

**North Hertfordshire District Council
Licensing Act 2003
Decision Notice**

Date of Hearing	Thursday, 30 January 2014
Members of Panel	Councillors D. Barnard, J. Cunningham and L. Kercher
Applicant(s) Name	Nadarajah Mohan
Premises Address	One Stop , 38 Whitehorse Street, Baldock, Herts. SG7 6QQ
Date of Application	6 December 2013
APPLICATION FOR GRANT	<p>This is an application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003.</p> <p>The Sub-Committee has read the material presented to it and has listened to all the evidence and submissions. The Sub-Committee has considered the National Guidance and the Statement of Licensing Policy and has come to the following decision:</p> <ol style="list-style-type: none"> 1. The application is <u>approved</u> subject to the conditions suggested by the licensing authority and accepted by the Applicant and hours as are set out below. 2. <p>1. <u>OPENING HOURS</u></p> <p>The permitted opening hours are:</p> <p>Monday to Sunday 0600hrs to 2300hrs</p> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • PART J - Supply of Alcohol (off the premises) <p>The hours during which the licensable activities may take place are:</p> <p>PART J - Supply of Alcohol (off the premises)</p> <p>Monday to Sunday 0600hrs to 2300hrs</p>
CONDITIONS DEEMED APPROPRIATE	The Sub-Committee recognises that conditions will <u>only</u> be imposed on a licence where conditions are appropriate for the promotion of one of the four licensing objectives. The Sub-Committee will only impose conditions on a licence where relevant representations have

<p>FOR THE PROMOTION OF THE LICENSING OBJECTIVES</p>	<p>been made and it considers that it is appropriate to impose conditions as a result of these representations.</p> <p>The following conditions are each considered appropriate by the Sub-Committee to promote the licensing objective of [state licensing objective]</p> <p>The condition(s) are:</p> <ol style="list-style-type: none"> 1. None
<p>CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES</p>	<p>The following conditions (as amended) have been recommended by Hertfordshire Constabulary and are considered appropriate for the promotion of one of the four licensing objectives, namely the Prevention of Crime and Disorder:</p> <ol style="list-style-type: none"> 1. The Premise Licence Holder/DPS will ensure that the premises are equipped with a digital Closed Circuit Television (CCTV) system. The digital CCTV system shall be compatible with the requirements of Hertfordshire Constabulary. 2. The Premise Licence Holder/DPS will ensure that the CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises. 3. The Premise Licence Holder/DPS will ensure that viewable and un-edited copies of recordings from the CCTV system will be provided to Police no later than twenty-four (24) hours after request. 4. The Premise Licence Holder/DPS will ensure that all CCTV recordings will be kept for a minimum of thirty one (31) days with date and time stamping. 5. The Premise Licence Holder/DPS will ensure that entry and exit points will be covered by CCTV. 6. The Premise Licence Holder/DPS will ensure that a minimum of two (2) persons, namely DPS and Duty Manager, are fully trained and has the knowledge of operating the CCTV system, access to the CCTV system, as well as know how to download copies of any footage, upon request by Police Licensing Officers, Police Officers and Police Community Support Officers. One of these persons will be at the premises at all times when the premises are open to the public. 7. The Premise Licence Holder/DPS will ensure that the Police Licensing Department at Hitchin Police Station are notified in writing (via e-mail to licensingeasternarea@herts.pnn.police.uk) on any occasion when the CCTV system is to be inoperative for a period in excess of one working day. The notice will include the measures being taken to ensure that the system is restored

	<p>to the standard required by Hertfordshire Constabulary at the earliest opportunity/</p> <ol style="list-style-type: none"> 8. The Premise Licence Holder/DPS will ensure that written training records relating to staff will be kept and made available for inspection upon request by Police Licensing Officers, Police Officers and Police Community Support Officers. 9. The Premise Licence Holder/DPS will operate a “Challenge 25” policy and an ID policy. 10. The Premise Licence Holder/DPS will ensure that staff will only accept a driving licence photo card, passport or PASS accredited card when checking age and identification of persons believed to be under 25. 11. The Premise Licence Holder/DPS will instigate on-going training for all staff in relation to the legislation governing underage sales, proxy purchasing and the “Challenge 25” and ID policy. 12. The Premise Licence Holder/DPS will ensure that a Refusals Book is maintained and kept at the premises at all times. 13. The Premise Licence Holder/DPS will ensure that the Refusals Book is used to record attempted underage purchases and proxy purchases of age restricted products. 14. The Premise Licence Holder/DPS will ensure that signs are displayed at prominent locations in the premises highlighting that sales of alcohol will not be made to persons under eighteen (18) years of age of persons purchasing alcohol on behalf of persons under eighteen (18) years of age. 15. The Premise Licence Holder/DPS will ensure that all signage that is required will be displayed when alcohol is on display, at the sales counter, and in the window of the premises, so as to be clearly visible from the outside. 16. The Premise Licence Holder/DPS will ensure that the Refusals Book will be made available for inspection upon request by Police Licensing Officers, Police Officers and Police Community Support Officers. 17. The Premise Licence Holder/DPS will ensure that alcohol products are not displayed at the front of the shop.
<p>CONDITIONS PROPOSED BY APPLICANT</p>	<p>This licence will be subject to the conditions, that are consistent with the terms offered by the applicant in order to promote the four licensing objectives set out in Part M of their application.</p> <p>Plus:</p> <ol style="list-style-type: none"> 1. None

EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT	The effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both.
STATUTORY GUIDANCE CONSIDERATIONS	The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (October 2012 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision: Paragraphs 1.3, 1.4, 1.5, 1.16, 1.17, 2.1, 2.3, 2.6, 2.18, 2.19, 2.24, 2.25, 8.33, 8.34, 8.39, 9.4, 10.8, 10.9, 10.11, 10.13, 10.46, 10.47, 10.48, 10.49, 13.19, 13.20 and 13.39
LICENSING POLICY CONSIDERATIONS	The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision. Paragraphs 5.1, 5.10, 6.1, 6.3, 6.4, 6.6, 11.3, 11.5, 12.1 and 24.4
RATIONALE FOR DECISION	
COMMENCEMENT DATE	This licence will come into effect from the date of this decision.
RIGHTS OF REVIEW	At any stage, following the grant of a premises licence, a responsible authority, such as the Police, or any other person that is affected by the application may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.