

**If you would like any further information or have any special requirements in respect of this Meeting, please contact Kathryn Walton, Democratic Services and Police & Crime Panel Officer on (01507) 613421**

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Website: [www.e-lindsey.gov.uk](http://www.e-lindsey.gov.uk)**

Date: Wednesday, 13<sup>th</sup> April 2022

Dear Councillor,

**Licensing Act 2003 Sub Committee**

You are invited to attend a Meeting of the **Licensing Act 2003 Sub Committee** to be held in the Council Chambers, Tedder Hall, Manby Park, Louth on **Tuesday, 3rd May, 2022** at **11.00 am**, for the transaction of the business set out in the attached Agenda.

Councillors observing the meeting and the public and the press may access the meeting via the following link <https://bit.ly/ELDCYT> where a livestream and subsequent recording of the meeting will be available.

Yours sincerely



Robert Barlow  
Chief Executive

**Conservative**

Councillor Stan Avison and David Andrews

**Labour**

Councillor Graham Cullen

**District Independent/Liberal Democrat**

Councillor Sandra Campbell-Wardman

**LICENSING ACT 2003 SUB COMMITTEE AGENDA**  
**Tuesday, 3 May 2022**

<b>Item</b>	<b>Subject</b>	<b>Page No.</b>
<b>1.</b>	<b>ELECTION OF CHAIRMAN:</b>	
<b>2.</b>	<b>DISCLOSURE OF INTERESTS (IF ANY):</b>	
<b>3.</b>	<b>APOLOGIES FOR ABSENCE:</b>	
<b>4.</b>	<b>EXCLUSION OF THE PUBLIC AND PRESS</b> To consider excluding the public and press for the following items and if appropriate the Chairman to move:  That under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items on the grounds that, if they were present, there could be disclosed exempt information as defined at paragraphs 1, 2 and 7 of Part 1 of Schedule 12A of the Act (as amended).	
<b>5.</b>	<b>APPLICATION FOR THE REVIEW OF A PREMISES LICENCE:</b> Report of the Service Manager Safer Communities.	1 - 38



<b>REPORT TO:</b>	LICENSING ACT 2003 SUB-COMMITTEE
<b>DATE:</b>	03 MAY 2022
<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE – PREMIER STORE, 103-105 NEWMARKET, LOUTH, LN11 9EG</b>
<b>PURPOSE:</b>	To consider a representation made by Lincolnshire Police in respect of a premises licence application for the Premier Store, 103-105 Newmarket, Louth, LN11 9EG.
<b>KEY DECISION:</b>	Not Applicable.
<b>REPORT OF:</b>	Service Manager – Safer Communities
<b>REPORT AUTHOR:</b>	Mr Adrian Twiddy (Principal Licensing Officer)
<b>WARD(S) AFFECTED:</b>	Louth
<b>EXEMPT REPORT?</b>	The content of this Report is not exempt from publication.  However, a confidential evidence pack will be forwarded to the Members of the Licensing Sub-Committee under separate cover to this Report. The evidence pack is exempt from publication – the pack is not for publication by virtue of Paragraphs 1, 2 & 7 of Part I of Schedule 12A of the Local Government Act 1972.

## SUMMARY

This report considers an application by Mr Janushanth Thuraisingamm for a premises licence in respect of a convenience store known as Premier Store (previously known as Costcutter), 103-105 Newmarket, Louth, LN11 9EG. The licence application is seeking authorisation for the supply of alcohol (for consumption off the premises) – the application is seeking licensing hours of 0600 to 2300 Hours. The opening hours of the premises will also be 0600 to 2300 Hours.

One representation, regarding the licence application, has been received from Lincolnshire Police (who are acting as a Responsible Authority under the Licensing Act 2003).

## RECOMMENDATIONS

The Sub-Committee must consider the application for a premise licence and having regard to the representation made by the Responsible Authority, take such of the steps mentioned below (if any), as they consider appropriate for the promotion of the licensing objectives. The steps are:

- To grant the licence subject to:
  - a) Conditions consistent with the operating schedule accompanying the application, which have been modified to such extent as the Licensing Authority considers necessary for the promotion of the licensing objectives, and
  - b) Any mandatory licence conditions.
- To exclude from the scope of the licence any licensable activities to which the application relates.
- To reject the application.

If none of the above steps are considered appropriate the premises licence application should be granted in the form it was made.

## REASONS FOR RECOMMENDATIONS

The Licensing Authority must hold a hearing to consider the representation - unless the representation is withdrawn by the Responsible Authority.

All parties within the licensing process must seek to promote the licensing objectives as defined under the Licensing Act 2003. The 2003 Act sets out the steps which the Licensing Authority may take when considering a representation regarding a premises licence application.

## OTHER OPTIONS CONSIDERED

Not Applicable - Under the terms of the Licensing Act 2003 this Authority must consider the representation and the premises licence application.

## 1. BACKGROUND

**1.1. Premises Licence Applicant:** Mr Janushanth Thuraisingam

**1.2. Application:** The application is for a premises licence under Section 17 of the Licensing Act 2003.

**1.3. Premises:** A convenience store known as Premier Store (previously known as Costcutter), 103-105 Newmarket, Louth, LN11 9EG. A plan showing the location of the Premier Store is attached at **Appendix A** of this Report. A site plan of the store is attached at **Appendix B**.

**1.4.** The premises licence application seeks to authorise the sale of alcohol (for consumption off the premises) during 0600 to 2300 Hours. The opening hours of the premises will also be 0600 to 2300 Hours.

**1.5. Proposed Designated Premises Supervisor (DPS):** The proposed DPS is Mr Janushanth Thuraisingam. Mr Thuraisingam has indicated on the premises licence application form that he has applied for a personal licence with Nuneaton and Bedworth Council. At the time of the drafting of this Report the Licensing Team were still awaiting confirmation from Nuneaton and Bedworth Council as to whether or not a personal licence had been granted.

## 2. REPORT

**2.1.** As required under the terms of the Licensing Act 2003 the premises licence application has been advertised in the local newspaper and also outside the premise. Details of the application were also displayed on the Council's website. Persons, including those living and/or operating businesses in the vicinity of the premise, and the Responsible Authorities (e.g. Lincolnshire Police, Trading Standards, Health and Safety, etc.), were permitted to submit representations regarding the licence application. Any representation must relate to one or more of the licensing objectives:

- The prevention of public nuisance
- Public safety
- The prevention of crime and disorder
- The protection of children from harm

**2.2.** Lincolnshire Police have made a representation in relation to the premises licence application. A redacted copy of the representation is attached at **Appendix C** of this Report. The Police's representation has been issued on the grounds of the prevention of crime and disorder licensing objective. A unredacted copy of the representation will be forwarded to the Sub-Committee in a confidential evidence pack. Both the Police's and the licence applicant's evidence packs will be forwarded to the Sub-Committee separate to this Report.

**2.3.** The Premier Store does not currently hold a premises licence. A premises licence was previously held at the store - however, that licence was revoked by a Licensing Sub-Committee premises licence review hearing held on 14 July 2021. The revocation decision was not appealed to the Magistrates Court. The decision notice from 14 July 2021 premises licence review hearing is attached at **Appendix D** of this Report.

**2.4.** The premises licence review held on 14 July 2021 related to an illegal worker who was found to be working at the premise. In addition, the Sub-Committee heard details from Lincolnshire Police of other issues initially encountered at the premises during a compliance visit, namely:

- stock without price labels,
- staff were unable to work the CCTV,
- CCTV operating not in accordance with requirements,
- no written authorisation from the Designated Premises Supervisor (DPS) for other staff to sell alcohol.

**2.5.** The Sub-Committee noted how there had been some improvements undertaken at the premise following this first Police visit:

- price labels were now shown,
- staff were able to work the CCTV,
- a written authorisation was now in place,
- along with some evidence of staff training.

2.6. Mr Janushanth Thuraisingam was not the premises licence holder at the time of the review in 2021. The person occupying the premises at that time was a Mr Kirushanth. When making this licence application Mr J Thuraisingam indicated that he had now taken over the business. However, Lincolnshire Police have expressed concerns that Mr Kirushanth appears to be still involved in the day-to-day management of the business.

2.7. **Guidance Issued by the Home Office Under Section 182 of the Licensing Act 2003:** It is considered that the extracts from the national guidance, shown at **Appendix E** of this Report, have a bearing upon the premises licence application.

2.8. The Home Office Section 182 Guidance indicates that the Police should usually be the Licensing Authority's main source of advice on matters relating to the prevention of crime and disorder licensing objective. However, the Police must ensure that their representations can stand up to scrutiny at a licensing hearing. The relevant section of the Home Office Guidance is detailed below:

#### **THE ROLE OF RESPONSIBLE AUTHORITIES**

**Paragraph 9.12** - Each Responsible Authority will be an expert in their respective field, and in some cases, it is likely that a particular Responsible Authority will be the Licensing Authority's main source of advice in relation to a particular licensing objective. For example, the Police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The Police should usually therefore be the Licensing Authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any Responsible Authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing Authorities must therefore consider all relevant representations from Responsible Authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all Responsible Authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

2.9. **Local Policy Considerations:** It is considered that the extracts from the Local Policy, shown at **Appendix F** of this Report, have a specific bearing upon the premises licence application. The detailed licence conditions, volunteered by the applicant, as part of the licence application process can be found at **Appendix G** of this Report. The steps include the provision of CCTV, a Challenge 25 Proof of Age Scheme, staff training and a sales refusals log. All of the aforementioned steps are considered good practice and recommended within this Authority's Licensing Policy. In relation to the prevention of illegal workers, this Authority has in the past, where considered appropriate, placed the following licence condition on particular premises licences where concerns have arisen:

- Right to work checks shall be conducted on all potential employees prior to their employment in any capacity at the venue. Checks shall be in accordance with the Home Office Code of Practice for employers as current at that time.

### **3. CONCLUSION**

- 3.1. The Licensing Act 2003 sets out options which the Licensing Authority can utilise in order to promote the licensing objectives following the consideration of a premises licence application (which has received a valid representation). Any step taken by the Licensing Authority must be appropriate for the promotion of the licensing objectives. The licensing objectives are detailed in Paragraph 2.1 of this Report.
- 3.2. The steps open to the Sub-Committee include refusing to grant a premises licence. Alternatively, there is the option of modifying the conditions of the licence application. Such a step or any other amendment to the licence application must only be taken if the Sub-Committee are persuaded that there is clear potential for harm resulting from the use of the premises in the licence application's current form. If the Sub-Committee considers that there is no potential for harm and no steps are necessary then the licence application should be granted in the form it was made.
- 3.3. The Sub-Committee should examine the potential for harm and if it is satisfied that this is real, it should take sufficient and reasonable measures to prevent this harm from occurring. The Sub-Committee should only refuse the licence application if it is of the opinion that no lesser step would ensure compliance with the licensing objectives.

### **EXPECTED BENEFITS TO THE PARTNERSHIP**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

### **IMPLICATIONS**

#### **SOUTH AND EAST LINCOLNSHIRE COUNCIL'S PARTNERSHIP**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

#### **CORPORATE PRIORITIES**

The licensing and compliance role of the Council is important in improving the health, safety, security and welfare of the District's residents, visitors and business community.

#### **STAFFING**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

## **CONSTITUTIONAL AND LEGAL IMPLICATIONS**

1. The Sub-Committee must consider the application for a premise licence and having regard to the representations, take such of the steps mentioned below (if any), as they consider appropriate for the promotion of the licensing objectives. The steps:

- To grant the licence subject to:
  - a) Conditions consistent with the operating schedule accompanying the application, which have been modified to such extent as the Licensing Authority considers necessary for the promotion of the licensing objectives, and
  - b) Any mandatory licence conditions.
- To exclude from the scope of the licence any licensable activities to which the application relates.
- To reject the application.

If none of the above steps are considered appropriate the application should be granted in the form it was made.

2. The licensing objectives are:

- The prevention of public nuisance
- Public safety
- The prevention of crime and disorder
- The protection of children from harm

3. Both the applicant and any person / body making representations may appeal any decision made by the Sub-Committee to the Magistrates Court. On determining an appeal, the Court may:

- Dismiss the appeal.
- Substitute for the decision appealed any other decision which could have been made by the Licensing Authority, or
- Remit the case to the Licensing Authority to dispose of in accordance with the direction of the Court.

4. The conditions of the licence are modified if any of them are altered or omitted or any new condition is added. Conditions can only be attached to a premises licence if they are considered appropriate for the promotion of the licensing objectives.

5. If consideration is being given to attaching conditions, Members should consider, are the proposed conditions:

- Appropriate;
- Relevant;
- Relevant to the activity/premises/venue;
- Enforceable;
- Precise;
- Reasonable, and
- Achievable.

6. The breach of a premises licence condition is an offence punishable (if the Licensing Authority or Lincolnshire Police are minded to prosecute) by an unlimited fine and/or six months imprisonment.



## **DATA PROTECTION**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

## **FINANCIAL**

The processing of this premises licence application is being undertaken as part of the normal duties carried out by the Licensing Team with no additional costs involved. The premises licence application fee in this case is £190.00.

As with all licence applications it is possible that if a Licensing Committee decision is appealed to the Magistrates Court and the appeal is upheld, costs may be awarded against the Council. However, the judgement of the Courts is that costs should not normally be awarded against the Local Authority provided the Authority has acted properly and reasonably.

## **RISK MANAGEMENT**

There is a theoretical risk of civil action against the Licensing Authority if it is found not to have exercised due diligence in licensing matters.

## **STAKEHOLDER / CONSULTATION / TIMESCALES**

The representation from the Responsible Authority was received within the requisite 28-day period.

## **REPUTATION**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

## **CONTRACTS**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

## **CRIME AND DISORDER**

All Local Authorities must fulfil their obligations under Section 17 of the Crime and Disorder Act 1981 when carrying out their functions as Licensing Authorities. Section 17 places a duty on Local Authorities to do all they reasonably can to prevent crime and disorder in their area

## **EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING**

**Equality Implications:** There are no equality implications arising from the recommendations of this Report.

**Human Rights:** The Licensing Authority must ensure that its decisions can withstand scrutiny by reference to the principle of proportionality, i.e. is the decision / action proportionate to what it wishes to achieve, or, colloquially does the end justify the means.

The premises applicant is entitled to a fair hearing; Article 6 of the European Convention on Human Rights applies. The Human Rights of the wider community are also engaged.

**Safeguarding Implications:** There are no specific safeguarding implications arising from the recommendations of this Report.

## **HEALTH AND WELL BEING**

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

## CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

Not Applicable – This is a Licensing Act 2003 Sub-Committee Report.

### ACRONYMS

DPS - Designated Premises Supervisor

<b>APPENDICES</b>	
Appendices are listed below and attached to the back of the report: -	
<b>APPENDIX A</b>	Location plan of the Premier Store, 103-105 Newmarket, Louth, LN11 9EG.
<b>APPENDIX B</b>	Internal Plan of the Premier Store, 103-105 Newmarket, Louth, LN11 9EG.
<b>APPENDIX C</b>	Representation submitted by Lincolnshire Police in respect of the premises licence application for the Premier Store, 103-105 Newmarket, Louth, LN11 9EG.
<b>APPENDIX D</b>	Decision Notice – Revocation of the premises licence for the Premier Store, 103-105 Newmarket, Louth, LN11 9EG.
<b>APPENDIX E</b>	Extracts from the Guidance Issued by the Home Office Under Section 182 of the Licensing Act 2003.
<b>APPENDIX F</b>	Extracts from the Local Licensing Policy Statement.
<b>APPENDIX G</b>	Extract from the Premises Licence Application – Steps the Applicant Intends to Take to Promote the Licensing Objectives.

<b>BACKGROUND PAPERS</b>	
Background papers used in the production of this report are listed below: -	
<b>Document title</b>	<b>Where the document can be viewed</b>
Guidance issued by the Home Office to Licensing Authorities under Section 182 of the Licensing Act 2003	<a href="https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003">https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003</a>
The Council's Statement of Licensing Policy adopted under the Licensing Act 2003.	<a href="https://www.e-lindsey.gov.uk/article/5539/Alcohol-and-Entertainment">https://www.e-lindsey.gov.uk/article/5539/Alcohol-and-Entertainment</a>

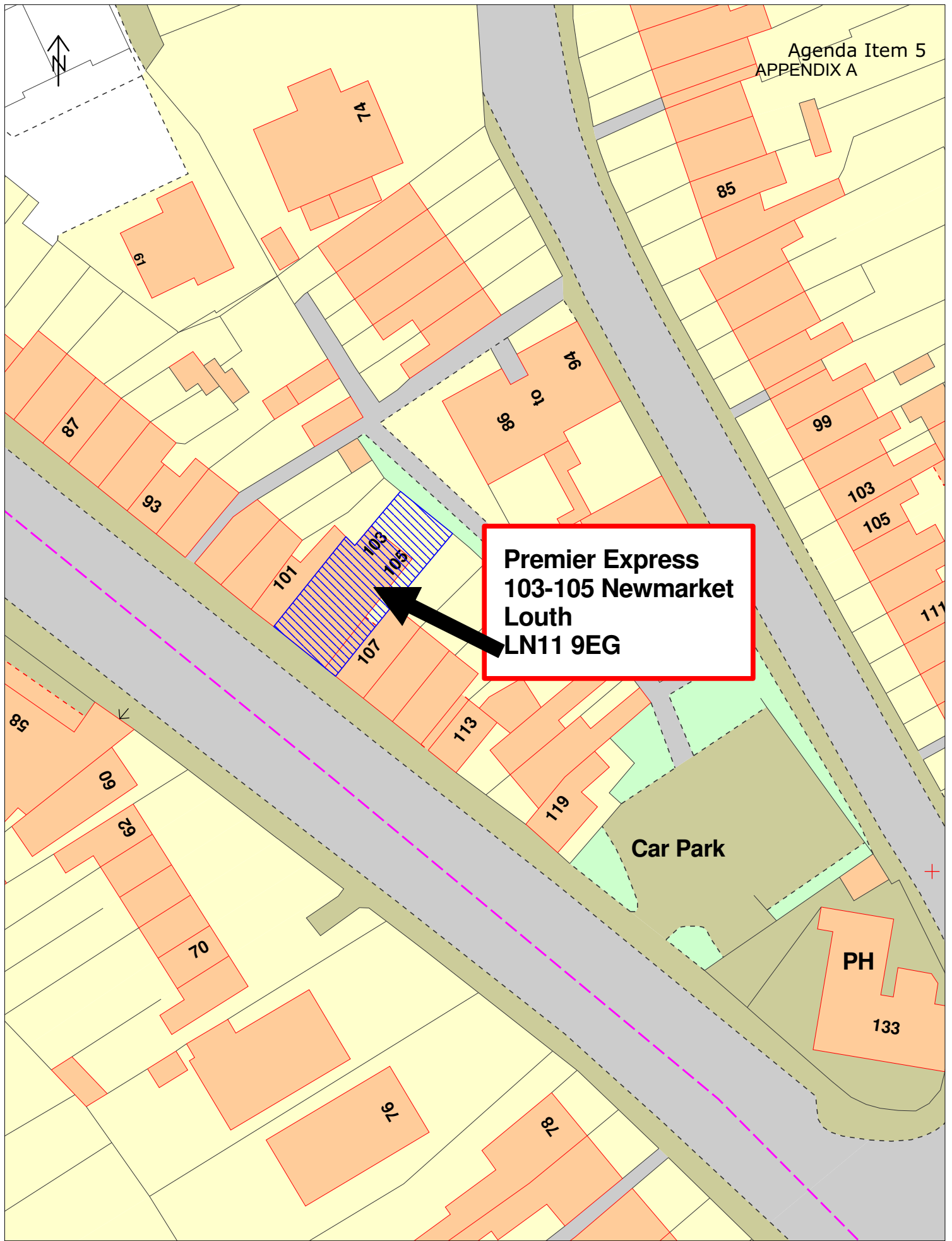
### CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body.

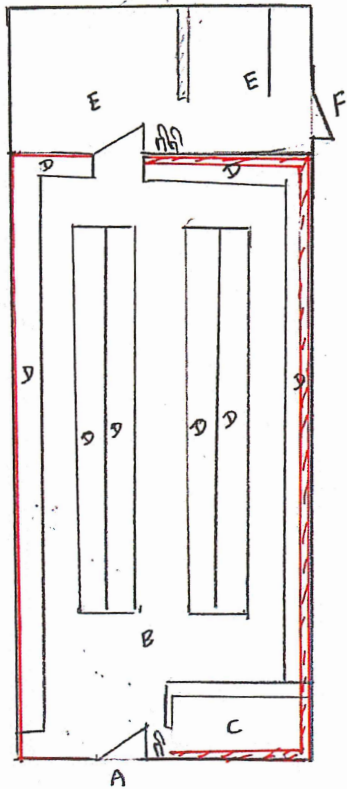
**REPORT APPROVAL**

Report author:	Mr Adrian Twiddy (Principal Licensing Officer) Tel. No. 01507 601111 Email: adrian.twiddy@e-lindsey.gov.uk
Signed off by:	Mr Jon Challen (Service Manager – Safer Communities) Tel. No. 01507 601111 Email: jonathan.challen@e-lindsey.gov.uk
Approved for publication:	Not Applicable.

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PREMIER 103-105 NEWMARKET LOUTH LN11 9EQ
SCALE 1:100.
A: MAIN ENTRANCE
B: RETAIL FLOOR
C: SALES COUNTER
D: DISPLAY SHELVES/RACKS
E: STORE ROOMS
F: FIRE EXIT
AB: FIRE EXTINGUISHERS
[Red Outline]: LICENSABLE AREA
[Hatched Area]: ALCOHOL DISPLAY/TOBACCO.

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**Licensing Act 2003**

**Representation by a Responsible Authority**

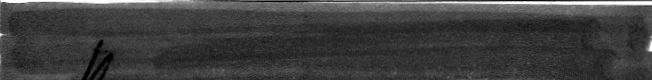
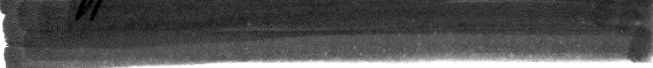
**Note:** Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the Licensing Act 2003 Committee hearing.

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority.

Representations are only relevant to an application if they relate to at least one of the four Licensing Objectives listed below:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

Please enter your details below:

Responsible Authority:	Lincolnshire Police
Contact Officer:	PC 1299 Rebeka Casey
Address:	Myle Cross Centre, Macauley Drive, Lincoln
Telephone Number:	
E-mail:	

Please provide details of the application to which your representation refers:

Name:	Mr Janushanth Thuraisingam
Address:	103-105 Newmarket, Louth
Application Details:	New premises licence
Date Application Received:	08/03/22

Please provide details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant box(es):

- **The Prevention of Crime and Disorder**
- **Public Safety**
- **Prevention of Public Nuisance**
- **The Protection of Children from Harm**

**Representation:**

In relation to this application, the following Guidance issued under Section 182 of the Licensing Act 2003 has been considered whilst the majority listed relates to the review process it is deemed relevant to this case due to the history.

**2.6** The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

**11.24** A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

**11.25** Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

**11.26** Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at

the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

**11.27** There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for employing a person who is disqualified from that work by reason of their immigration status in the UK;

**11.28** It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Lincolnshire Police also consulted the below stated case which saw East Lindsey District Council highlight how illegal working within licenced premises and its correlation to the crime prevention objective should be viewed.

**East Lindsey District Council v Abu Hanif in 2016** involved an illegal worker on a licenced premises within Lincolnshire in 2014. A civil penalty was issued by Immigration and the premises licence was reviewed and revoked. A subsequent appeal was successful based on the argument that a civil penalty was not a prosecution so did not concern the crime prevention objective. ELDC further appealed that decision by way of case stated, arguing that it was not necessary for a crime to have been reported, prosecuted, or established in a court of law for the crime prevention objective to be engaged. That the licensing objectives were prospective and were concerned with the avoidance of harm in the future. Mr Justice Jay upheld the Council's appeal, citing defrauding the Revenue and exploitation of vulnerable individuals by not paying minimum wage as evidence of the commission of criminal offences, and the fact that the employee could not provide the required paperwork, as clear inference that Mr Hanif well knew that he was employing an illegal worker.

Lincolnshire Police have had considerable involvement with the Louth Premier Store since March 2021. Pc Casey made two visits to the premises between March and May 2021 and found breaches of Annex 2 conditions, non-price marked items, an absent premises licence holder and an illegal worker. Following these visits Lincolnshire Police submitted a licence review application which was heard by the licensing committee on 14th July 2021. At that hearing the premises licence was revoked and no appeal was made against the decision.

During the above period the premises licence holder and designated premises supervisor was believed to be absent. On each visit Police encountered a Mr Thuraisingam Kirushanth who claimed to be taking over the business. The research carried out provided evidence to suggest that Mr Kirushanth had been in control of the business since February 2021 (and thus at the time the illegal

worker was found). He had, however, not completed the relevant transfer paperwork to put the premises licence into his name and nominate himself as DPS.

In August and September 2021 Mr Kirushanth applied for 3 temporary event notices all of which were objected to by Lincolnshire Police. The applicant withdrew the TEN's at the subsequent hearing.

In late 2021 PC Casey received various draft applications for a new premises licence in the name of Mr Kirushanth. Mr Kirushanth and his legal representative were told that the position of Lincolnshire Police had not changed and that a representation would be made if a formal application were to be submitted. Lincolnshire Police did not have any confidence in Mr Kirushanth as he was in control of the business at the time of the serious failings earlier in the year not least the employment of an illegal worker.

This latest application for a premises licence was received 8<sup>th</sup> March 2022 with the applicant – Mr Janushanth Thuraisingam - being the brother of the previous occupier Mr Kirushanth. At the time of the application 3 TEN's were also applied for by Mr Thuraisingam.

The first TEN was late and so a counter notice was served following the Police's objection. The 2 remaining TENS also received objections from Lincolnshire Police and were withdrawn by the applicant.

The reason behind this representation is the same as the reason for the most recent TEN objections. Lincolnshire Police do not believe that the applicant has provided sufficient evidence to prove that there has been a genuine take over of the Louth Premier Store. The Police have requested evidence in the form of a business sale, lease agreement, movement of monies, utilities, business rates, VAT registration, companies house registration etc. Some paperwork has been provided but the context of this is still not understood.

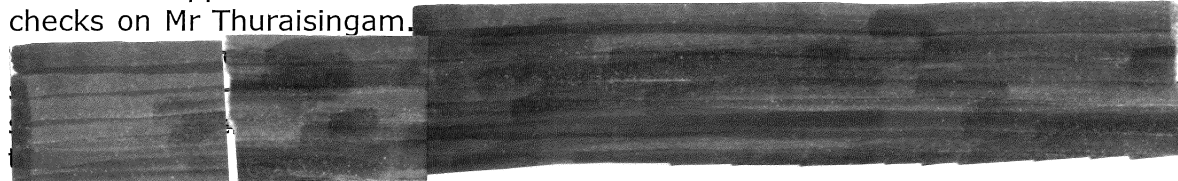
A business/lease agreement has been submitted by the applicant but it lacks in detail. It appears to be a rental agreement for the business and space for a year but also presents as though Mr Kirushanth still has an element of control with the agreement being able to cease at any time.

Lincolnshire Police have asked for evidence of movement of money, as past experience has shown that when asked for evidence, much like this time, paperwork is completed around the date the evidence is asked for, yet actual bank statements to show the movement of money which should have been conducted according to the paperwork is less forthcoming. According to the agreement we should see 3 months rent paid before 3<sup>rd</sup> March.

Lincolnshire Police have concerns that Mr Kirushanth is still involved in the day to day management of the Louth Premier Store. Pc Casey attended the shop on 9<sup>th</sup> March 2022 and encountered the applicant working within the premises. At the time of the visit Pc Casey was unaware of the licence application and so asked Mr Thuraisingam if Mr Kirushanth was available to which he said not but he went on to say that he should be back soon as he had only gone to B & Q. This confirms that Mr Kirushanth is still around and no conditions have been offered in the premises licence application to state that he will have nothing to

do with the business.

Since this application was received Lincolnshire Police have carried out some checks on Mr Thuraisingam.



The applicant has applied for a personal licence with Nuneaton and Bedworth Licensing Authority as this is the area in which he resides. To date we are not aware that the personal licence has been granted which clearly is a further risk to the licensing objectives.

Lincolnshire Police are concerned that Mr Kirushanth is still behind this business. He is still showing on a VAT registration search as linked to the premises (VAT ID GB 368173668) and this is unchanged since February 2021.

If possible, please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the **Licensing Objectives:**

Lincolnshire Police are not satisfied that the applicant is going to take full control of this premises or do so separately from his brother who previously employed an illegal worker. Neither do Lincolnshire Police have confidence in the applicant's ability to uphold the licensing objectives given [REDACTED]

Should the committee be satisfied that the applicant has provided sufficient evidence to show that Mr K is not involved with the business and they have the fullest of confidence with Mr T and his ability to robustly promote the licensing objectives at a problem premises, then Police respectfully ask that the following conditions be considered:

### **General**

Mr Thuraisingam Kirushanth shall not be employed in any capacity at the premises. To clarify, Mr Kirushanth shall not have day to day control or supervision of the business, hold a position of responsibility and should have no connection with the business including working in the premises. Mr Kirushanth shall not be appointed by the premises licence holder (or his/her nominated representative) to any management position, senior position or supervisory position within the business

A CCTV system shall be installed, recording and maintained in working order and operated at the premises to the satisfaction of Lincolnshire Police, specifically:

- a) There shall be a minimum of one high resolution colour camera, fitted in a weatherproof housing, for external coverage of the entrance.
- b) There shall be a minimum of one high-resolution colour camera fitted to each public entrance/exit. To provide a quality head and shoulder image for facial recognition/identification purposes of all persons entering the premises.
- c) There shall be sufficient cameras able to cope with the normal operating illumination to reasonably cover all licensed public areas.
- d) Recordings must be kept for a minimum of 31 days and endorsed with the accurate, correct time/date (BST/GMT adjusted).
- e) Police and/or Authorised Licensing Officers shall be able on attendance to view immediate playback of any incident without the necessity for download.
- f) Recordings of incidents at the premises must be provided to the police following lawful request.
- g) A member of staff shall be on the premises at all times they are open to the public who is capable of operating the CCTV system and providing recordings on request. When this is not possible recordings shall be provided within 24 hours of the original request.
- h) Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.
- i) All equipment shall have constant time/date generation, which must be checked for accuracy on a daily basis.
- j) The CCTV system should be maintained and checked every 12 months, with the installing company, or if this is not possible another reputable company, producing a letter of compliance.
- k) In the event of a system malfunction, the Designated Premises Supervisor or

the Premises Licence Holder must immediately record details of this malfunction in the premises refusals/incident book. Arrangements for its repair must be made without delay.

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

Right to work checks shall be conducted on all potential employees prior to their employment in any capacity at the premises. Checks shall be conducted in accordance with the Home Office Code of Practice for Employers as current at that time <https://www.gov.uk/view-right-to-work>.

Written records of right to work checks shall be retained and contain the following information:

- Date of the check
- Identity of the individual (full name, date of birth, country of origin)
- Documents checked with copies of said documents
- Result of the check
- Date for re-check if required according to the individual status.

The designated premises supervisor shall ensure that they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

I. The Prevention of Crime and Disorder

II. Public Safety

III. The Prevention of Public Nuisance

IV. The Protection of Children from Harm

No persons shall sell or supply alcohol at the premises without the written authority of the premises licence holder and all such written records shall be kept securely and made available for inspection to the responsible authorities at their request.

### **Public Safety**

An incident/refusals book shall be kept at the premises, in which details of crime and/or disorder relating to the premises shall be recorded. The Incident book shall contain the following details;

Time, date and location of incident/refusals.

Nature of the Incident/refusal.

Names, addresses and contact details of persons involved.

Result of the incident/refusals.

Action taken to prevent further such incidents.

Each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS; and

Retained for a period of no less than 12 months and made available to Lincolnshire Police for inspection upon request.

### **Protection of Children from Harm**

The premises shall operate the "Challenge 25" Proof of Age Policy to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require any person who appears to be under the age of 25 years to produce one of the following forms of identification:

A recognised proof of age card credited under the British Retail Consortiums

Proof of Age Standards Scheme (PASS);

Photo driving licence;

Passport.

Notices shall be prominently displayed advising customers of the "Challenge 25" policy

All point of sale staff shall undergo training in the challenge 25 proof of age scheme and all other relevant policies with a record kept of the date of training, signed by the member of staff and the trainer. Each entry shall be retained for a period of 12 months from date of completion. This record shall be made available for inspection by Lincolnshire Police Officers or other relevant authority.

*\*Lincolnshire Police request that the applicant submit any paperwork, which will evidence the transfer of the business to Mr Thuraisingam, in a timely manner to enable full scrutiny of the documents. This will lesson any likelihood of an adjournment.\**



Have you contacted the applicant to discuss this representation?

Yes  No

Have you contacted the Licensing Team to discuss this representation?

Yes  No

Do you consider further discussion could resolve the issue?

Yes  No

Do you propose to attend or be represented at any Committee hearing?

Yes  No

Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above.

(please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).

Please return this form to the following address:

**Licensing Team  
East Lindsey District Council  
Tedder Hall  
Manby Park  
LOUTH  
Lincolnshire LN11 8UP**

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**APPENDIX D**

PLA009404

Mr A Twiddy

01507 601111

licensing@e-lindsey.gov.uk

15 July 2021

XXXX

**DECISION NOTICE**

Dear Sir,

**Licensing Act 2003 – Review of a Premises Licence  
Licensing Sub-Committee Hearing - 14 July 2021  
Costcutter (also known as Louth Premier Store), 103-105 Newmarket,  
Louth, LN11 9EG**

The Licensing Act 2003 Sub-Committee held on 14 July 2021 considered the above premises licence review application. The application for licence review was submitted by Lincolnshire Police under Section 51 of the Licensing Act 2003.

The Sub-Committee carefully considered the representation made to it, both in writing and verbally at the hearing, and decided to revoke the premises licence.

**REASONS FOR THE REVOCATION DECISION:**

The Licensing Act 2003 Sub-Committee (the Sub-Committee) read and heard all of the information before them, and in reaching their decision had due regard of all of the information put to them, along with the Section 182 Guidance to Licensing Authorities, the Council's Licensing Policy and the licensing objectives under the Licensing Act 2003.

Lincolnshire Police confirmed that they were happy for the review hearing to be held in public session.

The Sub-Committee were disappointed that the Premises Licence Holder (PLH) did not appear before them at the hearing, but heard from Lincolnshire Police and Mr Brooks (Licensing Compliance Officer) as to the efforts undertaken on

several occasions to contact the PLH but they had been unable to contact him, and how all legal requirements had been adhered to in calling the review hearing. The Sub-Committee retired to deliberate and determined that it was in the public interest for the review hearing to go ahead despite the PLH's non-attendance.

The Sub-Committee were aware that the PLH was also the Designated Premises Supervisor (DPS) for the business, and heard details from Lincolnshire Police of the issues encountered at the premises across two visits, namely:

- stock without price labels,
- staff were unable to work the CCTV,
- CCTV operating not in accordance with requirements,
- no written authorisation from the DPS for other staff to sell alcohol, and
- an illegal worker encountered working at the premise.

Additionally, it was reiterated to the Sub-Committee by Lincolnshire Police and Mr Twiddy (Principal Licensing Officer) that this Authority is of the view that the main purpose of the DPS is to ensure that there is always one specified individual at a premise, who can be readily identified as holding day-to-day responsibility for running the premises. The behaviour experienced on the part of the DPS/PLH for this business was not what they expected from a responsible DPS/PLH who was running a lawful premise and upholding the licensing objectives.

The Sub-Committee noted how there had been some improvements undertaken at the premise following the first Police visit:

- price labels were now shown,
- staff were able to work the CCTV,
- a written authorisation was now in place,
- along with some evidence of staff training.

However, the Sub-Committee had strong regard for the distinct lack of contact had with the DPS/PLH and were very concerned that not only could staff not get in contact, neither could Lincolnshire Police or Licensing Officers.

The Sub-Committee noted that the written authorisation indicated that the DPS/PLH had been made aware of the Police's visit, and yet the Sub-Committee assumed that he had decided not to take any steps to contact Lincolnshire Police to discuss the issues, or to attend the premises licence review hearing.

The Sub-Committee were also gravely concerned to hear that an illegal worker was found to be working at the premise; and were aware that this is an offence.

The Sub-Committee noted that it is a legal requirement to check an employee's right to work status, and the Sub-Committee considered this to be further evidence of the lack of care and management, and regard for the licensing objectives on the part of the DPS/PLH.

Taking all of the above into consideration, the Sub-Committee decided that it was reasonable and proportionate for the promotion of the licensing objectives to revoke the premises licence. The Sub-Committee did not consider that there

were any conditions they could be modified on the premises licence that would rectify the issues encountered, and simply removing the DPS would leave the same individual as PLH; thereby not addressing the issue satisfactorily in the Sub-Committee's mind.

The Sub-Committee also did not consider that simply suspending the premises licence would send the correct message as to the severity of the issues encountered at the premises, nor would issuing a warning.

The Sub-Committee considered revocation of the premises licence would send a clear message as to the expectations of the Licensing Authority as to the level of responsibility required to be a DPS and PLH. Accordingly, the Sub-Committee determined that the premises licence should be revoked.

### **RIGHT TO APPEAL:**

I would advise you that you have the right to appeal to the Magistrates Court against the above revocation decision.

Any appeal must be made to the Lincoln Magistrates Court, The Court House, 358 High Street, Lincoln, LN5 7QA, (email: li-lincolnmadmin@hmcts.gsi.gov.uk) (Tel: 01522 528218) within 21 days of the date of being notified of this decision.

Please note that the premises licence revocation will not take effect until the end of the period for the submission of an appeal or if an appeal is submitted until such time as the appeal is determined.

If you decide to appeal to the Magistrates Court, then I would be obliged if you would advise the Licensing Team of the date that you submit the appeal to the Court - please email: [licensing@e-lindsey.gov.uk](mailto:licensing@e-lindsey.gov.uk)

### **FURTHER INFORMATION:**

If you require any further information or advice, please do not hesitate to contact the Licensing Team by email: [licensing@e-lindsey.gov.uk](mailto:licensing@e-lindsey.gov.uk)

Yours sincerely

A Twiddy  
Principal Licensing Officer

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**APPENDIX E****Extracts from the Guidance to Licensing Authorities issued by the Home Office under Section 182 of the Licensing Act 2003.**

## Paragraph 2.6

The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

## Paragraph 8.41 - Steps to promote the licensing objectives

In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

## Paragraph 8.43

Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

## Paragraph 8.44

It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

#### Paragraph 8.46

While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

#### Paragraph 8.47

Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

#### Paragraph 8.48

All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached

#### Paragraph 8.49

For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

#### Paragraph 9.42 - Determining actions that are appropriate for the promotion of the licensing objectives

Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

#### Paragraph 9.43

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

#### Paragraph 9.44

Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what



action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

#### Paragraph 10.8 – Imposed Conditions

The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

#### Paragraph 10.9

It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

#### Proportionality

##### Paragraph 10.10

The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.....

Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

#### Reviews Arising in Connection with Crime

##### Paragraph 11.24

A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by

criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

#### Paragraph 11.25

Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

#### Paragraph 11.26

Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

#### Paragraph 11.27

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

.....

- for employing a person who is disqualified from that work by reason of their immigration status in the UK;

.....

#### Paragraph 11.28

It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing

authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

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**APPENDIX F****Extracts from this Authority's Current Licensing Policy.**

## Paragraph 1.11

It is recognised that the licensing function is only one means of securing the delivery of the licensing objectives and should not therefore be seen as solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with its neighbouring authorities, the Police, local businesses and local people towards the promotion of the objectives as outlined.

## Paragraph 1.12

Each licence application will be considered on its own merits in the context of the four licensing objectives, and unless relevant representations are received from Responsible Authorities or other parties, there is no provision for the Licensing Authority to impose conditions on a licence other than those proposed within an application.

## Paragraph 3.2

We recognise that the licensing and compliance role of the Licensing Authority is important in improving the health, safety, security and welfare of the District's residents, visitors and business community. As part of that remit we will have a responsible licensing regime, which balances the needs of licence holders and residents.

## Paragraph 3.3

Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the District. The efficient regulation of licensed premises plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the area.

## Paragraph 4.7

In an effort to avoid unnecessary hearings, applicants are strongly advised to consult with the Responsible Authorities before submitting their applications. Applicants are advised to prepare risk assessments and from these formulate any steps they consider necessary to promote the licensing objectives and then consult with the Responsible Authorities. Failure to do so may lead to representations, which can only be determined by a licensing hearing.

## Paragraph 5.3 Prevention of Crime and Disorder

...In addition to the requirement for the Licensing Authority to promote this licensing objective, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions on, and do all it reasonably can to prevent crime and disorder in the District.

The Licensing Authority encourages applicants to include in their operating schedules the steps they propose to take to reduce/deter crime and

disorder. These steps will vary from premises to premises and according to the type of licensable activities that are to be carried on.

#### Paragraph 5.4

CCTV remains one of the most effective measures for reducing crime and disorder. The Licensing Authority expects both town centre and large scale premises that retail alcohol for consumption on or off the premises will have an effective CCTV system installed that operates in compliance with the reasonable requirements of Lincolnshire Police.

#### Paragraph 9.3 - Conditions of Licence

.... in order to minimise problems and the necessity for hearings, it would be sensible for applicants and clubs to consult with Responsible Authorities when schedules are being prepared. This would allow for proper liaison before representations prove necessary.

**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)**

1. A Comprehensive recordable CCTV system will be installed and maintained covering the trade areas whilst encompassing all ingress and egress to the premises. The system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. The system must be capable of providing pictures of evidential quality, in particular facial recognition. All recordings must be stored for a minimum period of 31 days with date and time. Recordings must be made available immediately upon the request of a Police or Authorised Officer.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.
3. A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
4. Premises to keep up to date records available for inspection of staff training in respect of age related sales.
5. A diary log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all time whilst the premises are open.
6. The premise shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to, dealing with incidents and prevention of crime and disorder: sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc.) prior to being allowed to sell alcohol

**b) The prevention of crime and disorder**

AS DETAILED ABOVE

**c) Public safety**

AS DETAILED ABOVE

**d) The prevention of public nuisance**

AS DETAILED ABOVE

**e) The protection of children from harm**

AS DETAILED ABOVE

**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 or my share code issued by the Home Office online right to work checking service (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.**