

1 March 2023

Dear Councillor Loonat

**APPLICATION FOR A PREMISES LICENCE
BATLEY LANKA SUPERSTORE, 363 BRADFORD ROAD, BATLEY WF17 5HF**

I hope you are keeping well.

I am contacting you on behalf of my client, [REDACTED], whom as you know has applied for a new premises licence at the above shop.

The Council have sent me a copy of your comments 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 will be aware, this is a small shop trading as a convenience store, specialising in Sri Lankan and South Indian goods, selling a range of goods including bread, milk, snacks, sweets, dairy goods, soft drinks, fruit and veg, etc.

[REDACTED] is looking to develop the business by offering some alcohol for sale alongside the other goods.

The proposed alcohol sales would just be a part of the overall business. A selection of beers and wines, including drinks from Sri Lanka and India, would be kept close to the counter, and spirits would be kept behind the counter.

The focus of the shop will continue as a general convenience store specialising in Sri Lankan and South Asian goods - **this isn't a shop that would just focus on alcohol sales.**

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

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

a CCTV camera system covering inside and outside the shop;

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

Challenge 25 posters to be on display, regular staff training, keeping an incident log and keeping an alcohol refusals register.

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

Please note that none of the Responsible Authorities have submitted any representations against this application – they have all assessed the application including the Operating Schedule and they are satisfied that the licence can be granted.

In particular, the Police role is crucial for new licence applications as they are the Council's main source of information regarding local crime and disorder. The Police are satisfied that this application would not impact on local crime and disorder, and that the application can be granted. There are also no objections from any local residents.

██████ is a responsible person – he has a Personal Licence, retail experience and he will ensure that the shop continues to run well with a licence.

██████████ is willing to agree to an 8am start time for alcohol sales as you suggest. He would like to retain the proposed 11pm terminal time for complete flexibility, moving forward. ██████████ has advised that it is likely that the shop would often close by 10pm but there will be times such as bank holidays and the Christmas period where he would like to remain open till 11pm.

Any problems with anti social behavior in the area are of course dealt with by the Police. [REDACTED] will of course do everything that he can, within his control, to prevent crime and disorder. For example, the CCTV images can be made available to the Police upon request.

In terms of ASB in the area, I understand, from the Council, that In the past 6 months there has been just 1 recorded incident of ASB in and around the area of the shop. There is also a 'Street Drinking Control Zone' covering the surrounding area which provides powers for the Police to deal with any person drinking alcohol in the street and causing a problem.

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). As I say above, the Police have been fully consulted and they are completely satisfied that this application can be approved.

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 will target any 'problem premises' and take action if something goes wrong. Likewise, if you found evidence of problems at this shop (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 [REDACTED] the opportunity to demonstrate that the shop will sell alcohol responsibly and not cause any issues with a licence.

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

Yours sincerely

Ian Rushton
JL Licence and Retail

Email -

Please see the operating schedule over the page

PROPOSED OPERATING SCHEDULE / LICENCE CONDITIONS

A CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Recorded images will be retained for a period of at least 28 days and be made available to the Police and other authorised officers upon request within a reasonable time period.

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

An incident log shall be kept at the premises. The log records will be retained for a period of at least 12 months from the date it occurred, and shall be made available on request to the Police or an authorised officer. The log shall record incidents such as any incidents of disorder witnessed by staff, crimes reported to the premises, etc.

Spirits shall be kept behind the counter.

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.

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

Public safety

No specific risks have been identified

(note - the business is aware of the need to comply with other legislative requirements to ensure that the shop is safe for customers and staff).

Prevention of public nuisance

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.

Prominent, clear and legible signage shall be displayed at the entrance/exit asking customers to leave the premises quietly.

Staff shall monitor the immediate exterior of the premises and use their best endeavours to disperse any persons who appear to be congregating outside the premises.

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

Protection of children from harm

The premises shall operate a Challenge 25 Policy.

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

Signage advising customers of the Challenge 25 policy shall be displayed within the shop.

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

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

A refusals register will be maintained and be made available for inspection upon reasonable request. Records shall include the date and time of the refusal, the product(s) that the young person attempted to buy or the reason for refusal/ejection, a short physical description of the customer and any other significant comments

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