



Licensing Panel

Members of the **Licensing Panel** of **Gravesham Borough Council** are summoned to attend a meeting to be held at the Council Chamber, Civic Centre, Windmill Street, Gravesend DA12 1AU on **Thursday, 13 April 2023 at 10.00 am** when the business specified in the following agenda is proposed to be transacted.

S Walsh
Service Manager (Communities)

Agenda

Part A

Items likely to be considered in Public

1. Apologies for absence
2. Declarations of Interest
3. Consideration of an application for a new premises licence for Agishaan Mini Market, 2a Hermitage Road, Higham, Rochester, Kent, ME3 7DA (Pages 3 - 34)

Part B

Items likely to be considered in private

None.

Members

Councillors: Frank Wardle (Chair)
Lyn Milner
Derek Ashenden

Substitutes: To be notified

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Licensing Panel

Date: Thursday 13 April 2023

Reporting officer: Katie Honeywood, Licensing Assistant

Subject: Consideration of an application for a new premises licence for Agishaan Mini Market, 2a Hermitage Road, Higham, Rochester, Kent, ME3 7DA

Purpose and summary of report:

To assist members to determine an application for a new premises licence under the Licensing Act 2003 (LA03).

Recommendations:

1. Members are requested to determine the application on its merits.

Key Implications:	
Item	Implications
Legal	<p>The LA03 requires licensing authorities to publish a Statement of Licensing Policy which sets out the policies they have in place to promote the four licensing objectives. This policy must be considered when making decisions on applications. The current policy is in place until 15 April 2024. It is available for viewing on the website. https://www.gravesham.gov.uk/_data/assets/pdf_file/0011/185726/Licensing-Policy-2019-24.pdf</p> <p>The licensing authority are required have regard to the Section 182 guidance issued by the Secretary of State. The licensing panel is able to depart from this guidance, but only when they have reason to do so. Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK (www.gov.uk)</p> <p>The panel are reminded that the Human Rights Act guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.</p> <p>In accordance with the provisions of the Act, if a licensing authority rejects in whole of part an application to vary a premises licence the applicant may appeal against the decision to a Magistrates Court within 21 days of being notified of the decision.</p>

	Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted or that different or additional conditions should have been imposed on the licence, they may appeal against the decision to a Magistrates court within 21 days of being notified of the decision.
Finance and Value for Money	None unless there is an appeal about the Panel decision to Magistrates Court which proves to be successful and which could therefore result in costs being awarded against the Council.
Corporate Plan	There are direct links to Corporate Objective #1 – People and the associated commitment to enforce high regulatory standards: Put customer and employee safety first by ensuring commercial businesses and licence holders are fully compliant with expected legislative standards.
Climate Change	N/A

1. Introduction

- 1.1 The Licensing Panel is asked to determine an application for a new premises licence, following receipt of an objection by two members of the public. The application is in respect of the premises Agishaan Mini Market, 2a Hermitage Road, Higham, Rochester, Kent, ME3 7DA.

2. Background

- 2.1 It is in Higham Village, next to post office etc. The premises is located in the village of Higham, attached to the Post Office and opposite The Gardeners Arms Public House, There are two off licences along Forge Lane and a row of shops along School Lane.

3. The Application

- 3.1 On 16 February 2023 an application was received from Mr. Thiruchchelvam Sathiskumar.
- 3.2 The application is for sale by retail of alcohol the licensable hours as follows:
- 3.2.1 Sale by retail of alcohol, Off sales only
- 3.2.1.1 Monday to Saturday 05:30 to 23:00
- 3.2.1.2 Sunday 06:00 to 22:00
- 3.3 Section M of the application form asks the applicant to describe the steps they intend to take to promote the four licensing objectives. These steps will be added to the premises licence as clear and enforceable conditions. The panel may choose to amend these conditions.
- 3.4 A copy of the application can be found at Appendix 1.

4. Representations

- 4.1 At any stage during the 28 day consultation period a responsible authority, a Councillor or an interested party may make representations provided that the

grounds are relevant to the licensing objectives and are not deemed to be vexatious, frivolous or repetitive.

- 4.2 On 27 February 2023 we received a representation from Environmental Protection, requesting that the applicant amends their operating schedule to the following hours:
 - 4.2.1.1 Monday to Saturday 06:30 to 23:00
 - 4.2.1.2 Sunday 07:30 to 22:00
 - 4.2.2 This was agreed by the applicant on 27 February 2023.
 - 4.2.3 The email with the agreed amendments can be found at Appendix 2.
- 4.3 On 8 March 2023 we received a representation from the Police requesting an amendment to the operating schedule to include conditions.
 - 4.3.1 This had been agreed with the applicant on 7 March 2023.
 - 4.3.2 The email with the agreed conditions can be found at Appendix 3.
- 4.4 On 16 March 2023 we received a representation from Trading Standards, requesting an amendment to the operating schedule to include conditions.
 - 4.4.1 This had been agreed with the applicant on 9 March 2023.
 - 4.4.2 The signed document with the agree conditions can be found at Appendix 4.
- 4.5 On 24 March 2023 we received two objections in relation to public nuisance from two members of public
 - 4.5.1 These can be found at Appendix 5.

5. Appendices

- 5.1 The following documents are to be published with the report:
 - 5.1.1 Appendix 1 – Application
 - 5.1.2 Appendix 2 – Agreed amendments with Environmental Protection
 - 5.1.3 Appendix 3 – Agreed amendments with Police
 - 5.1.4 Appendix 4 – Agreed amendments with Trading Standards
 - 5.1.5 Appendix 5 – Objections from two local shops

6. Background Documents

- 6.1 There are no background documents.

Lead Officer: Katie Honeywood

Email: katie.honeywood@gravesham.gov.uk

Secondary Implications	
Risk Assessment	Departure from the Guidance and Policy could lead to an increased risk of appeal. Ensuring that all decisions are evidence based, justified and proportionate, and that sufficiently detailed reasons for decisions are given, helps to reduce the risk of a successful appeal.
Data Protection Impact Assessment	<p><i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i></p> <p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. No</p> <p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A</p> <p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. N/A</p>
Equality Impact Assessment	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No</p> <p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. No</p> <p><i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i></p>
Crime and Disorder	There are obvious links to community safety and the perception of crime and disorder if licensed premises are not run and managed properly or adequately enforced.
Digital and website implications	Basic notices are published on our website for all premises applications during the consultation period.
Safeguarding children and vulnerable adults	The Licensing Act 2003 requires premises licence holders to promote the licensing objective 'Protection of children from harm'. Licensing Authorities must play their part in taking the required action against those that don't appear to be promoting this objective.

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)

- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr.	Other Title (for example, Rev)	
Surname sathiskumar	First names Thiruchchelvam	
Date of birth <div style="text-align: center;">I am 18 years old or over YES</div>		
Nationality British		
Current residential address if different from premises address	45a 45a carnation road Rochester Kent ME2 2YE	
Post town	Rochester	Postcode ME2 2YE
Daytime contact telephone number		
E-mail address (optional)		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)		

SECOND INDIVIDUAL APPLICANT (if applicable)

		Other Title (for example, Rev)	
Surname		First names	
Date of birth		I am 18 years old or over	
Nationality			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

20/03/2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

Please give a general description of the premises (please read guidance note 1)

The premise is not off licence ,before they closed for 1 year the shop has not been running as off licence

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Please tick all

Provision of regulated entertainment (please read guidance note 2)

that apply a) plays (if ticking yes, fill in box A)

- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)

anything of a similar description to that falling within (e), (f) or (g) h
(if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
---	--	---------	--

(please read guidance note 7)			Outdoors	
Day	Start	Finish	Both	
Mon			Please give further details here (please read guidance note 4)	
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)	
Day	Start	Finish		
Mon				
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)	
Wed				

Thur			<p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)</p>
Fri			
Sat			
Sun			

D

<p>Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)</p>			<p><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Tue					
Wed			<p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)</p>		
Thur					
Fri			<p><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sat					

Sun		

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		

Tue			
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)
Thur			
Fri			
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)
Sun			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur			State any seasonal variations for the performance of dance (please read guidance note 5)		
Fri					
Sat					
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					

Sun		

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	
Mon				Outdoors	
				Both	
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	<u>Please give further details here (please read guidance note 4)</u>			
Mon						
Tue						
Wed						
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)		On the premises	
					Off the premises	X
					Both	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)			
Mon	05:30	23:00	Normal hours for all seasons.			
Tue	05:30	23:00				

Wed	05:30	23:00	
Thur	05:30	23:00	<p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)</p> <p>For Christmas day the shop would be open until midnight.</p>
Fri	05:30	23:00	
Sat	05:30	23:00	
Sun	06:00	22:00	

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr. Thirichchelvam Sathiskumar	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p> <p>Normal hours for all seasons.</p>
Day	Start	Finish	
Mon	05:30	23:00	
Tue	05:30	23:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>For Christmas day the shop would be open until midnight.</p>
Wed	05:30	23:00	
Thur	05:30	23:00	
Fri	05:30	23:00	
Sat	05:30	23:00	
Sun	06:00	22:00	

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)

I already have business and an alcohol licence at 45 - 47 carnation road. I have been running this business for 7 years. I have never given alcohol, tobacco or vapes to people under 18. The premise that I have applied for(2a Hermitage road)is a completely empty shop.

b) The prevention of crime and disorder

We will provide 24/7 surveillance around the interior and exterior of the shop. We will also provide shutters for the exterior of the shop.

c) Public safety

People with wheelchairs will be able to access the shop and there will be access to a fire exit at the back. We also have public liability insurance.

d) The prevention of public nuisance

There will be cameras outside the shop and if any type of nuisance outside the premise then there will be warnings and bans put in place depending on how bad the situation is and how long it has happened.

e) The protection of children from harm

As said before here will be cameras put in place outside the shop.

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> ● [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). ● The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Thiruchchelvam sathiskumar
Date	2023-02-16
Capacity	Applicant

nd nd

For joint applications, signature of 2 applicant or 2 applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application
(please read guidance note 14)

Post town

Postcode

Telephone number (if any)

/

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

From: sathiskumar thiruchcelvam
Sent: Monday, February 27, 2023 4:12 PM
To: Katie Honeywood <katie.honeywood@gravesham.gov.uk>

Subject: Re: Premises License Application - 2A Hermitage Road, Higham

Sorry katie Honeywood Monday to Saturday 6.30 to 23.00 and Sunday 7.30 to 22.00 confirmed
Thank you

Sent from [Outlook for Android](#)

From: Katie Honeywood <katie.honeywood@gravesham.gov.uk>
Sent: Monday, February 27, 2023 3:51:50 PM
To: sathiskumar thiruchcelvam
Subject: RE: Premises License Application - 2A Hermitage Road, Higham

Hi Sathiskumar

Can you please confirm Sunday too?

Many thanks

Kind Regards,

Katie Honeywood
Licensing Assistant
Gravesham and Medway Shared Licensing Service
Tel: 01474 33 7434
Email: katie.honeywood@gravesham.gov.uk or licensing@gravesham.gov.uk

From: sathiskumar thiruchcelvam
Sent: Monday, February 27, 2023 3:43 PM
To: Katie Honeywood <katie.honeywood@gravesham.gov.uk>
Subject: Re: Premises License Application - 2A Hermitage Road, Higham

Hi katie I'm happy Monday to Saturday 6.30 to 23
Sunday

Sent from [Outlook for Android](#)

From: Katie Honeywood <katie.honeywood@gravesham.gov.uk>
Sent: Monday, February 27, 2023 3:29:59 PM
To: sathiskumar thiruchcelvam
Subject: RE: Premises License Application - 2A Hermitage Road, Higham

Hi Sathiskumar

Just for clarity, could you please confirm that you are indeed happy to reduce your hours to the ones Keith has stated.

I will then be able to amend this on your application.

Many thanks

Kind Regards,

Katie Honeywood
Licensing Assistant
Gravesham and Medway Shared Licensing Service
Tel: 01474 33 7434
Email: katie.honeywood@gravesham.gov.uk or licensing@gravesham.gov.uk

From: sathiskumar thiruchcelvam
Sent: Friday, February 24, 2023 3:55 PM
To: Keith Moorhouse <keith.moorhouse@gravesham.gov.uk>
Cc: Licensing <licensing@gravesham.gov.uk>
Subject: Re: Premises License Application - 2A Hermitage Road, Higham

Ok keith in confirm that location and the time open

Sent from [Outlook for Android](#)

From: Keith Moorhouse <keith.moorhouse@gravesham.gov.uk>
Sent: Friday, February 24, 2023 3:11:47 PM
To:
Cc: Licensing <licensing@gravesham.gov.uk>
Subject: RE: Premises License Application - 2A Hermitage Road, Higham

Dear Mr Thiruchchelvam

I have subsequently had the address confirmed by Licensing as the one below.

Having reviewed your application, the nature of the area and the opening/closing times of off licenses in similar locations, we would have no objections to your closing and sale of alcohol times of 23:00 Mon to Sat, and 22:00 Sundays. However we feel that the opening times at this location are a bit too early and may cause nuisance to nearby resident on what would otherwise be a quiet road at these times. We therefore suggest the following opening/sale of alcohol times, 06:30am Monday to Saturday, and 07:30 on Sundays.

Please can you confirm if you would be willing to accept these amended times. If you do, then it would still be possible for you at a later date to submit a variation to extend your hours if you can be shown to have operated for a sufficient period of time without causing any public disturbances.

I look forward to your reply.

Kind Regards
Keith

Keith Moorhouse, BSc, MSc
Senior Environmental Health Technician (Regulatory Services)

Gravesham Borough Council
Email: ep@gravesham.gov.uk

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From: Andre Smuts PC 46011250 <Andre.Smuts@kent.police.uk>
Sent: Wednesday, March 8, 2023 7:27 AM
To: licensing@gravesham.gov.uk
Subject: 2A Hermitage Road, Higham

Good morning Gravesham.

Please see below where the applicant has agreed some bits. As such we have no objections.

Regards

Andre

From: sathiskumar thiruchcelvam
Sent: 07 March 2023 18:22
To: Andre Smuts PC 46011250 <Andre.Smuts@kent.police.uk>
Subject: EXTERNAL - Re: 2A Hermitage Road, Higham

Good evening Mr Smuts,

I am Thiruchchelvam Sathiskumar and I agree with the conditions that you have given to me on your email. I also will follow through with all instructions said on the email.

From: Andre Smuts PC 46011250 <Andre.Smuts@kent.police.uk>
Sent: Tuesday, March 7, 2023 8:12:37 AM
To:
Subject: 2A Hermitage Road, Higham

Good morning Mr Sathiskumar

As Kent Police are one of the responsible authorities, the council send new applications to us to assess.

As such, I am in receipt of your application for your new premises at 2A Hermitage Road, in Higham. Kent Police Licensing are also invested in the promotion of the licensing objectives, as are personal licence holders and designated premises supervisors.

I note that you make various suggestions on your application form. May I ask that you consider wording of the following suggestions which may then be applied to your operating schedule? They will then appear on your license in that format.

Would you be in agreement of the following conditions:

Training:

All persons who sell or supply alcohol to customers must have licensing training.

- 1. Training must take place within six weeks of employment.*
- 2. Any new employees will be supervised until the training has taken place.*
- 3. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.*
- 4. Training records must be kept on the premises and shall contain the nature, content and frequency of all training.*
- 5. Records must be made available for inspection by police, police licensing officer and authorised officers from Medway Council on demand either electronically or in hard copy.*

CCTV:

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.

- 1. Cameras shall record all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.*
- 2. Equipment must be maintained in good working order, with recordings correctly time and date stamped. Recordings MUST be kept in date order, kept for a period of 31 days and handed to police and authorised officers upon request.*
- 3. The premises licence holder must ensure at all times a DPS or appointed member of staff are on the premises and are capable and competent at downloading CCTV footage in a recordable format to the police and local authority on request.*
- 4. The recording equipment and discs/tapes shall be kept in a secure environment under the control of the DPS or other responsible named individual.*
- 5. In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the police licensing officer immediately.
(licensing.north.division@kent.police.uk).*

Refusals/Incident register: (This is a very important item which we would require especially due to the increase in vape sales to children.)

The premises licence holder or designated premises supervisor must keep a Refusal/incident register. Staff to be trained to complete a refusal/incident book/record immediately after the refusal/incident but no later than the end of their shift. The register must be kept on the premises and will detail:

- 1. Day, date & time of refusal.*
- 2. Item refused.*
- 3. Name or description of person refused sale.*
- 4. Reason for refusal.*
- 5. Any other incident/crime to be noted on the register.*

Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has been made. The register must be made available for police, police licensing officer and authorised officers from Medway Council on demand either electronically or by hard copy.

Challenge 25:

A Challenge 25 proof of age scheme shall be operated at the premises with appropriate signage on display.

Please reply to this email as soon you are able to with your thoughts on the above suggestions so that I may progress your application.

Yours sincerely

PC André Smuts, North Kent Licensing Officer - Medway Community Safety Unit, Kent Police.

☎ **Internal 04 2733**

☎ **External 01634 792733**

☎ **Mobile 07929048306**

✉ e- mail 11250@kent.police.uk

📍 **Address Medway Police Station, Purser Way, Gillingham, ME7 1NE.**

Licensing conditions agreed with Kent County Council Trading Standards in respect of Agishaan, 2a Hermitage Road, Higham, Rochester, ME3 7DA

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.

 2. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.

 3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the member of staff who refused the sale
 - b) the date and time of the refusal
 - c) the alcohol requested and reason for refusal
 - d) description of the person refused alcohol

 4. A4 posters shall be displayed conspicuously on the premises in customer facing areas carrying messages in respect of:
 - a) Challenge 25 - to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
 - b) Proxy purchasing - intended to warn adults not to buy alcohol for those under 18 years-of-age.
-

I (name of applicant/agent) Thiruchcheivam sathiskumar
_____hereby agree for the conditions listed to be attached
to any premises license granted in respect of my application for Agishaan, 2a Hermitage Road,
Higham, Rochester, ME3 7DA .

I also agree that a hearing is unnecessary.

Signed sathiskumar_____ Date
09/03/2023

For Trading Standards use

The above conditions were agreed with the applicant and I agree that a hearing is unnecessary.
Signed on behalf of Kent Trading Standards

Name AM-ANtOe Juon_____

Signed Wmdd_____ Date -16 (slz3_____

Objection 1 -

From: Meadows Minimart < >

Sent: Friday, March 24, 2023 8:13 PM

To: Licensing <licensing@gravesham.gov.uk>

Subject: Agishaan Mini Market, 2A Hermitage Road, Higham, Rochester, Kent, ME3 7DA.

Hi,

I'm, Mayoorathy Thiruchelvam, the owner of the Meadows Minimart, 18 Forge Lane Higham ME3 7AS.

The Off licence application has been submitted by the Agishaan Mini Market, 2A Hermitage Road, Higham, Rochester, Kent, ME3 7DA to sell alcohol.

The issuance of the license will bring lots of consequences for us and the community.

Firstly, the licensing application have not been brought to our attention in anyway. The shop they are looking to get the license is an under construction site, which is not accessible by the public, therefore the notice on the door is not visible by any public in order to comment.

Secondly, This is a small village and has three off-licences including us and the pub. All the shops are very small in size and operated by the family members only and the turnover is very low. By issuing another licence means, we will be in state of loosing profits and face difficulties to pay our bills.

Finally, I'm running this shop for five years and I have been visited by the Paris councillors many times for complain by neighbours regarding nuisance. The applicant shop exactly is opposite of the pub and the higham four way dead end junction. Therefore it will definitely create more antisocial behaviours and may lead to create traffic and parking issues at the junction.

I kindly request you to consider this before taking decision.

Thank you

Regards

Mayoorathy

Objection 2 -

From: Shagivan < >

Sent: Friday, March 24, 2023 7:24 PM

To: Licensing <licensing@gravesham.gov.uk>

Subject: Re: Agishaan Mini Market, 2A Hermitage Road, Higham, Rochester, Kent, ME3 7DA.

Dear Sir/Madam,

The above shop has requested you to grant a premises licence. This village already has two off-licences closure to each other. There are so many anti social behaviours spotted by the villagers. when issuing another store a licence will create a more problems and spoil the village setting culture.

As you aware the location of the shop right in the junction of Higham, and the Gardeners Arm pub in front of them will lead more traffic nuisance to the neighbours definitely.

Can you please kindly look into this matter before issuing the licence

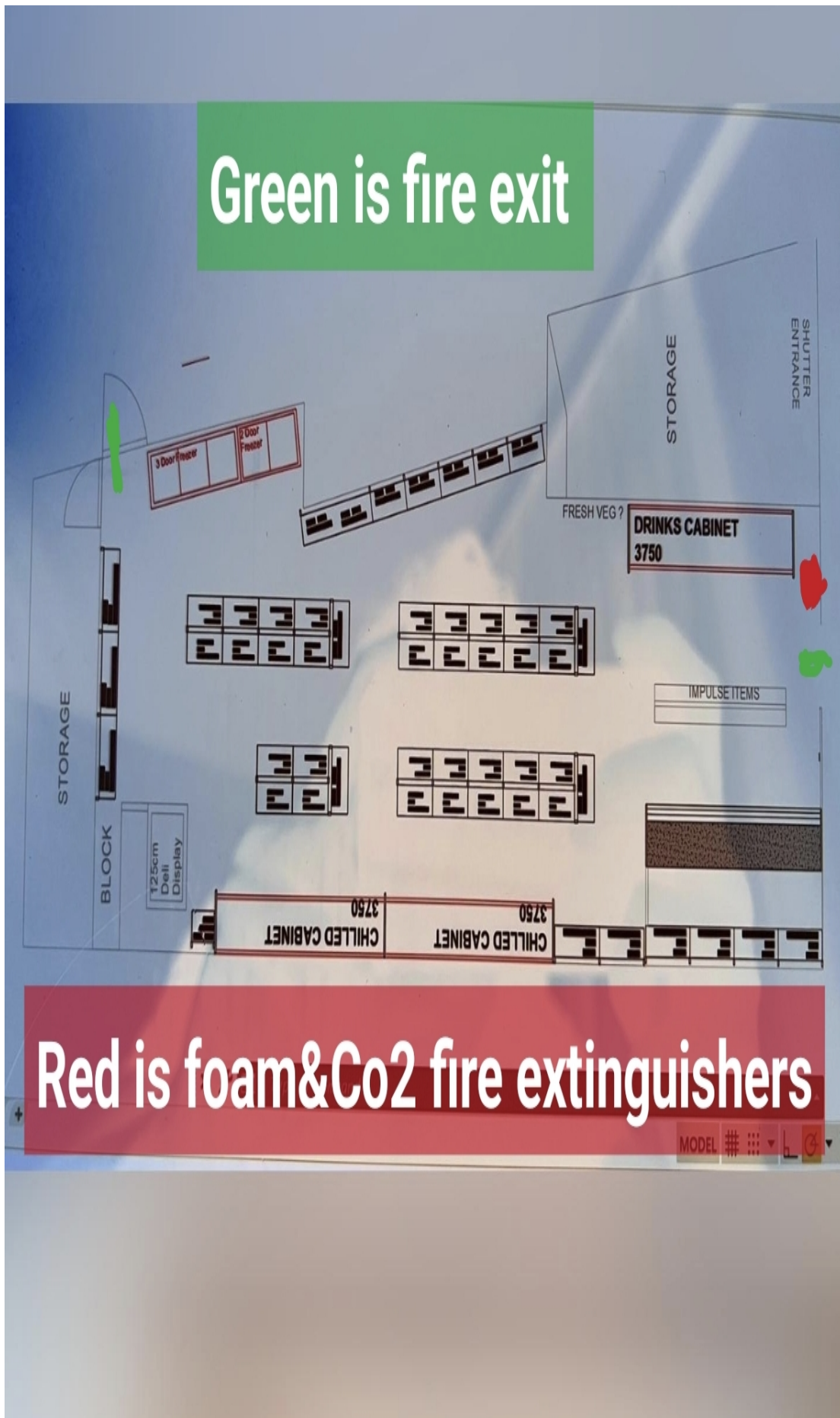
Thank you

Kind Regards

Shagivan

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Green is fire exit



Red is foam & Co2 fire extinguishers

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