

Borough Council of King's Lynn & West Norfolk

Report to Licensing Sub-Committee under the Licensing Act 2003

Date of Hearing: 30th June 2026

Application for the variation of a Premises Licence

- One Stop, Centre Point, Fairstead, King's Lynn, Norfolk, PE30 4SR

Applicant – Mr Vijaykumar Odedra

Introduction

1. A premises licence is required under the Licensing Act 2003 (the 'Act') for the sale of alcohol, regulated entertainment or for the provision of late night refreshment (i.e. the supply of hot food and drink between 11pm and 5am). The four licensing objectives to be considered when determining the application, and relevant representations, are:

- the prevention of crime & disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm

The Application

2. Mr Odedra has made an application under Section 34 of the Act for the additional licensable activity of the 'sale of alcohol by retail'. A copy of the application is attached at Appendix 1 and if granted would allow the premises to operate as follows:

<u>Licensable Activity</u>	<u>Days</u>	<u>Times</u>
Sale of Alcohol by Retail Off the premises	Monday to Friday	9am until 11pm
	Saturday & Sunday	8am until 11pm

Mandatory Conditions

3. The Act provides for the following four mandatory conditions to be attached to all premises licences authorising the sale of alcohol for consumption off the premises:

- (a) Under Section 19(2) of the Licensing Act 2003, no supply of alcohol shall be made under this premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
- (b) Under Section 19(3) of the Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- (c) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.
- (d) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; 'permitted price' is the price found by applying the formula - $P = D + (D \times V)$ where; P is the permitted price; D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol. A 'relevant person' means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, or the personal licence holder who makes or authorises a supply of alcohol under such a licence. 'Value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

The permitted price must be rounded up to the nearest penny. A change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

Conditions attached after hearing

- 4. The initial application for a premises licence received representations and was subsequently considered by the Licensing Committee on 23rd April 2025. A copy of the decision notice is attached to this report as Appendix 2. The Panel approved the licence, subject to the following additional conditions:
 - (a) A CCTV system shall be maintained at the premises covering all public areas which is capable of recording images for a continuous period of at least 28 days. Images must be capable of being downloaded upon reasonable request from representatives of the Police or the Licensing Authority. All staff on duty at the premises must be trained in the use of the system and be able to comply with any such request. The system will be maintained in good working order at all times. CCTV cameras will be positioned to cover the doorway and till areas and be capable of facial recognition of all persons both entering and exiting the store.

- (b) All staff are required to undergo regular training in the Challenge 25 age verification scheme. Records of this training must be maintained on the premises and made available to authorised officers upon request. Challenge 25 signage must be prominently displayed within the premises. Additionally, the Challenge 25 age verification scheme must be applied to alcohol deliveries at the point of sale.
- (c) Signs shall be displayed in prominent positions requesting that customers show due consideration of neighbours when leaving the premises.
- (d) No more than 25% of the total display area within the premises must be dedicated to alcoholic products.
- (e) The licence holder shall maintain records of all refusals of the sale of alcohol and other incidents that may occur at the premises in a book that will be kept for that purpose. The refusals / incident book will be produced for inspection upon reasonable request from representatives of the Police or the Licensing Authority.
- (f) All staff must receive regular training in crime prevention, conflict management, responsible alcohol sales and how to recognise and appropriately handle situations where children may be at risk. Records of such must be kept on the premises and made available to authorised officers upon request.

Representation from Responsible Authorities

Section 13(4) of the Act defines the 'Responsible Authorities' as the statutory bodies that must be sent copies of an application. Representations made must relate to the licensing objectives.

5. There are no representations from any of the 'responsible authority' to consider. Namely:

- Norfolk Constabulary;
- Norfolk Fire Service;
- Norfolk Trading Standards;
- Norfolk Safeguarding Children's Board;
- Public Health;
- Community Safety & Neighbourhood Nuisance (BCKLWN)
- Planning (BCKLWN);
- Environmental Health (BCKLWN);
- Licensing Authority (BCKLWN);
- Home Office (Alcohol Team).

Representations from 'Other Persons'

As well as the responsible authorities, any other person can play a role in a number of licensing processes under the Act. This includes any individual, body or business that are entitled to make representations to applications. Representations made must relate to the licensing objectives.

6. There is one representation to consider, a copy of which is attached to this report at Appendix 3.

Notices

7. The applicant is responsible for advertising the application by way of a notice in a specified form at the premises for not less than 28 consecutive days and in a local newspaper on at least one occasion. The Public Notice appeared in the Lynn News on Friday 22nd May 2026 and should have been displayed on the premises up to and including the 11th June 2026.

8. In accordance with the Licensing Act (Hearings) Regulations a notice of the application was also published on the Borough Council's website for the duration of the consultation period.

Plans

9. A plan showing the layout of the premises is attached at Appendix 4 for your information.

Borough Council of King's Lynn & West Norfolk's Licensing Policy

10. The current Statement of Licensing Policy under the Act was approved by Full Council on the 14th January 2026. The following extracts may be relevant to this application and assist the Sub-Committee:

3.0 Fundamental principles

3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:

- (a) the prevention of crime and disorder,
- (b) public safety,
- (c) the prevention of public nuisance, and
- (d) the protection of children from harm.

3.2 Nothing in this 'Statement of Policy' will:

- 3.2.1 undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;
- 3.2.2 override the right of any person to make representations on an application.

3.3 Every application will be dealt with impartially and on its individual merits. The Borough Council will not refuse to grant or vary an application unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or other person, such as a local resident or local business, which is a relevant representation.

3.4 Licensing is about regulating licensable activities on licensed premises, and any conditions that are attached to premises licences or club premises certificates will be focused on matters which are within the control of the individual licensee or club, i.e. the premises and its vicinity.

3.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will

ultimately be decided by the courts. The Borough Council, in addressing this matter, will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

- 3.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy throughout the borough.

5.0 Licensing Hours

- 5.1 With regard to licensing hours, due consideration will be given to the individual merits of an application. The Borough Council recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which could lead to disorder and disturbance.
- 5.2 The Borough Council wants to ensure that licensing hours do not inhibit the development of thriving and safe night-time local economies. This is important for investment, local employment and attractive to domestic and international tourists. Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

8.0 Prevention of Crime & Disorder

- 8.1 The Borough Council acknowledges that the Police are the main source of advice on crime and disorder.
- 8.2 Licensed premises, especially those open late night/early morning can be a source of crime and disorder problems. The Borough Council expects operating schedules to satisfactorily address these issues, as appropriate from the design of the premises to the daily operation of the business.

10.0 Prevention of Public Nuisance

- 10.1 Licensed premises, especially those operating late at night and early in the morning can cause a range of nuisances which impact on people or businesses in the vicinity. The concerns will mainly relate to noise but could also include light pollution and noxious smells. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.

17.0 Conditions

- 17.1 The Borough Council will not impose conditions unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or other persons, such as a local resident or local business, which is a relevant representation, or is offered in the applicant's Operating Schedule. Any conditions will be proportional and appropriate to achieve the licensing objectives.

Guidance Issued Under Section 182 of the Licensing Act 2003 -

Under Section 4 of the Act, Licensing Authorities must have regard to guidance issued under Section 182. The current Guidance was issued by the Home Office in February 2026 and offers advice to Licensing authorities on the discharge of their functions under the Act.

11. The following extracts may be relevant to this application and assist the Licensing Sub-Committee:

Licensing Objectives and Aims

- 1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.3 The licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
 - Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
 - Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
 - Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
 - Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Licence Conditions – General Principles

- 1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The

use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

Each application on its own merits

- 1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.
- 1.18 When making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits.
- 1.19 In coming to a decision on individual licensing applications, licensing committees should have regard to relevant local plans and strategies – such as those relating to town planning, the night-time economy, or business support – provided these considerations are consistent with the licensing objectives and the authority’s published licensing policy. For example, licensing authorities in the area covered by the London Mayor should consider the London Plan 2021 which sets out a clear framework for the development of London over the next 20-25 years and the Mayor’s vision for Good Growth.

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

Public safety

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.9 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Public nuisance

2.20 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.21 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate

circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

- 2.24 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.25 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.26 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti- social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

- 2.27 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.28 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the

access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.31 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.32 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.34 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to

underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

Determining Applications

- 9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

Where Representations Are Made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant, (see paragraphs 9.4 to 9.10 below) the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). 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.

Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible

authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

Disclosure of personal details of persons making representations

- 9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

Hearings

- 9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.
- 9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

Determining Actions that are Appropriate for the Promotion of the Licensing Objectives

- 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

- 9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Proposed conditions

- 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention and be appropriate and proportionate for the promotion of the licensing objectives.

Imposed Conditions

- 10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.
- 10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

Proportionality

- 10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided....Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

Hours of trading

- 10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.
- 10.14 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

The need for licensed premises

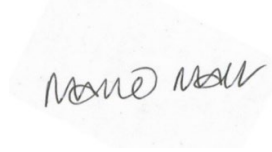
- 14.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

Determination

12. Having regard to the representation received, the Licensing Sub-Committee are requested to consider the application, this report and take such steps as it considers appropriate for the promotion of the licensing objectives. These steps are:

- a) To grant the application under the terms and conditions applied;
- b) To grant the application with conditions that the Sub-Committee considers appropriate for the promotion of the licensing objectives;
- c) To reject all or part of the application.

13. The Sub-Committee are reminded that full reasons for their decision must be given as both the applicant and persons making representations have a right of appeal against that decision to the Magistrates' Court.



Marie Malt

Licensing Service Manager
Environment & Planning
16th June 2026

Appendix:

1. Copy of Application
2. Copy of Licensing Sub-Committee's Determination Notice dated 23rd April 2025
3. Copy of Letter of Representation
4. Premises Plan of Layout

Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (14th January 2026)
3. Guidance issued under Section 182 of the Licensing Act 2003 (Feb 2026)

Your ref no: Form ref:
KMXDHMVD

Page: Coversheet

Form title: Apply for a new premises licence or a full variation

**Appendix 1 to
Report to Licensing Sub-Committee
Re: One Stop
Dated 16th June 2026**

This form was started at:	13/05/2026 17:32:51
This form was completed at:	14/05/2026 09:30:18
Internal form classification:	N / A
Openprocess state:	

Page: Tell us who you are

You can only vary a premises licence if you are the premises licence holder, solicitor or other duly authorised agent.

Are you completing this form on behalf of the applicant?	Yes - I am completing on the applicant's behalf
--	---

Section: Tell us who you are

Name	Anil Bhawsar
Business name	LICENSING HUB
Address (including postcode)	
Telephone number	
Email address	
Would you like us to send all correspondence to the above address?	Yes

In what capacity is the applicant applying for a premises licence?	An individual or individuals
Please confirm the following:	The applicant is carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

Page: Tell us about the individual applicants

How many individual applicants are there?	1
---	---

Section: Individual applicant details

Title	MR
Full forename (s)	VIJAYKUMAR
Surname	OEDRA
Date of birth (dd/mm/yyyy)	
Nationality	
As part of this application the applicant needs to demonstrate their right to work in the United Kingdom. At the end of this form there is the opportunity to upload the relevant documents.	
Home address line 1	
Home address line 2	
Home address line 3	
Home address line 4	
Postcode	
Daytime telephone number	
Mobile telephone number	
Email address	

Page: Tell us about the premises

A licence is not required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- 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;
- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- 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.

What are you applying for?

vary an existing premises licence

Section: Vary an existing premises licence

I being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described below.

Premises licence number 25/01104/LA/-TVD**Name of premises or business** ONE STOP**Address line 1** CENTRE POINT**Address line 2** KING'S LYNN**Address line 3** NORFOLK**Address line 4****Postcode** PE30 4SR**Telephone number at the premises****Do you want the proposed variation to have effect as soon as possible?** Yes**Please describe briefly the nature of the proposed variation** A GROCERY CONVENIENCE STORE PROPOSING TO INCREASE HOURS BY 2 HOURS EACH DAY**What is the non-domestic rateable value (NDRV) of the premises?** £4,301 - £33,000

If you're unsure of the non-domestic rateable value you can double check this on the [GOV.UK](#) website. **If the premises hasn't been set a non-domestic rateable value by the valuation office, then please select the lowest band.**

How many people are expected to attend the premises at any one time? 4,999 or less

If you have 30,000 or more people attending at any one time, you will need to [contact us](#).

What you will need to pay

The application fee for a non-rateable value between £4,301 - £33,000 is:

£190.00

Annual payments

Each premises licence we grant will need to pay an **annual fee**. We will invoice you annually on the date when the first licence was issued.

Where do you want your annual invoice sent to?

Premises address

Page: Tell us which licensable activities

Will you be providing plays at the premises?	No
Will you be providing films at the premises?	No
Will you be providing indoor sporting events at the premises?	No
Will you be providing boxing or wrestling entertainment at the premises?	No
Will you be providing live music at the premises?	No
Will you be providing recorded music at the premises?	No
Will you be providing performances of dance at the premises?	No
Will you be providing anything of a similar description to live music, recorded music or performances of dance at the premises?	No
Will you be providing late night refreshment at the premises?	No
Will you be selling or supplying alcohol at the premises?	Yes

Page: Provision of alcohol

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time 09:00

End time 23:00

Section: Tuesday

Start time 09:00

End time 23:00

Section: Wednesday

Start time 09:00

End time 23:00

Section: Thursday

Start time 09:00

End time 23:00

Section: Friday

Start time 09:00

End time 23:00

Section: Saturday

Start 08:00

End time 23:00

Section: Sunday

Start time 08:00

End time 23:00

Will the provision of alcohol take place on the premises, off the premises or both?

off the premises

Please state any seasonal variations for the provision of alcohol

Where you intend to use the premises for the provision of alcohol at different times to those listed above, please specify below:

Page: Tell us about the Designated Premises Supervisor (DPS)

Is this an application for a commercial premises licence requiring a DPS for alcohol sales?	Yes
Are you the proposed Designated Premises Supervisor (DPS)?	Yes

Section: Please tell us more about yourself

Please tell us your date of birth (dd/mm/yyyy)	
Please tell us your nationality	
Do you currently hold a personal licence?	Yes
Personal licence number	
Personal licence issuing authority	

Page: Tell us the premises opening hours

Please tell us the hours the premises are open to the public. Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activities.

Where the 'on sale of alcohol' is present, you may wish to consider drinking up time, for example, alcohol sales end at 23:00, premises open until 23:30.

Section: Monday

Start time	09:00
End time	23:00

Section: Tuesday

Start time	09:00
End time	23:00

Section: Wednesday

Start time	09:00
End time	23:00

Section: Thursday

Start time	09:00
End time	23:00

Section: Friday

Start time	09:00
End time	23:00

Section: Saturday

Start time	08:00
End time	23:00

Section: Sunday

Start time	08:00
End time	23:00

Please tell us about any seasonal variations

Please tell us where you intend to use the premises at different times to those listed above, please specify below:

Page: Tell us about the operating schedule

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

THIS APPLICATION HAS ASKED FOR ,TO PRIDE AN 2 EXTRA HOURS OF OPENING EACH EVENING AND PROVIDE SALE OF ALCOHOL ,SIMILER TO LICENCED PREMISES IN THE TOWN

Please describe the steps you intend to take to promote the four licensing objectives:

General - List here the steps you will take to promote all four of the licensing objectives	THE MANDATORY CONDITIONS WILL BE ADHERED TO ,AS THERE ARE 10 POINTS AS SEEN IN THE PREMISES LICENCE COPY .ALL THE LICENSING OBJECTIVES ILL NOT BE UNDERMINED.
The prevention of crime and disorder	LISTED IN THE PREMISES LICENCE CONDITIONS
Public safety	LISTED IN THE PREMISES LICENCE CONDITIONS
The prevention of public nuisance	LISTED IN THE PREMISES LICENCE CONDITIONS
The protection of children from harm	LISTED IN THE PREMISES LICENCE CONDITIONS

Page: Documents checklist - varying a premises licence

Checklist	✓ I understand that if I do not comply with the above requirements my variation may be rejected ✓ I understand that I must send my certificate of service, certificate of display and original premises licence to the Borough Council of King's Lynn and West Norfolk ✓ I will send a copy of the advert once it has appeared in the newspaper ✓ I understand that I must now advertise the application both in the newspaper and on the premises
-----------	--

When varying your premises licence, you need to provide the following information:

You can use the following upload facility to provide a copy of the set to [scale plans](#) for the premises (if the layout has changed):

Uploaded files*

IMG_5820.jpg

IMG_5844.jpg

* If empty, no files were uploaded

Please use this box to tell us anything else

Page: Payment summary

Application fee for RV 4301 to 33000	£190.00
Total	£190.00

Page: Declaration and payment

Review your answers

Before clicking 'submit' you must review all of the answers you've provided. **Once your form has been submitted, you cannot make any changes.** If you need to make any amendments to this form, then click 'previous' (you will need to click the declaration box first). Please click on the following link to double check your answers.

[Open a read only view of the answers you have given \(this will open in a new window\)](#)

Privacy notice

The Council has a duty to process and store your personal information safely and securely in line with data protection legislation, which here means the General Data Protection Regulations (Regulation (EC) 2016/679 which is in force from 25 May 2018) (GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR.

The Borough Council of King's Lynn and West Norfolk (the Council), of Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX is the data controller for the purposes of the GDPR and associated domestic law.

We will use your personal information for the purposes of the provision of the licensing services. The processing of this information is necessary for the Council to undertake a public task, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Licensing Act 2003, as amended.

Your data may be shared between Council departments and other agencies where there is lawful authority to do so.

Your information will be kept strictly confidential. It will be stored separately from other information in a secure, password-protected database on the Council's computer system.

Your personal information will be kept for as long as you require a licence and for a period after the service is terminated. You can find more information about our retention policy on the [privacy notice](#) page. We will only use your data within the terms of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary update these privacy notices.

You may see copies of the data held about you and ask for it to be corrected or deleted.

You can find more information about Data Protection and the Council's Data Protection Officer, on our [Data Protection](#) page.

If you are unhappy with the way your personal information is being handled you can contact the [Independent Information Commissioner](#).

Declaration

Please read this declaration carefully before you press submit.

- I certify to the best of my knowledge and belief, the information supplied by me on this form is accurate
- I understand that 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
- I understand that 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 believe, that the employee is disqualified

- I understand the personal information collected on this form will be used by the Borough Council of King's Lynn and West Norfolk to process my request, and deliver the service
- I understand the personal information will only be disclosed to the Norfolk Constabulary Licensing Team and the Home Office in connection with delivering this service
- 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 related 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
- I understand this application is non-refundable

You can find out more detailed information about our Privacy Policy, on our [privacy notice page](#).

☒ **I confirm that all of the details I have provided are correct and I understand that the information provided on this form is subject to the provisions of the above privacy notice.**

Once you've completed the declaration, please 'submit' your form. You will then be passed to a secure site to make your payment.

" />

**LICENSING SUB-COMMITTEE
DETERMINATION NOTICE**

**Appendix 2 to
Report to Licensing Sub-Committee
Re: One Stop
Dated 16th June 2026**

Date of Hearing	23rd April 2025
Sub-Committee Members	Councillors Moriarty (Chair), Sandell and Ayres
Legal Adviser	James Arrandale Amy Pearce
Licensing Officer	Marie Malt – Licensing Manager
Democratic Services Officer	Rebecca Parker
Applicant's Name	Waken Chesterton (Mr D Johal)
Applicant's Representative	Duncan Craig
Interested Parties	Steve Everett (Ward Councillor, Fairstead Ward) Robert Colwell (Borough Councillor and County Councillor)
Media	Lynn News
Premises Address	The Surgery, Centre Point, Fairstead, PE30 4SR
Application	Application for a new premises licence

APPLICATION

The Borough Council of King's Lynn and West Norfolk (the **Council**), being the relevant licensing authority, received an application for a Premises Licence for The Surgery, Centre Point, Fairstead, PE30 4SR.

During the 28-day representation period, the Council received representations from a number of parties. Nine of these contained submissions relevant to the Licensing Objectives to be considered by the Panel. There were no representations to consider from the Responsible Authorities.

HEARING

On 23rd April 2025, a hearing was held to consider the application for the premises licence. The Sub-Committee listened to all the evidence and submissions. It heard from:

- The Licensing Manager
- The Applicant's Representative
- The Interested Parties

SUMMARY OF EVIDENCE

The Licensing Manager

The Licensing Manager presented her report outlining the application which had been submitted, namely an application for the 'Sale of Alcohol by Retail' between the hours of 8am and 9pm, Monday to Sunday.

There were no questions from the Applicant, the Interested Parties or the Panel.

The Applicant

The Applicant's Representative presented the Applicant's case. He acknowledged the close proximity of the primary school to the proposed location, and the concerns of the residents who live close by, but noted that the premises was unlikely to be a doctor's surgery again, and therefore suggested that the proposed use of the premises was as good as any, and would likely only serve the local community. The Applicant's Representative emphasised that the Premises will not be an off licence, rather it will be a convenience store.

The Applicant's Representative provided background information on the Applicant, confirming the Applicant's experience in running 15 similar convenience stores. The Applicant intends to move to the area for 3-4 months, run the business himself as Designated Premises Supervisor (DPS), and then appoint an alternative DPS, but still retain oversight. The Applicant currently works with Onestop, who are part of the Tesco group, and who have a tight compliance regime in respect of alcohol sales.

The Applicant's Representative offered two further conditions to those in the Agenda pack:

- the Applicant agrees to extend the Challenge 25 policy to the proposed delivery service, specifically at the point of delivery; and
- the Applicant will limit the display space dedicated to alcoholic products to not more than 25%.

The Applicant's Representative emphasised that there were no objections from the Responsible Authorities (in particular the Police and the Council's neighbourhood nuisance team), and he addressed the concerns raised regarding the alleged lack of 'need' for another licensed premises by referring to section 14.19 of the section 182 guidance which explains that 'need' is not a relevant factor.

In response to a question from the Licensing Manager, the Applicant's Representative confirmed the two proposed additional conditions above. In response to a question from Cllr Everett, the Applicant's Representative clarified that the additional condition relating to the Challenge 25 policy would be applied at the point of delivery, i.e. on the doorstep.

Cllr Colwell asked for clarification on the walking distance between the Premises and school. The locations and distances were agreed between parties.

In response to questions from Cllr Sandell and Cllr Moriarty regarding to the location of the proposed CCTV, the Applicant's Representative confirmed the camera coverage would be outside of the Premises. The Applicant undertook to cut back a hedge that might obscure the view to ca. 60cm.

Cllr Ayres queried how the proposed extension to the Challenge 25 Policy would be monitored, and the Applicant explained there would be ongoing training and records kept of occasions where sales were declined. He further advised that these would be reviewed by the Business Development Manager on a weekly basis.

In response to Cllr Moriarty's query around the functionality of the Challenge 25 Policy in relation to deliveries, it was explained that deliveries are authorised through Onestop, and ordered via an app, which therefore manages the use of suppliers who have age verification procedures.

Interested Party – Cllr Everett

Cllr Everett as an Interested Party presented his case. He acknowledged that the additional proposed conditions would be beneficial. He also confirmed that the CQC have stated that the Premises will not be a doctor's surgery again. He asserted that his main concerns are the close proximity of the Premises to the schools; the ongoing crime in the area; and the potential that this may increase should the application be approved. Although his concerns are inherently speculative, he invited the Panel to consider the risk of this.

In response to a question from the Licensing Manager, Cllr Everett confirmed he was aware that the 'need' for a licensed premises is not a viable ground for objection.

There were no questions from the Applicant.

Cllr Sandell asked Cllr Everett whether he still believes it would be detrimental to grant the licence given the additional proposed conditions, and noted that the application had been presented as an off-licence in media and social media, whereas it is in fact predominantly a convenience store. Cllr Everett acknowledged that the representation as an off-licence on social media was arguably misleading and confirmed that he was more comfortable with the application given the information that has been presented to him at the Hearing.

Cllr Ayres asked whether the reference to "*another*" alcohol sales outlet was in fact a reference to need. Cllr Everett stated his concerns related more to impact.

In response to a question from Cllr Moriarty, Cllr Everett accepted that the sales may not correlate to display space, i.e. that the sales of alcohol may not be as high as 25%.

Interested Party – Cllr Colwell

Cllr Colwell stated he had received 'considerable' correspondence from concerned residents, some of which he quoted. He explained his knowledge of the area both personally and in a professional capacity. He also referred to a petition commenced by the Community Shop. However, the Licensing Manager confirmed that no petition had been submitted to the Council.

Cllr Colwell emphasised that he strongly opposes the application given the proximity of the premises to local schools. He submitted that the difference in locations between the existing Morrisons and the premises meant that they lay on different traffic/commuting routes to both the Fairstead Primary school and the Churchill Park Academy (secondary school), and therefore the risk of nuisance was different and additional to the risk of nuisance from the existing Morrisons.

Cllr Colwell referred to crime statistics for the area close to the premises, and the proximity of children's facilities. However, in response to a question from the Licensing Manager, Cllr Colwell confirmed that these statistics did not indicate whether any of these crimes were alcohol related.

Cllr Colwell expressed his concerns as to the impact another establishment selling alcohol could have on the area. In questioning, the Licensing Manager asked Cllr Colwell whether he thought

another premises selling alcohol would increase the number of individuals purchasing alcohol, given that Morrisons is already selling alcohol from 8am. Cllr Colwell said that the location of the Premises was key as some children would need to pass the Premises if the application were to be granted whereas at the moment they do not.

The Licensing Manager invited Cllr Colwell to comment on the principle that a premises licence holder could not be responsible for what happens away from the premises. Cllr Colwell stated that he did not expect the Applicant to take responsibility for this, and that part of the problem was that the Applicant could not control that behaviour.

Cllr Colwell raised a concern that the proposed CCTV will only focus on the front of the Premises and not the immediate surroundings too.

In response to a question from the Applicant's Representative, it was agreed that the distance between the existing convenience store and the proposed Premises was approximately 30 metres.

The Applicant's Representative also asked if Cllr Colwell welcomed the 2 fewer hours of alcohol sales compared to Morrisons (i.e. 9pm to 11pm). Mr Colwell confirmed it was welcomed but still not ideal.

Cllr Sandell queried whether Cllr Colwell was contacted when Morrisons applied for their licence as it was not suggested on social media to be an off licence. It was confirmed that Cllr Colwell was not a councillor when the Morrisons licence was granted.

Cllr Sandell also asked Cllr Colwell whether he thought the Applicant had gone far enough with the additional conditions. Cllr Colwell said the detail was impressive, and he could not ask for any more from the Applicant, but that his issue comes back to the location.

Cllr Ayres asked Cllr Colwell whether he believed that adding another premises that sells alcohol would increase the number of people purchasing and consuming alcohol. Cllr Colwell explained that the concern comes from the potential that if refused at one location, the individual may attempt to purchase at the other.

Cllr Moriarty asked Cllr Colwell if he had a view on why the police have chosen not to attend the Hearing or object to the Application. The Licensing Manager advised that the police did consider the application and confirmed that they did not object.

Summing Up

The Licensing Manager, Cllr Colwell, and the Applicant's Representative summed up. Cllr Everett was content not to add anything to his previous submissions.

FINDINGS AND DETERMINATION

The Sub-Committee has determined the application with a view to promoting the four licensing objectives. It considered the application on its own merits. In reaching its determination, the Sub-Committee had regard to the following matters:

- The Licensing Officer's report;
- Relevant parts of the written and oral evidence before them;

- The conditions set out in the agenda pack and offered by the Applicant in the Hearing;
- The Council's Licensing Policy; and
- Statutory Guidance issued under the Licensing Act 2003

In reaching its decision, the Panel took account of the concerns raised by residents and Interested Parties, specifically those relating to potential public nuisance issues, and the proximity of the premises to both the Fairstead Community Primary school, and the Churchill Park Academy, which is a secondary school. The Panel also considered that more premises selling alcohol would not necessarily increase the number of people purchasing alcohol; additionally, the Panel took note of 14:19 of the section 182 guidance which provides that 'need' is not a relevant factor upon which to base their decision.

Using all of the information presented, the Panel has decided to grant the licence subject to the following conditions:

1. **Alcohol sales are to be restricted to the hours of 9am to 9pm, Monday to Friday**, to limit the risk of public nuisance arising from alcohol sales during children's commute to school in the immediate location of the premises;
2. The hours for Saturday and Sunday are agreed as originally proposed, i.e. 8am to 9pm;
3. In addition to the standard requirements of the Challenge 25 age verification scheme, the Applicant is to extend the Challenge 25 policy to the proposed delivery service, with age checks being undertaken at the point of delivery;
4. The Applicant will ensure that no more than 25% of display space in the premises is dedicated to alcoholic products;
5. The licence holder shall maintain records of all refusals of the sale of alcohol and other incidents that may occur at the premises in a book that will be kept for that purpose. The refusals/incident book will be produced for inspection upon reasonable request from representatives of the Police or the Licensing Authority;
6. Signs shall be displayed in prominent positions requesting that customers show due consideration of neighbours when entering and leaving the premises;
7. All staff must receive regular training in crime prevention, conflict management, responsible alcohol sales and how to recognise and appropriately handle situations where children may be at risk. Records of such must be kept on the premises and made available to authorised officers upon request; and
8. A CCTV system shall be maintained at the premises covering all public areas which is capable of recording images for a continuous period of at least 28 days. Images must be capable of being downloaded upon reasonable request from representatives of the Police or the Licensing Authority. All staff on duty at the premises must be trained in the use of the system and be able to comply with any such request. The system will be maintained in good working order at all times. CCTV cameras will be positioned to cover the doorway and till areas and be capable of facial recognition of all persons both entering and exiting the store.

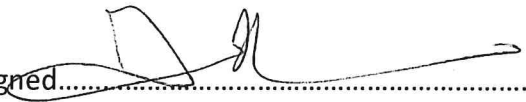
The Panel note the Applicant's commitment to cut back the hedge outside of the premises to a height of ca. 60cm to ensure the CCTV view is not obscured, and therefore maximum coverage is achieved.

The Panel confirms that following the grant of this licence, anyone can request a review if any of the licensing objectives are undermined. The Panel acknowledges that there has been heightened

resident concern in relation to this matter, and therefore wishes to emphasise that evidence will be required for a review to be considered.

RIGHT OF APPEAL

There is a right of appeal against this decision to the Magistrates' Court. An appeal must be commenced within 21 days beginning with the day on which you receive notification of the decision. You may wish to seek independent legal advice from a solicitor or the Citizens Advice Bureau regarding this.

Signed.....
Councillor James Moriarty (Chair of the Licensing Committee)

Date: 29th April 2025



Councillor Steve Everett
Borough Councillor for Fairstead Ward
Chair of the Kings Lynn Area Committee

Councillor Jacqueline Fry
Borough Councillor for Fairstead Ward

**Appendix 3 to
Report to Licensing Sub-Committee
Re: One Stop
Dated 16th June 2026**

Your ref: 26/00581/LA_VAR
Our ref:

22nd May 2026

Licensing Team,
Via Email: EHlicensing@West-Norfolk.gov.uk

To whom it may concern,

**FORMAL REPRESENTATION – OBJECTION TO APPLICATION 26/00581/LA_VAR
(VARIATION OF PREMISES LICENCE – ONE STOP, CENTRE POINT, FAIRSTEAD)**

We wish to submit a formal representation objecting to application 26/00581/LA_VAR in our capacity as elected Ward Members for Fairstead.

This representation is made by reference to the following licensing objectives under the Licensing Act 2003:

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm

We understand that the application seeks to vary the existing premises licence to extend alcohol off-sales from 21:00 until 23:00 Monday to Sunday.

We object to the proposed variation.

When determining the original premises licence application, the Licensing Sub-Committee considered local evidence and representations and reached a balanced determination, granting alcohol sales subject to restricted hours. That decision represented the Authority's assessment of what was considered appropriate and proportionate to promote the licensing objectives within this locality.

We recognise that each application must be considered on its own merits and that the Licensing Authority is not bound by previous decisions. However, where a licence has only recently been granted following a hearing, it is reasonable to ask what material change in circumstances has occurred which now justifies extending the operating hours previously considered appropriate.

In determining this application, we respectfully invite the Authority to apply the preventative and evidence-led approach recognised under the Licensing Act 2003 and the Section 182 Guidance. The courts have recognised that licensing authorities are not required to wait until harm occurs before acting to promote the licensing objectives, but equally that decisions should be based upon evidence and reasonable assessment rather than speculation (*Daniel Thwaites plc v Wirral Borough Magistrates' Court [2008]*). The courts have also recognised that licensing authorities are entitled to make local evaluative judgements about what is appropriate within their own communities (*Hope and Glory Public House Ltd v Westminster Magistrates' Court [2011] EWCA Civ 31*).

Against that background, we do not consider sufficient evidence has been presented to demonstrate that extending alcohol sales by a further two hours each evening remains appropriate for the promotion of the licensing objectives.

Since opening, concerns regarding anti-social behaviour within the wider Centre Point locality have not disappeared. We have been made aware that issues involving groups of young people attending the premises required intervention and local engagement by the local community beat officer in order to resolve concerns. We welcome the actions taken by the premises operator and local policing and understand those specific issues appear to have improved following intervention.

However, the fact that intervention was considered necessary demonstrates that management of behaviour within the immediate locality remains an active consideration rather than a historic concern.

We are also aware that neighbouring businesses have raised concerns regarding anti-social behaviour in the surrounding area.

We also consider it relevant that later evening alcohol sales may present different operational and management challenges to daytime trade. As evening hours progress, there is a greater likelihood that some customers may already have consumed alcohol elsewhere before attending the premises. While we make no allegation regarding this premises or its customer base, later trading hours can reasonably require staff to exercise greater judgement around responsible alcohol sales, refusals and customer management. In an area where anti-social behaviour concerns already exist, we consider it appropriate for the Authority to examine carefully whether extending off-sales hours continues to promote the licensing objectives.

For clarity, we are not asserting that existing nuisance, litter, anti-social behaviour or wider disorder can be directly attributed to this premises, nor that the premises operator is responsible for behaviour occurring elsewhere in the locality. However, licensing decisions are preventative in nature and it is legitimate for the Authority to consider whether extending alcohol availability later into the evening may create additional opportunity for nuisance, congregation and alcohol-related impacts in an area already experiencing management pressures.

In our view, the issue is not whether later sales could theoretically operate without incident, but whether sufficient evidence has been presented to justify departing from the carefully balanced original determination and extending alcohol availability into later evening hours.

OFFICIAL

Given the existing characteristics of the locality, the continued management considerations associated with anti-social behaviour in the area, and the relatively short period since the original licence was determined, we do not consider that case has been made.

For those reasons, we respectfully request that the variation application be **refused** and that the existing licensed hours remain unchanged.

Given that this representation engages relevant licensing objectives and noting that the original premises licence was determined following a hearing, we would also respectfully request that this application be referred to a Licensing Sub-Committee for determination rather than dealt with under delegated powers.

In making this representation, we are acting solely in our capacity as Ward Councillors for Fairstead. Should this application proceed to a Licensing Sub-Committee hearing, neither Member would participate in the determination of the application and both would withdraw from any decision-making role.

Yours sincerely,

Steve Everett

COUNCILLOR STEVE EVERETT
Councillor for Fairstead Ward

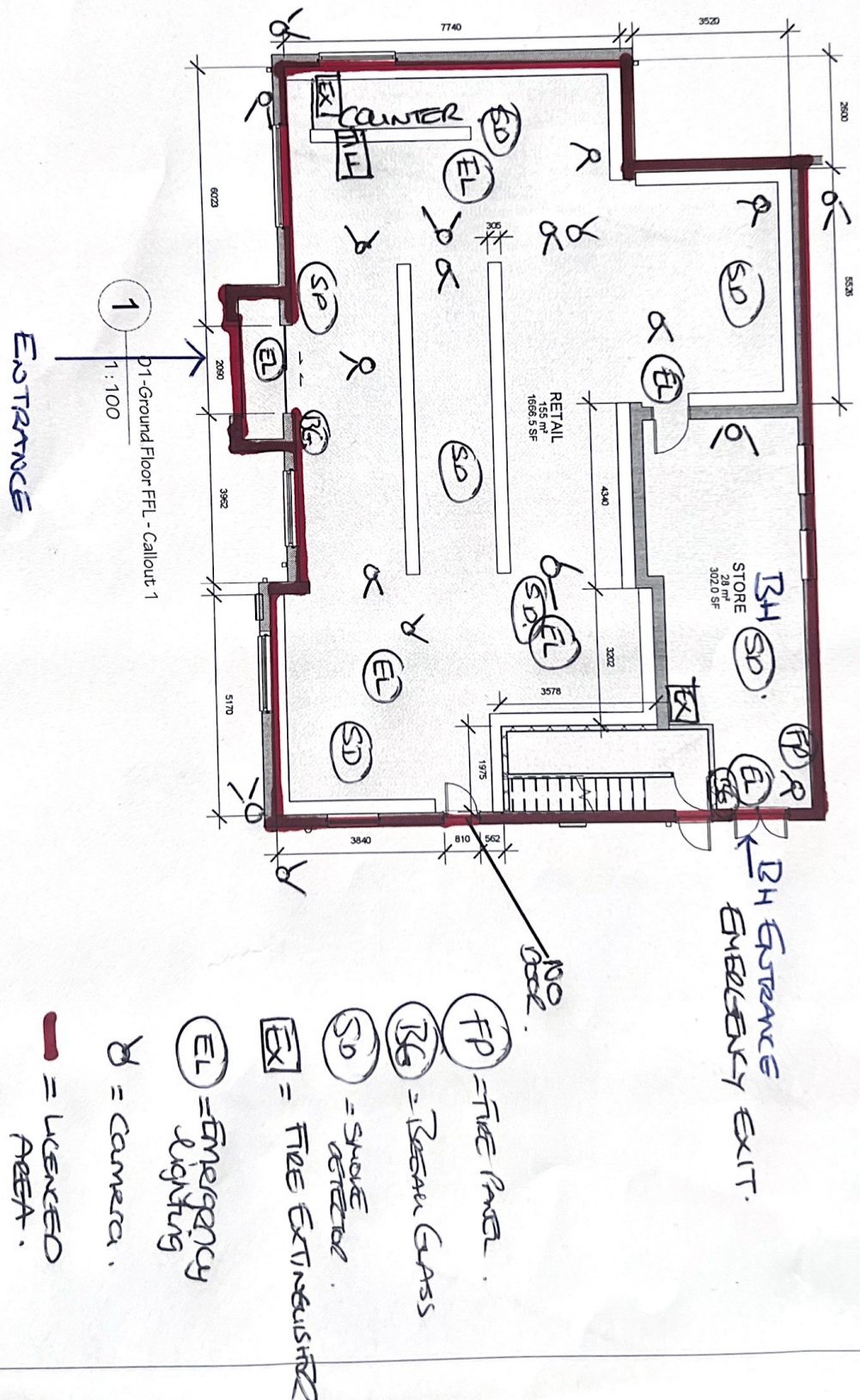
J. Fry

COUNCILLOR JACQUELINE FRY
Councillor for Fairstead Ward

PLAN OF THE 00 SURVEY THIRSTEAD, SHOWING LICENSED AREA FOR A PREMISES LICENSE APPLICATION

Appendix 4 to
Report to Licensing Sub-Committee
Re: One Stop
Dated 16th June 2026

URGENT
T. THIRSTEAD
17E 30 LSC.



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