

## Representation in respect of a Variation Application

Licensing Act 2003

Details of person or body making representation:	
Your Name:	Bobby Smiljanic
Your position/role:	Licensing Enforcement Manager

Details of premises representation is about:	
Name of Premises:	TTR Local
Address of premises:	22 King Street Leicester LE1 6RL
Application No. (if known)	171239

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
Protection of Children from Harm	<input type="checkbox"/>

Authority Declarations:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the application would undermine the above stated Licensing Objectives and as such submit our representations.</p>

Representations:
<p>We would like to submit our representations for this variation application based upon the above stated licensing objectives.</p> <p>The application is for the variation of a Premises Licence LEIPRM1580 for the following licensable activities:</p>

- Late Night Refreshment from 23:00hrs to 05:00hrs Monday to Sunday
- The sale/supply of alcohol off the premises from 00:00hrs to 00:00hrs Monday to Sunday.
- The premises is open to the public from 00:00hrs to 00:00hrs Monday to Sunday.

No seasonal variations have been requested.

The premises is currently licenced for the following:

- The supply of alcohol for consumption off the premises from 09:00hrs to 20:00hrs daily.
- The premises is open from 07.30hrs to 21:30hrs daily.

The premises is a convenience store located on the ground floor of 22 King Street a busy back street in Leicester city centre in the Castle ward of the city. The area consists of a mixture of bars and restaurants, drinking establishments, commercial businesses and residential dwellings.

There are several premises in the vicinity licensed for the sale of alcohol for both on and off the premises and many of them are open throughout the night time economy.

The proposed area to be licensed is on the ground floor using the front door for both access and egress. There is also a second entrance and exit which opens onto New Walk and a current licence condition states:

“The licence holder will close the door which leads to New Walk from 19.30 hours and all access to and egress from the premises will be by the door which leads onto King Street.”

The licence holder has not stipulated a time at which the door will be opened again if the premises opens for 24 hours a day.

The shop comprises of one property as part of a terrace of buildings with a beauty salon above accessible via a side door on New Walk.

Ms Elizabeth Arculus, Licensing Officer from the Licensing Team at Leicester City Council visited the applicant Mr Murugaiah Selvakumaran at 13.00hrs on Wednesday 29<sup>th</sup> January 2025. The purpose of the facility was explained to them. They discussed the general operation of the premises and Mr Selvakumaran was asked to explain some of the methods to counter some of the concerns that they raised.

Some of the specifics that Mr Selvakumaran relayed were that he planned to close the premises door after 23:00hrs (although the application states that this would be between 00:00hrs to 06:00hrs) and would use the closed iron grill gates on the King Street entrance of the store. The Licensing Officer explained that using the iron grill gates would not be an acceptable means of trading. Mr Selvakumaran then suggested inserting a serving hatch in the corner glass window at the front of the shop. However, the iron gate would be obstructing this. On speaking to the agent Mr Nira Suresh, it was ascertained by Ms Arculus that the iron gates would remain, and one side of them would be opened to allow for the use of the night hatch but this could also compromise public safety. In conclusion it was felt by the Licensing Officer that the night hatch would not be a viable option for the premises.

Mr Selvakumaran explained that he would employ two additional members of staff from 22:00hrs onwards to help with the night shift and assured the Officers that they would be fully trained in the Licensing objectives.

Mr Selvakumaran was also asked about the intention to use delivery drivers. Initially he was unclear about the use of them, but then he was able to confirm that he would be using delivery drivers who may be waiting outside the shop for orders.

There were internal CCTV cameras installed at the premises with good coverage, but none were evident externally at the front or rear of the store. The Licensing Officer recommended as a minimum that there should be one CCTV camera at the King Street entrance to the premises. The applicant stated that both he and his staff would be able to access the recordings and images and the applicant could access footage on his mobile phone. The CCTV is available for retrieval or download for 31 days.

Mr Selvakumaran understood that he and his staff needed to ask for ID in line with the Challenge 25 procedure, which ID to look for, and how to check it was genuine. He also understood his obligations with regards to maintaining a refusals log for under age and proxy sales. Ms Arculus was shown an incident log and a refusals log for the premises which was filled in and up to date.

The applicant intends to retain the 5.5% ABV restriction which he feels would mitigate most of the potential issues with alcoholic/street drinkers. However, Mr Selvakumaran was unclear as to how he or his staff would be able to deal with any potentially troublesome customers. He did not understand the potential consequences of his business trading throughout the night time economy, and stated that the main way to deal with any issues would be to call the police.

The Licensing Authority do have concerns about the premises and the effects the extended hours may have on the local community, both business and residential. This relates to the detail of the operating schedule that has been applied for.

The operating schedule does lay out some of the intentions of the applicant however it is loose in outlining specifically how they would uphold the licensing objectives.

The Licensing Authority believe that the application fails to promote three of the licensing objectives and therefore respectfully requests that the application be refused.

However, if the committee elected to grant the licence, the Licensing Authority respectfully requests that the committee considers attaching the following licence conditions in order to promote the licensing objectives.

### Conditions Details:

We believe the below additions/amendments of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives.

We have detailed, for clarity, those that

- (a) We believe should be replaced from the applied operating schedule with our proposed wording
- (b) Those to be removed from the operating schedule and;
- (c) Those that are in addition.

Any wording on the operating schedule that is not detailed below to remain on any licence

### (a) Conditions to be replaced from Operating Schedule

*Wording contained within the applied operating schedule as copied below be replaced with Requested Condition/s:*

Operating Schedule Wording:

- N/A

To be replaced with:

- N/A

### **(b) Conditions to be removed from Operating Schedule**

*Wording contained within the applied operating schedule as copied below be removed:*

Operating Schedule Wording to be removed:

N/A

### **(c) Requested Additional Conditions**

*Condition/s wording below to be added in full to any granted licence:*

- The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.
- CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.
- CCTV system images must be securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.
- The licence holder will ensure that there is always a member of staff trained and available to download CCTV images/ footage immediately or an agreed timescale if requested by the police or the Licensing Authority.
- An incident and refusals log will be kept on the premises and retained for a period of 12 months from the date of the incident. The log will be made immediately available for inspection on request of an officer from a responsible authority.
- A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.
- The licence holder will ensure that a full fire risk assessment will be conducted and reviewed and implemented in line with Fire Safety Legislation annually.
- There will be regular safety checks of areas such as entrances/exits recorded in a logbook which will be kept on the premises and immediately available upon request from any authority officers.
- The licence holder will close the door which leads to New Walk from 19.30 hours and all access to and egress from the premises will be by the door which leads onto King Street. The door will be reopened again at 07:30hrs.

## Appendix:

Appendix 1

N/A

## Authority Signatures:

Bobby Smiljanic  
Licensing Enforcement Manager  
Leicester City Council  
05/02/2025

Reporting Officer  
Elizabeth Arculus

## Licensing Authority Details:

Licensing Authority  
Licensing Enforcement  
York House  
91 Granby Street  
LE1 6FB

Tel: 0116 4540049  
Email: [licensingenforcement@leicester.gov.uk](mailto:licensingenforcement@leicester.gov.uk)  
[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)

## Notice Sent to:

Please note that this representation has been sent to:

- (1) Licensing Authority Applications Team, Leicestershire Police Licensing, Noise Pollution Team, Leicestershire Fire & Rescue Service
- (2) Applicant and/or Agent

**Agreement Notice Applicant** (if applicable & only valid if signed)

**Licensing Enforcement Agreement Confirmation** (if applicable & only valid if signed)