

LICENSING SUB COMMITTEE HEARING



AGENDA

Date: Friday 5th April 2024

Time: 10.00am

Venue: Committee Room 1, Causeway House, Bocking End, Braintree CM7 9HB

Membership:

Councillor J Baugh
Councillor P Heath
Councillor G Prime
Councillor W Taylor

Members are requested to attend this meeting, to transact the following business:-

1. **Appointment of Chairman.** To appoint a Chairman to conduct the business of this Hearing.
2. **Apologies for Absence.**
3. **Declarations of Interests.** To declare the existence of any interests relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice (where necessary) before the meeting.
4. To consider an application under the Licensing Act 2003 for a Premises Licence in respect of **JEFFREYS CONVENIENCE STORE, 63 JEFFREY'S ROAD, CRESSING, CM77 8JQ** (Report and application attached).

If you require any further information relating to this Agenda, or you wish to forward your apologies for absence, please contact the Governance Team on (01376) 552525 or e-mail governance@braintree.gov.uk

Dan Gascoyne
Chief Executive

Report Title: Application for a Premises Licence	
Jeffreys Convenience Store, 63 Jeffreys Road, Cressing, Essex, CM77 8JQ	
Report to: Licensing Sub-Committee	
Date: 5th April 2024	For: Decision
Key Decision: No	Decision Planner Ref No: N/A
Report Presented by: Jessica Moore, Trainee Licensing Officer	
Enquiries to: Jessica Moore, Trainee Licensing Officer	

1. Purpose of the Report

1.1 Members of the Licensing Sub-Committee are requested to consider an application for the grant of a new Premises Licence, having regard to the representations received and the requirement to promote the four licensing objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

2. Recommendations

2.1 Members are advised that they have the following options when determining this application for Jeffreys Convenience Store, 63 Jeffreys Road, Cressing, Essex, CM77 8JQ:

1. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application.
2. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application, modified to such extent as considered appropriate to promote the licensing objectives.
3. To **Grant** the application for a Premises Licence with amended activities or times.
4. To **Refuse** the application for a Premises Licence.

The Licensing Sub-Committee is asked to give full reasons for its decision.

The Sub-Committee is reminded that the applicant, or any person making a representation in relation to this matter, may appeal against the decision of the Council to the Magistrates' Court.

3. Summary of Issues

3.1 Premises

Jeffreys Convenience Store
63 Jeffreys Road
Cressing
Essex
CM77 8JQ

3.2 Applicant

Mr Nagamany Jeyakumar

3.3 The application was received and validated on 7th February 2024 for the grant of a new Premises Licence at Jeffreys Convenience Store, 63 Jeffreys Road, Cressing, Essex, CM77 8JQ, and the consultation started.

The purpose of the new application is to include:

Sale by Retail of Alcohol (off the premises): Everyday 06:00 – 23:00

3.4 The applicant has detailed a number of steps within the operating schedule to promote the four licensing objectives.

3.5 The application has been properly made in accordance with the Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as Appendix 1.

3.6 During consultation, the applicant agreed several conditions with Essex Police (Appendix 2). These conditions, along with those detailed in the application's operating schedule, are requested to be included on the Premises Licence should it be granted.

4. Representations

4.1 The Section 182 Guidance for the Licensing Act 2003 states that relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body, or business that has grounds to do so.

4.2 During the 28 day consultation period under the Licensing Act 2003, the Licensing Authority received representations from two interested parties (Appendix 3 and Appendix 4).

5. Options

1. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application.
2. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application, modified to such extent as considered appropriate to promote the licensing objectives.
3. To **Grant** the application for a Premises Licence with amended activities or times.
4. To **Refuse** the application for a Premises Licence.

6. Financial Implications

- 6.1 None arising from this report.

7. Legal Implications

- 7.1 The Licensing Sub-Committee is required to give reasons for its decision and any party who is dissatisfied may appeal to the Magistrates' Court within 21 days of the publication of the decision. If such an appeal is made by the Premises Licence Holder then any decision taken is stayed until such time as an appeal is heard.

8. Equality and Diversity Implications

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

9. List of Appendices

1. Application for a Premises Licence (Appendix 1)
2. Conditions Agreed with Essex Police (Appendix 2)
3. Representation 1 – Ms Fenwick (Appendix 3)
4. Representation 2 – Ms Bradford (Appendix 4)

10. Background Papers

1. [Licensing Act 2003](#)
2. [Revised Guidance issued under section 182 of the Licensing Act 2003 – December 2023](#)



Braintree
Application for a premises licence
Licensing Act 2003

For help contact
Licensing@braintree.gov.uk
 Telephone: 01376 557790

* required information

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

Nagamany

* Family name

Jeyakumar

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

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

Is your business registered outside the UK?

Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Sole Trader

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

It is intended to be an off-licence.

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of the premises

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

The premises will be an off-licence. It will involve the sale of alcohol within the premises, with consumption off the premises.

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 06:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

N/A

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

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

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Nagamany

Family name

Jeyakumar

Date of birth

[] / [] / []

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="Braintree District Council"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

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

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

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

N/A

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

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

N/A

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LICENSING OBJECTIVES

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

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

Continued from previous page...

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

I, the licensee, will ensure that at all times there are sufficient and competent staff on duty at the premises when the premises is used for any licensable activity. This is for the purpose of fulfilling the terms and conditions of the license and for preventing crime and disorder.

I will make sure that all staff take training in their responsibilities in relation to the sale of alcohol. This training will also address in how to handle individuals who may be drunk, express violent behaviour or are underage. Records of the training and refresher training will be kept at the premises.

b) The prevention of crime and disorder

Should there be any incidents of a criminal nature that may occur on the premises, then it will be immediately reported to the Police.

I, the licensee will ensure that CCTV is installed at the premises, and that it is always operated and maintained.

The CCTV system will encompass the following:

1. Having cameras which are sited to observe the entrance and the exit doors both inside and outside the premises.
2. Cameras on the entrance will be positioned in a way that will capture full frame shots of the heads and shoulders of all people entering the business, hence assisting in identification.
3. Cameras viewing tills will capture frames not less than 50% of screen.
4. To give an overview of the premises, cameras that cover floor area will be wide angled.
5. CCTV system will be capable of visually confirming the nature of the crime that had been committed.
6. CCTV footage will contain information about the date, time and location.
7. CCTV footage will provide good quality images, i.e. It will be in colour during opening times of the premises.
8. Operate under existing light levels within and outside the premises.
9. The recording device will be kept within a secure area within the premises.
10. A monitor/ T.V. will be used within the premises to view live recordings of all the cameras situated within and outside the premises. This will enable myself or staff to see if there are any incidents of crime and disorder happening or about to happen, and hence we can act accordingly (this may involve contacting the police).
11. CCTV system will be regularly maintained to ensure continuous quality of image capture retention.
12. The premises will have a signage displayed indicating to customers that CCTV is in operation. This will be situated in the customer area.
13. Digital recordings will be kept and can be viewed up to a month.
14. Should there be an incident of crime and disorder, the CCTV footage can be retrieved and produced to the police at any reasonable time.
15. The CCTV system will have suitable export method, which includes obtaining CCTV footage through mobile app with intact image quality. This can then be downloaded and copies will be given to police on request.

In addition, I and staff will make sure that open containers of alcohol are not to be taken from the premises.

I and staff will ensure proof of age schemes (no proof, no sale of alcohol). Alcohol will not be sold to individuals under the age of 18.

c) Public safety

The premises will have appropriate fire safety procedures in place. This includes having CO2 fire extinguishers, fire blanket and fire exit signs which will be illuminated internally (please see the enclosed premises plan for details of locations). All of these appliance are inspected annually by appropriate individuals.

The emergency exits will be kept clear from obstructions at all times. Exit doors are regularly checked to ensure they function satisfactorily. Records of all these checks are kept and can be produced on request.

Adequate and appropriate First Aid equipment and materials will be available on the premises.

d) The prevention of public nuisance

Continued from previous page...

Bins will be kept and put at the rear of the premises, away from public access. Bins will be regularly collected by respected persons which I will have a waste collection contract with.

Deliveries made to the premises will be kept to a limit of 2/3 times per week and excludes weekends and bank holidays. Guidance will be given to drivers to switch off engines during deliveries, and to minimise other noise caused by their activities.

e) The protection of children from harm

I, the licensee and my staff will ask persons who appear to be under the age of 25 for photographic ID, such as photographic driving license, passport or proof of age card with PASS hologram. If the customer is unable to provide identification then no sale is made. No proof, no sale, age verification policy. Challenge 25 POS will be on display in the store within customer area. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused.

All staff will be trained and reminded for underage sales prevention regularly.

Recordings of refused sales will be kept and maintained on the premises.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

The following is 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, if appropriate (please see note 15)

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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

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

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

Continued from previous page...

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

Webb, Alison

From: Licensing Braintree and Uttlesford <Licensing.Braintree.and.Uttlesford@essex.police.uk>
Sent: 09 February 2024 11:57
To: Licensing
Subject: FW: EXTERNAL - Re: Premiss Licence Application - Jeffreys Convenience Store

Good Morning

I write in relation to the below application received by Essex Police regarding a premises known to be known as Jeffreys Convenience Store.

On behalf of the Chief Officer of Police for the county of Essex and the non-metropolitan districts of Southend-on-Sea and Thurrock I wish to make the following representation regarding this application on the grounds that, the application in its current form, may undermine the licensing objective of crime & disorder.

Essex Police have negotiated a set of changes to the conditions being offered by the applicant, these conditions are set out below.

It is Essex Police's position that, with the inclusion of these conditions on the licence, the concerns with regard to the licensing objectives will be negated.. These conditions have been accepted by the applicant and their acceptance is shown in the E Mail string below.

Thank you



Arthur Hunt (82910)
 District Licensing Officer



Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

From: Nagamamy Yejakumar
Sent: 09 February 2024 11:41
To: Arthur Hunt 42082910 <Arthur.Hunt@essex.police.uk>
Subject: EXTERNAL - Re: Premiss Licence Application - Jeffreys Convenience Store

CAUTION: This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe.

It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Dear Mr Arthur Hunt,

Thank you for your email. After viewing the conditions that have been set out in the email to adopt at the premises licence, I can confirm that I accept all of the conditions and will assure you that they will be implemented within the premises.

Should you require any further information please do not hesitate to contact me.

Thank you.

Yours sincerely,
Mr. Nagamany Jeyakumar.

On Fri, Feb 9, 2024 at 11:20 AM Arthur Hunt 42082910 <Arthur.Hunt@essex.police.uk> wrote:

Dear Mr Jeyakumar

Following on from our conversation (via your daughter). Below are the conditions that I would like you to adopt for your premises licence. Most of them are quite similar to the information in your application.

If they are acceptable, please reply to this E Mail with your agreement.

If you have any questions, please feel free to ask.

- The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
 - ii. CCTV cameras shall cover all entrances {and exits} and the areas where alcohol sales take place;
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;

- Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

- Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

- An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

(a) {all crimes reported to the venue}

(b) {all ejections of patrons}

(c) {any complaints received concerning crime and disorder}

(d) {any incidents of disorder}

(e) {any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence}

- The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least {12} months from the date of the last entry.
- All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.
- Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.
- A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
 - I. Proof of age card bearing the PASS Hologram;
 - II. Photocard driving licence;
 - III. Passport; or
 - IV. Ministry of Defence Identity Card.

- The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200 x 148mm.
- A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.
- All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.
- The refusals record shall either be electronic or maintained in a bound document and retained for at least {12} months from the date of the last entry.

Thank you



Arthur Hunt (82910)

District Licensing Officer



 Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

The below application has been received at this office and has been placed onto Bacchus.

Should you wish to object to this application please contact the Licensing Authority directly.

APPLICATION SUMMARY BELOW

Application View Form

07/02/2024 16:27

Licence	L4958087, JEFFREYS CONVENIENCE STORE, E ESSEX, CM778JQ
Application Type	Premises Licence
Created By	PSE 42080865 Paul Norman - 07/02/2024 16:27
Application Act	Licensing Act 2003
Applicant	Nagamany JEYAKUMAR,
Application Details	Premises Licence application - sale by retail of alc Proposed DPS Nagamany JEYAKUMAR.
Licensing Authority	Braintree District Council

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

Webb, Alison

From: Laura Louise Fenwick
Sent: 26 February 2024 14:22
To: Licensing
Subject: Objection 24/00152/LAPREM/LA

You don't often get email from [Laura Louise Fenwick](#); [Learn why this is important](#)

Dear Sirs,

I hope this email finds you well. I am writing to express my concern and objection regarding the proposed license request at 63 Jeffreys Road (Reference 24/00152/LAPREM/LA) as a member of the community and someone that lives directly next door to the building, I believe it is crucial to voice my opinion on matters that directly impact our neighbourhood.

I am deeply concerned about the potential negative consequences it may bring to our community. 63 Jeffreys Road, is located in extremely close proximity to peoples homes, the local school, the social club and other shops. Introducing this in such a location could have adverse effects on the surrounding environment and may contribute to an increase in disturbances and antisocial behaviour. There is also a huge concern regarding the parking and traffic build up to the area, where the shop is located there is no parking and people visiting the shop are likely to park/block cars in the residential only parking area. Furthermore the concerns about the deliveries of the goods to to the shop and when this would take place with little or no disruption, this is already a concern with the neighbouring mobility shop and to add an additional shop with customers opening from 06.00-23.00 would cause significant disruption to the residents of Jeffreys Court/Road.

Additionally, I would appreciate it if you could provide information on any public hearings or meetings where community members can voice their opinions on this matter. It is essential that all stakeholders have the opportunity to participate in the decision-making process and ensure that the interests of the community are adequately represented.

Thank you for taking the time to consider my concerns. I look forward to hearing from you and hope that we can work together to find a solution that benefits everyone in the community.

Kind regards

Laura

Sent from my iPhone

Webb, Alison

From: Tracey-Lee Bradford
Sent: 28 February 2024 18:23
To: Licensing
Subject: Ref: Application 24/00152/LAPREM/LA

You don't often get email from _____

[Learn why this is important](#)

I am writing to object to the above application on the following:

Firstly :

Tye Green village already has the family owned Tye Green convenience store and off licence, a village petrol garage with an off licence, there is also a village social club with licensed bar approximately 50 yards away from the application premises that opens 2 evenings a week and weekends and in addition there is also a larger Texaco petrol station and off licence just outside the village.

There is also a pub and restaurant in 'old' Cressing and pubs and fast food outlets on the B1018 galleys corner.

Therefore, this is a totally unnecessary addition:

Secondly:

The location of the premises is on a heavily congested residential village road, with insufficient parking for residents, and the patrons and staff of the next door mobility shop and hair dressers already struggle to find somewhere to park as it is.

Thirdly:

The opening and closing times - I fear the early opening and late closing times will bring about some very unwanted antisocial behaviour, noise, drunken abuse, littering (ie early morning and late night drinking from those that are alcohol dependent who have been moved into the village along with teenagers, party goers and their visitors, etc) who would either loiter around the shop and behind the flats or use the village park which is just around the corner, by the village social club. (This type of issue has mostly been avoided so far as the convenience store closes at 8pm and the village garage at 9pm).

Tye Green has been a nice quiet rural village, which unfortunately has had 2 new housing developments built, which has already given rise to nuisance pavement parking within the village, high volumes of traffic on narrow country lanes, excessive speeding on these lanes and roads, a drastic increase in dog fouling, shoplifting along with noise nuisance from the new developments.

I would ask you to decline the application.

Thank you

**HEARING PROCEDURE FOR PREMISES LICENCES/CLUB PREMISES CERTIFICATES
WHERE APPLICANT, RESPONSIBLE AUTHORITIES AND OBJECTORS ARE PRESENT**

[March 2024]

1. Welcome and Introduction

- [1] The Chairman welcomes the people who are present and introduces the Members of the Sub-Committee. He/she will ask the Members to confirm that they have no declarations of interest to declare in respect of the application.
- [2] The Chairman asks the Applicant, the Responsible Authority[s] and the Objector[s] to introduce himself/herself/themselves.
- [3] The Chairman then confirms that the hearing will be conducted in accordance with this procedure. If any party wishes to rely upon any evidence that has not been disclosed prior to the hearing, they must ask for the Chairman's permission at this point.

2. The Applicant's Case

- [1] The Chairman asks the Applicant or his/her representative to present his/her application for a licence.
- [2] The Applicant or his/her representative may then call any witnesses and/or give evidence in support of his/her application.
- [3] The Responsible Authority[s] or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [4] The Objector[s] or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [5] The Chairman or any Member of the Sub-Committee may question the Applicant and any witnesses.
- [6] If there are any witnesses, the Applicant or his representative will be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

3. The Responsible Authority[s] Case

- [1] The Responsible Authority[s] will give their reasons for objecting to the application.
- [2] The Responsible Authority[s] or their spokesperson will then call any witnesses in support of their objection.
- [3] The Applicant or his representative may then question the Responsible Authority[s] [if they have given evidence] and any witnesses.
- [4] The Chairman or any Member of the Sub-Committee may ask questions of the Responsible Authority[s] and any witnesses.

- [5] If there are any witnesses, the Responsible Authority[s] or their spokesperson will be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

4. The Objector[s] Case

- [1] The Objector[s] will give their reasons for objecting to the application.
- [2] The Objector[s] or their spokesperson will then call any witnesses in support of their objection.
- [3] The Applicant or his representative may then question the Objector[s] [if they have given evidence] and any witnesses.
- [4] The Chairman or any Member of the Sub-Committee may ask questions of the Objector[s] and any witnesses.
- [5] If there are any witnesses, the Objector[s] or their spokesperson will be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

5. Closing Statements

- [1] By or on behalf of the Responsible Authority[s]. The Responsible Authority[s] may summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [2] By or on behalf of the Objector[s]. The Objector[s] may summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [3] By or on behalf of the Applicant. The Applicant may summarise any points they wish to make and comment briefly on the Responsible Authority[s] and the Objector[s] replies to questions. They cannot introduce new issues.
- [4] The Chairman will ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is adjourned. The Sub-Committee will retire to a separate room with the Legal Adviser and Governance Officer to deliberate.
- [5] If the Legal Adviser gives legal advice to Members of the Sub-Committee during the period of adjournment this advice will be repeated in summary form when the hearing reconvenes.

6. Decision

- [1] The Chairman will announce the Sub-Committee's decision and ask the Legal Adviser to read out the details including the reasons.
- [2] Before closing the hearing, the Chairman will notify the Applicant, the Responsible Authority[s] and the Objector[s] of the rights of appeal available to the parties should they disagree with the decision. Such an appeal should be made within 21 days of receiving written notification of the Sub-Committee's decision.