For help contact
kay.cleary@halton.gov.uk
Telephone: 0151 511 7879

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
- No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason such as following a hobby.

2 W 01/13/99 A

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 18

Continued from previous page...

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

This is an established licensed general convenience store serving the local community selling an extensive range of goods. The applicant, an experienced retailer, is keen to try to develop the business further, especially in the current climate. The current licence allows the sale of alcohol until 11pm daily. The proposal is for the shop to open, including the sale of alcohol, until 2am, and the provision of late night refreshment until 2am. This is also for the business to develop further in terms of deliveries. The ordering and delivery aspect is becoming more important and common-place now. An updated floor plan is also submitted.

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Continued from previous page...

Yes

No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes

No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes

No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes

No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes

No

Continued from previous page...

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

Start

End

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the day of the week when you intend the premises to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

FRIDAY

Start

Start

End

End

SATURDAY

Start

Start

End

End

SUNDAY

Start

Start

End

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

PROVISION TAKES PLACE INDOORS FOR CUSTOMERS TO TAKE AWAY / DELIVERIES

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start 07:00

End 02:00

Start

End

TUESDAY

Start 07:00

End 02:00

Start

End

WEDNESDAY

Start 07:00

End 02:00

Start

End

THURSDAY

Start 07:00

End 02:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

FRIDAY

Start 07:00

End 02:00

Start

End

SATURDAY

Start 07:00

End 02:00

Start

End

SUNDAY

Start 07:00

End 02:00

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Continued from previous page...

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 06:00

End 02:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the day of the week when you intend the premises to be used for the activity.

TUESDAY

Start 06:00

End 02:00

Start

End

WEDNESDAY

Start 06:00

End 02:00

Start

End

THURSDAY

Start 06:00

End 02:00

Start

End

FRIDAY

Start 06:00

End 02:00

Start

End

SATURDAY

Start 06:00

End 02:00

Start

End

SUNDAY

Start 06:00

End 02:00

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for seasonal variations]

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

[Empty box for non-standard timings]

Continued from previous page...

[Empty box]

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

[Empty box]

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

EXISTING LICENCE WILL BE RETURNED BY POST IN DUE COURSE

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

SEE ATTACHED

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

Continued from previous page...

e) The protection of children from harm

SEE ATTACHED

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, under section 158 of the Licensing Act 2003, to make 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

Add digital signature

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/halton/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

APPENDIX D

Application to vary premises licence

Abi Mini Mart, Halton Brook Avenue, Halton Brook, Runcorn, WA7 2DY

Operating schedule/proposed licence conditions

This is an established licensed general convenience store serving the local community selling an extensive range of goods. The applicant, an experienced retailer, is keen to try to develop the business further, especially in the current climate.

The current licence allows the sale of alcohol until 11pm daily. The proposal is for the shop to open, including the sale of alcohol, until 2am, and the provision of late night refreshment until 2am. This is also for the business to develop further in terms of deliveries – the ordering and delivery aspect is becoming more important and common-place now.

An updated floor plan is also submitted.

The current licence conditions are detailed although further conditions are proposed, including specific conditions about deliveries, in order to enhance the current licence and continue to promote the licensing objectives.

The operating schedule was put together having due regard to various available information and guidance including the Council's Statement of Licensing Policy and the Guidance.

The new proposed conditions are shown below;

Prevention of crime and disorder

All staff selling alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop for inspection.

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.

'Drinkaware' promotional literature shall be on display in the shop.

'Crimestoppers' promotional material will be on display to promote the initiative.

Public safety

No further conditions are proposed / considered necessary

Prevention of public nuisance

A notice(s) shall be on display in the premises asking customers not to drop litter on the floor.

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

Challenge 25 notices shall clearly be displayed in the shop.

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

The PLH shall sign up to the Portman Group's retail alert bulletin in respect of the code of practice on the naming, packaging and promotion of alcoholic drinks.

A due diligence checklist (aimed at preventing any underage sales) will be used, and be made available for inspection by responsible authorities.

Conditions in relation to orders and deliveries of alcohol;

Alcohol deliveries will only be made to pre-arranged and booked postal addresses.

No deliveries shall be made to 'open spaces' (this includes playing fields, parks etc)

The Challenge 25 policy shall also apply at the point of delivery, and delivery drivers will use a refusals register/log to record any instances when a refusal is made. This register/log shall be made available for inspection by Authorised Officers.

All alcohol deliveries will normally be accepted by an individual in person - a delivery of alcohol will not be left in a 'safe place' for collection (unless there are special circumstances such as Covid 19 social distancing measures etc).

NOTE TO RESPONSIBLE AUTHORITIES AND OTHER PERSONS - IF YOU HAVE ANY QUERIES OR COMMENTS ON THESE PROPOSALS, PLEASE CONTACT [REDACTED] TO DISCUSS FURTHER - PRIOR TO MAKING ANY REPRESENTATIONS.

~~Kim Hesketh, nee Fisher~~

From: [REDACTED]
Sent: 20 August 2022 12:15
To: Legal Licensing
Cc: [REDACTED]
Subject: Vary of premises licence

Good afternoon,

I am writing to you on behalf of my grandparents who live on [REDACTED] behind the Mini Mart. This is in regards to the proposed sale of alcohol until 2am at Abi Mini Mart. [REDACTED] would like it noted that they oppose this application. Reasons for the opposition are firstly it will cause late night/early hour distribution with people driving down the street to access the shop. Secondly it will attract the wrong kind of people meaning already highly intoxicated people will be flooding in to continue drinking in the early hours. We cannot expect people who have lived and worked in the community for the past 52 years to now have to endure the noise and distribution so a business can put a few more pound in its pockets. Having a business sell alcohol up until 2am is only going to encourage people to come and stay around the estate shouting, fighting and in general disturbing the peace. As I'm sure we are all aware when people are intoxicated they don't have respect of the community in their minds. We should be protecting our vulnerable community members not causing them distress.

I sincerely hope this email is read and taken into consideration on the current proposal.

Thank you for your time,

Kind regards,
[REDACTED]

19/08/2022

[Redacted]

To whoever it may concern,

I would like to oppose the application to vary the premises licence Abi Mini Mart has requested to extend trading hours until 2am daily as a local to the area.

Keeping the store open until 2am will increase noise pollution, being a resident fairly close to the store, this is concerning for myself as being an older gentlemen I do appreciate the quiet in the area that comes with the evening. I know my neighbours are in a similar mind-set when it comes to this, since the closure of the Burma Star pub, the area has been significantly quieter which we have all grown accustomed to.

I also believe it will encourage excessive alcohol consumption, that may also be linked to underage drinking – this can be in the form of loitering in the area as youths congregate to wait for someone to buy them alcohol, or simply further encourage the sale of alcoholic products to those who are underage, as they will try their luck in the store when it is later and there are less of the public around policing the actions of them.

Furthermore, the area already has a slight issue with littering, which I believe will only increase more with the later trading hours, especially with the reason to extend trading hours to 'allow alcohol sales' – as previously mentioned, the lesser of public traffic to police actions, the more likely those are to dump rubbish without second thought and lessened inhibitions.

As a final point to make, although the findings can be somewhat contradicting, the Office for National Statistics have published many reports to suggest that alcohol consumption is linked to violent crime and sexual offences, which is the top offence in the WA7 2DY postcode where the shop will be extending opening hours, please see figure below;

Police

This area is policed by **Cheshire Constabulary**.

Cheshire Constabulary split their policing area into 122 separate neighbourhoods and this postcode is in the **Halton Brook** neighbourhood.



More

Neighbourhood Crime

Top 3 Categories	Jun 2022	May 2022
Violent Crime	27	29
Anti-social Behaviour	5	5
Criminal Damage/Arson	4	4

RECEIVED
24 AUG 2022
24
LEGAL SERVICES

Ref: [Redacted] - [Information and statistics for your local area and postcode \(streetguide.co.uk\)](https://www.streetguide.co.uk)

I hope you consider all of these points and make the right decision for surrounding area.

Yours sincerely,

[Redacted]

9 September 2022

Dear [REDACTED]

**APPLICATION TO VARY PREMISES LICENCE
ABI MINI MART, HALTON BROOK, RUNCORN WA7 2DY**

I hope you are keeping well.

I am contacting you on behalf of my client, Mr Aravendan Kanthanathan (known as Ravi), whom as you know has applied to vary the premises licence at the above shop.

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

As you know, this is an established general convenience store selling an extensive range of goods for the benefit of the local community. The alcohol sales will continue to just be a part of the overall business.

Update;

The original application was for the shop to open and provide licensable activities until 2am daily.

Following discussions with the Police, the licence application has been amended – the proposal is now to allow the shop to open and provide licensable activities until 1am daily. The shop will close to the public at 1am. The shop could then operate an order/delivery service until 2am if it wishes.

Cheshire Police are satisfied with the above hours and we have agreed several new conditions with the Police – such as keeping CCTV images for a minimum of 28 days and providing CCTV images to the Police or Council upon reasonable request.

The current licence contains numerous licence conditions (rules and regulations) which must be complied with. These conditions include CCTV, staff training, Challenge 25 policy to prevent underage sales, spirits to be kept behind the counter, deliveries to be arranged so there's no public nuisance, etc.

The licence application includes a document called an Operating Schedule – this is an important part of the application which shows the further 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.

You may not have seen the proposed operating schedule - and so I attach a copy for your information below. They include;

Staff to do regular litter checks outside the shop;

Challenge 25 notices shall clearly be displayed in the shop.

Keeping a refusals register (for the sale of alcohol);

Displaying Challenge 25 posters;

Further details of these conditions are shown over the page

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

None of the Responsible Authorities have submitted any representations against this application – they have all assessed the application including the operating schedule and they are satisfied that the application can be granted.

In particular, the Police are crucial as they are the Council's main source of information regarding local crime and disorder. They are satisfied that this application would not impact on local crime and disorder, and that the application can be approved granted. Any existing problems of anti social behavior in the area will of course be dealt with by the Police.

Licensed premises are extremely well-regulated - they must promote the licensing objectives and fully 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.

However, the licensing law isn't the primary mechanism for the control of anti-social behaviour of individuals once they are beyond the direct control of the business (with a premises licence).

Ravi is a responsible person and he will do everything that he can to make sure that there are no problems or disturbance from his shop. For example, the CCTV images from the shop will be made available to the Police upon request, staff will do regular litter checks outside the shop, and alcohol will continue to be sold responsibly from the shop.

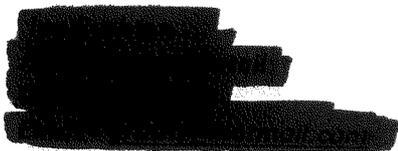
The Police and the other Authorities can take action against licensed premises if there's a problem or if something goes wrong. Likewise, if you found evidence of problems at this business (or indeed any licensed premises) in the future then you can call for the licence to be reviewed - the matter would then be considered by the Licensing Sub Committee.

I hope the above information is helpful and informative. I ask you to give Ravi the opportunity to demonstrate that the shop will not cause any issues.

I look forward to hearing from you and please do not hesitate to contact me if you have any queries.

If you would to meet on site to discuss, please let me know and I'll arrange something.

Yours sincerely

A large black rectangular redaction covering the signature area of the letter.

Please see over the page

PROPOSED OPERATING SCHEDULE / LICENCE CONDITIONS

The operating schedule was put together having due regard to various available information and guidance including the Council's Statement of Licensing Policy and the Guidance.

The new proposed conditions are shown below;

Prevention of crime and disorder

All staff selling alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop for inspection.

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.

'Drinkaware' promotional literature shall be on display in the shop.

'Crimestoppers' promotional material will be on display to promote the initiative.

Public safety

No further conditions are proposed / considered necessary

Prevention of public nuisance

A notice(s) shall be on display in the premises asking customers not to drop litter on the floor.

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

Challenge 25 notices shall clearly be displayed in the shop.

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

The PLH shall sign up to the Portman Group's retail alert bulletin in respect of the code of practice on the naming, packaging and promotion of alcoholic drinks.

A due diligence checklist (aimed at preventing any underage sales) will be used, and be made available for inspection by responsible authorities.

Conditions in relation to orders and deliveries of alcohol;

Alcohol deliveries will only be made to pre-arranged and booked postal addresses.

No deliveries shall be made to 'open spaces' (this includes playing fields, parks etc)

The Challenge 25 policy shall also apply at the point of delivery, and delivery drivers will use a refusals register/log to record any instances when a refusal is made. This register/log shall be made available for inspection by Authorised Officers.

All alcohol deliveries will normally be accepted by an individual in person - a delivery of alcohol will not be left in a 'safe place' for collection (unless there are special circumstances such as Covid 19 social distancing measures etc).

9 September 2022

Dear [REDACTED]

**APPLICATION TO VARY PREMISES LICENCE
ABI MINI MART, HALTON BROOK, RUNCORN WA7 2DY**

I hope you are keeping well.

I am contacting you on behalf of my client, Mr Aravendan Kanthanathan (known as Ravi), whom as you know has applied to vary the premises licence at the above shop.

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

As you know, this is an established general convenience store selling an extensive range of goods for the benefit of the local community. The alcohol sales will continue to just be a part of the overall business.

Update;

The original application was for the shop to open and provide licensable activities until 2am daily.

Following discussions with the Police, the licence application has been amended – the proposal is now to allow the shop to open and provide licensable activities until 1am daily. The shop will close to the public at 1am. The shop could then operate an order/delivery service until 2am if it wishes.

Cheshire Police are satisfied with the above hours and we have agreed several new conditions with the Police – such as keeping CCTV images for a minimum of 28 days and providing CCTV images to the Police or Council upon reasonable request.

The current licence contains numerous licence conditions (rules and regulations) which must be complied with. These conditions include CCTV, staff training, Challenge 25 policy to prevent underage sales, spirits to be kept behind the counter, deliveries to be arranged so there's no public nuisance, etc.

The licence application includes a document called an Operating Schedule – this is an important part of the application which shows the further 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.

You may not have seen the proposed operating schedule - and so I attach a copy for your information below. They include;

Staff to do regular litter checks outside the shop;

Challenge 25 notices shall clearly be displayed in the shop.

Keeping a refusals register (for the sale of alcohol);

Displaying Challenge 25 posters;

Further details of these conditions are shown over the page

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

None of the Responsible Authorities have submitted any representations against this application – they have all assessed the application including the operating schedule and they are satisfied that the application can be granted.

In particular, the Police are crucial as they are the Council's main source of information regarding local crime and disorder. They are satisfied that this application would not impact on local crime and disorder, and that the application can be approved granted. Any existing problems of anti social behavior in the area will of course be dealt with by the Police.

Ravi is a responsible person and he will do everything that he can to make sure that there are no problems or disturbance from his shop. For example, the CCTV images from the shop can be made available to the Police upon request, and staff will do regular litter checks outside the shop. Alcohol will continue to be sold responsibly from the shop.

The licensing law is not the primary mechanism for the control of anti social behaviour of individuals once they are beyond the direct control of the business (with a premises licence). In terms of litter in the area – businesses will do what they can (such as litter checks outside a shop) but there is an individual responsibility by people to dispose of litter properly in all areas.

Licensed premises are extremely well-regulated - they must promote the licensing objectives and fully 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.

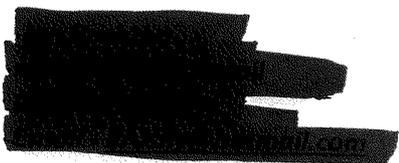
The Police and the other Authorities can take action against licensed premises if there's a problem or if something goes wrong. Likewise, if you found evidence of problems at this business (or indeed any licensed premises) in the future then you can call for the licence to be reviewed - the matter would then be considered by the Licensing Sub Committee.

I hope the above information is helpful and informative. I ask you to give Ravi the opportunity to demonstrate that the shop will not cause any issues.

I look forward to hearing from you and please do not hesitate to contact me if you have any queries.

If you would to meet on site to discuss, please let me know and I'll arrange something.

Yours sincerely

A large black rectangular redaction covering the signature and name of the sender.

Please see over the page

PROPOSED OPERATING SCHEDULE / LICENCE CONDITIONS

The operating schedule was put together having due regard to various available information and guidance including the Council's Statement of Licensing Policy and the Guidance.

The new proposed conditions are shown below;

Prevention of crime and disorder

All staff selling alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop for inspection.

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.

'Drinkaware' promotional literature shall be on display in the shop.

'Crimestoppers' promotional material will be on display to promote the initiative.

Public safety

No further conditions are proposed / considered necessary

Prevention of public nuisance

A notice(s) shall be on display in the premises asking customers not to drop litter on the floor.

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

Challenge 25 notices shall clearly be displayed in the shop.

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

The PLH shall sign up to the Portman Group's retail alert bulletin in respect of the code of practice on the naming, packaging and promotion of alcoholic drinks.

A due diligence checklist (aimed at preventing any underage sales) will be used, and be made available for inspection by responsible authorities.

Conditions in relation to orders and deliveries of alcohol;

Alcohol deliveries will only be made to pre-arranged and booked postal addresses.

No deliveries shall be made to 'open spaces' (this includes playing fields, parks etc)

The Challenge 25 policy shall also apply at the point of delivery, and delivery drivers will use a refusals register/log to record any instances when a refusal is made. This register/log shall be made available for inspection by Authorised Officers.

All alcohol deliveries will normally be accepted by an individual in person - a delivery of alcohol will not be left in a 'safe place' for collection (unless there are special circumstances such as Covid 19 social distancing measures etc).