



PREMISES / PERSONAL LICENCES SUB-COMMITTEE

AGENDA

DATE:	Tuesday, 7 April 2026
TIME:	10.00 am
VENUE:	Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Casey
Councillor A Cossens

Councillor Davidson
Councillor Wiggins

Most Council meetings are open to the public and press. The space for the public and press will be made available on a first come first served basis. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting. Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for up to 24 months (the Council retains one full year of recordings and the relevant proportion of the current Municipal Year). The Council will seek to avoid/minimise footage of members of the public in attendance at, or participating in, the meeting. In addition, the Council is obliged by law to allow members of the public to take photographs, film, audio record and report on the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

If you have any queries regarding webcasting or the recording of meetings by the public, please contact Katie Koppenaal Email: kkoppenaal@tendringdc.gov.uk or Telephone on 01255 686585

DATE OF PUBLICATION: Monday, 30 March 2026

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Election of a Chairman for the Meeting

The Sub-Committee will elect a Chairman for the meeting.

3 Minutes of the Last Meeting (Pages 5 - 10)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on Monday, 16 March 2026.

4 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests of Non-Registerable Interests, and the nature of it, in relation to any item on the agenda.

5 Report of the Assistant Director (Corporate Policy & Support) - A.1 - Grant of a Premises Licence - High Street Express, 23 High Street, Clacton-on-Sea (Pages 11 - 40)

To inform Members that an application has been received for the grant of a premises licence under the Licensing Act 2003 from Mr Kathirgamamoorthy Balasamy for the sale of alcohol off the premises at High Street Express, 23 High Street, Clacton on Sea, Essex and further that objections to the proposed licensable activity have been received from members of the public.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Premises / Personal Licences Sub-Committee is to be held in the at Time Not Specified on Date Not Specified.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

**MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,
HELD ON MONDAY, 16TH MARCH, 2026 AT 10.00 AM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors A Cossens (Chairman), Casey and Davidson
In Attendance:	Sarah Opene (Litigation Lawyer), Michael Cook (Licensing Manager), Emma King (Licensing Officer), Katie Koppenaal (Democratic Services Officer), Bethany Jones (Democratic Services Officer) and Kim Black (Licensing Technical Officer)

31. ELECTION OF A CHAIRMAN FOR THE MEETING

It was moved by Councillor Davidson, seconded by Councillor Casey and:-

RESOLVED that Councillor A Cossens be elected as Chairman for the meeting.

32. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence submitted nor substitutions made on this occasion.

33. MINUTES OF THE LAST MEETING

It was moved by Councillor Davidson, seconded by Councillor Casey and:-

RESOLVED that the minutes of the meeting of the Sub-Committee held on Friday, 23 January 2026, be approved as a correct record and be signed by the Chairman.

34. DECLARATIONS OF INTEREST

There were no Declarations of Interest made by Members on this occasion.

**35. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) -
A.1 - VARIATION OF A PREMISES LICENCE - THE LOCAL, 137 HIGH STREET,
HARWICH, CO12 3AX**

The Chairman adjourned the meeting at this juncture so they could be shown, in private, CCTV footage submitted by the Objector that showed alleged breaches of licence conditions and/or statutory provisions. That CCTV footage was also shown separately, in private, to the Applicant's representatives. Following that adjournment, the meeting resumed and proceeded as detailed below.

Upon resuming the meeting, the Litigation Lawyer (Sarah Opene) read out the following statement:

"Unfortunately, there is no standby Member available for this meeting which is a requirement of the Council's Constitution. However, there is no statutory requirement for a fourth standby Member to be present. The Licensing Act 2003 mandates that such applications as are on today's agenda must be considered by three Councillors. We have three Councillors present and it is therefore my advice, if you concur, that this Hearing goes ahead. Do you agree?"

The Chairman of the Sub-Committee, the Sub-Committee Members, the Applicant's representatives and the Objector and his agent, all agreed to proceed with the hearing. In addition, Steve Bennett, Essex Police Licensing Officer, and witnesses for the objector, Crysta Goldsmith and Jason Barrett, were present at the meeting.

The Sub-Committee heard that the application had been made under the Licensing Act 2003 for the variation of a Premises Licence to request an increase of the opening hours and the sale of alcohol throughout the week.

It was reported that the premises had previously been described as an off licence and convenience store.

The current opening hours for the premises were as follows:

Monday to Sunday 09:00 – 23:00

The current licensable activities for the premises were as follows:

Sale of Alcohol off the premises

Monday to Sunday 09:00 – 23:00

The proposed opening hours were outlined as follows:

Monday to Sunday 09:00 – 02:00

Therefore, the proposed licensable activities to be varied were as follows:

Sale of Alcohol off the premises

Monday to Sunday 09:00 – 02:00

It was reported that following discussions between the applicant and Essex Police (as a Responsible Authority), the applicant had agreed to reduce the proposed opening hours and the proposed sale of alcohol off the premises licensable activity to the following days/hours:

Revised Opening Hours

Sunday to Thursday 06:00 – 00:00

Friday to Saturday 06:00 – 01:00

Revised Sale of Alcohol Off the Premises Hours

Sunday to Thursday 06:00 – 00:00

Friday to Saturday 06:00 – 01:00

The Sub-Committee was informed that the variation application and the applicant's confirmation to reduce the proposed hours were attached to the report (A.1) as

Appendix A and the current premises licence was attached to the report (A.1) as Appendix B.

The applicant's representatives, Ali Hamza & Emma McDonaghue, addressed the Sub-Committee in support of the application, outlining the perceived community need for a late-night off-licence. They stated that residents currently had to travel to Clacton to purchase goods after 11pm.

Questions by Members:-	Answers:-
Having viewed the CCTV footage during the adjournment, we could see a female staff member who appeared to be working alone, can you explain what training is provided to staff to ensure their safety?	(Applicant's representative – Ali Hamza) A colleague (the other representative present) was in the back area while the female staff member shown in the footage was serving customers, as she was undergoing training at the time. I would also like to note that the footage provided was not taken from our security system but recorded on a mobile phone.
Is it standard practice for a single staff member to serve alcohol, as I have concerns about the implications this may have for staff safety?	(Applicant's representative – Emma McDonaghue) I was working in the back area at the time, so she was not unattended. Staff also have immediate access to a panic button, and although it isn't visible on the footage, I was only a short distance away in the stock room.
Can you confirm that the application has been made due to footfall?	(Applicant's representative – Ali Hamza) Yes, footfall typically increases during the evening, and customers generally do not remain in the shop for long periods. If the licence variation were to be approved, I could ensure that two members of staff are present in the shop during late hours, along with a security officer to address any safety concerns. Although there have been comments regarding potential noise, we have never received any complaints from the police or any other authorities. The same applies to the allegation of selling alcohol to underage individuals.
What measures are in place to ensure the safety of children and the prevention of public nuisance?	(Applicant's representative – Ali Hamza) Staff have been trained on the Challenge 25 policy and trading standards. We also have CCTV which is recording 24 hours a day.

The Objector's agent, Naga Rajesh, asked the Applicant's representative (Ali Hamza) to clarify to the Sub-Committee his position as the Applicant was not present. The Applicant's representative, Ali Hamza, confirmed that he was a family member owner.

The Objector's agent then addressed the Sub-Committee on behalf of the Objector, Mr Pushparajah. He reported that the Objector operated the shop and post office opposite the premises in question and resided in the flat above the shop/post office. He stated that the objection was made from a resident's perspective rather than as a business competitor. The agent alleged that crime and disorder at the premises in question had affected the Objector's family life, and complaints had been submitted since the previous year. Those incidents had been investigated, but there had been insufficient evidence to substantiate those claims. The agent further alleged that customers regularly consumed alcohol inside the premises, as shown in the video footage shown during the adjournment, and that the applicant had not introduced any additional measures to support the licensing objectives.

The witnesses for the objector, Crysta Goldsmith and Jason Barrett, also addressed the Sub-Committee and supported the allegations made by the objectors agent.

Questions:-	Answers:-
Have there been any objections from Essex Police on this application?	(Steve Bennett, Essex Police) In relation to the allegations that the premises is being used as a drinking spot or causing public nuisance, no reports or complaints have been received by Essex Police regarding these matters.
(Steve Bennett, Essex Police) Is there a reason that Essex Police have received no reports of the alleged offences?	(Agent) A report was made regarding damage to the CCTV unit outside the Objector's shop; however, we are unable to confirm who was responsible for the incident. (Steve Bennett, Essex Police) That matter relates to the Objector's premises, not the Applicant's. With regard to the other incidents referenced, we are unable to comment as no reports have been made to the police.

The Chairman (Councillor A Cossens) then adjourned the meeting at this time whilst the Sub-Committee retired to deliberate and reach its decision. The Litigation Lawyer (Sarah Opene) and the Democratic Services Officer (Katie Koppenaal) retired with the Sub-Committee for observatory reasons only.

Upon resuming the meeting, the Chairman (Councillor A Cossens) read out a statement detailing the Sub-Committee's decision, which was as follows:

"The Sub Committee has given careful consideration to this application. The premises is The Local, 137 High Street, Harwich.

In reaching its decision, we have taken into account the views expressed by the Applicant's representatives Ali Hamza & Emma McDonaghue, the objector, Mr Pushparajah, and witnesses for the objector, Crysta Goldsmith & Jason Barrett as well as the representations from Tendring District Council's Licensing Manager, Michael

Cook and Essex Police licensing officer, Steve Bennett. The Council has considered statutory guidance and the Licensing Authority's Policy.

The Sub-Committee is asked to consider an application for the variation of a premises licence with the proposed hours for opening and the sale of alcohol for Sunday to Thursday being 6am – 12am and Friday and Saturday being 6am – 1am. The application has been determined in its own right and on its own merit.

It has also considered the licensing objectives namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The decision of the Sub-Committee is to vary the hours proposed as follows:

*06:00am until 11:00pm – Sunday to Thursday
06:00am until 12:00am – Friday and Saturday*

Having viewed the footage provided as part of the evidence for today's hearing, the Sub-Committee feels compelled to reiterate the importance of complying with the licensing conditions, in particular, the staff training relating to licensing laws as displayed on page 42 of the agenda document pack.

There has been no advise from the Legal Advisor in arriving at this decision.

Anyone aggrieved by this decision can appeal to the Magistrates Court within the relevant statutory period.

You will receive notification in writing of this decision in 5 days."

The meeting was declared closed at 11.59 am

Chairman

This page is intentionally left blank

TENDRING DISTRICT COUNCIL

Procedure for hearings – Premises/Personal Licences Sub-Committee

Licensing Act 2003 and Hearing Regulations 2005

The Licensing Committee officers and their roles

- The Committee Clerk (Democratic Services Officer) records the proceedings;
- The Legal Advisor provides independent advice to the Committee Members on legal matters; and
- The Licensing Officer introduces the matter, outlines the application or review as set out in the Report, and answers any questions Members may have.

Committee Members (Councillors):

Members have a responsibility to declare interests, those who declare **Discloseable Pecuniary Interest (DPI)** as defined by The Relevant Authorities (DPI) Regulations 2012 must not take part in the hearing of the application.

If a Member declares a **Pecuniary or Non-Pecuniary Interests**, as defined by Tendring District Council's Members' Code of Conduct (paragraphs 5 and 6), they must consider the impact of that interest on participation and the public perception;

- Matters for Members to consider would cover, but not exclusively:
 - o they know the applicant or any of the objectors; or
 - o they wish either to support or oppose the granting or continuation of a licence either personally or on behalf of their constituents.
 - o whether they have expressed a view on the application site especially, if situated either in their ward or an adjacent ward;

Other Persons or Interested Parties:

This is the term given to an individual, body or business or a representative acting on their behalf-that raises an objection or make a representation to an application for a premises/personal licence. It should be noted that only the Police can make a representation against a Personal Licence application however. These other persons or interested parties are separate to Responsible Authorities, who may also be a party to the hearing.

PROCEDURE

THESE SUB-COMMITTEES MEETINGS & THE HEARING ARE HELD IN PUBLIC, UNLESS THERE IS A LEGAL REASON NOT TO DO SO, HOWEVER THESE ARE IN LIMITED CIRCUMSTANCES.

Note: if the Sub-committee does not have an elected Chairman already, the election of one Member as Chairman will be the first item of business.

HEARING

Step	By whom	
1	Chairman	The Chairman will welcome everyone to the meeting then: a. introduce themselves and the other 2 members and explain that the 4th member (substitute) will not take any part in the hearing or decision making process unless there is a valid objection to one of the other members sitting, if any interest declared debars a member or a member falls ill; b. announce the item to be considered; c. confirm that this procedure will be followed at the hearing, including any maximum periods of time for each side to put their case or objections (*); d. ask all parties, including any "Responsible Authority", to introduce themselves indicating whether or not they are represented, if they are calling any witnesses and if so to identify the witnesses they will be calling. Where there are a number of objectors they will be asked to confirm who their spokesperson is if it is relevant or appropriate for them to do so. e. if a party or Responsible Authority who has made relevant representations is not present, the Sub-Committee will decide whether they consider it in the public interest to (a) continue with the hearing or (b) defer it to enable the party or authority to attend. In reaching a decision on this point, the Sub-Committee will consider any information received from the party either directly or via the Licensing Officer or any other interested person/party where relevant or appropriate; f. remind all present that the Sub-Committee can only make its decision based on the four licensing objectives, namely: (1) prevention of crime and disorder, (2) public safety, (3) prevention of public nuisance and (4) protection of children from harm.

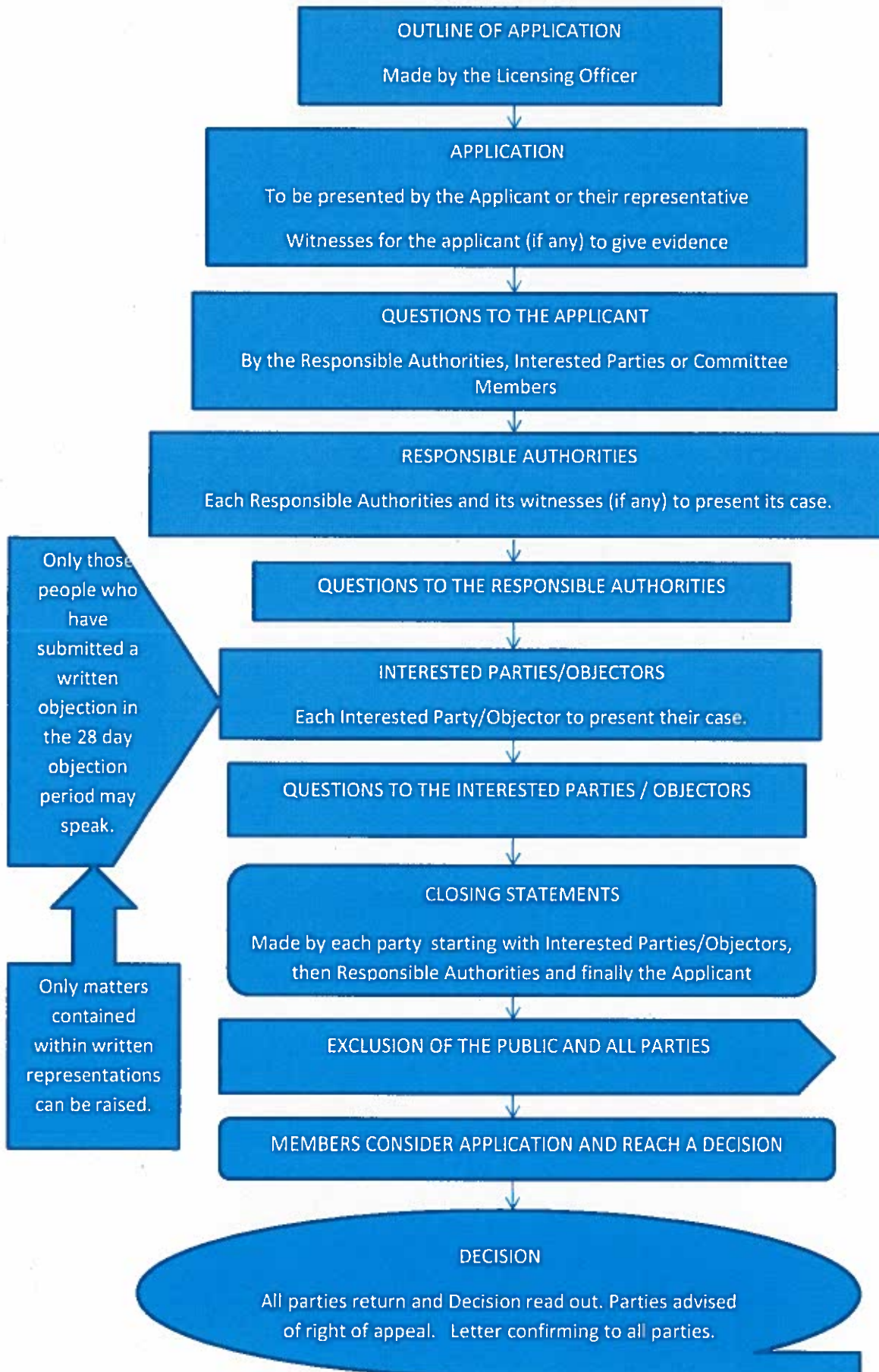
2	Licensing Officer	Will introduce the application or review, highlighting areas of contention or dispute.
3	Committee members	May ask questions of the Licensing Officer.
The Applicant's case (If a person or party requests a review of an existing licence, they would in effect be the Applicant for the review. In those circumstances they would present their case following the summary given by the Licensing Officer)		
4	Applicant or their representative	Will present their case and call witnesses.
5	Responsible authorities or Interested Parties	Each, in turn, may ask questions of the Applicant by way of clarification.
6	Committee members	In turn, each may ask questions of the Applicant.
7	Applicant	May ask any further questions of any witnesses to clear up any points raised in the earlier questioning.
The Responsible Authorities and/or Interested Parties		
8	Responsible Authorities	Will make their representations to the Sub-Committee.
9	Applicant or their representative	May ask questions of the Responsible Authorities by way of clarification.
10	Other persons	May ask questions of the Responsible Authorities or Licensing Officer by way of clarification. Note: this is not the time for other persons to put their objections.
11	Committee Members	May ask questions of the Responsible Authorities by way of clarification. Committee can also ask questions of the objectors by way of clarification.
12	Interested Parties	At this point those who have objected to the application will be asked to present their objections and make observations on the application if appropriate.

13	Applicant or their representative	May ask questions of the Interested Parties /objectors by way of clarification.
14	Committee members	May ask questions of the Interested Parties /objectors.
Closing statements or summary		
15	Chairman	Will ask: a. both the Responsible Authorities and Interested Parties /objectors to comment, briefly, on the application or review and summarise their position. No new issues can be raised at this point. b. the applicant or their representative to summarise the application or review and briefly comment on the representations or objections made. c. if everyone is satisfied that they have said what they wanted to say, but making clear that no new issues can be raised at this point.
DECISION MAKING		
16	Sub-Committee	Will retire to consider the application or review and may request the Legal Advisor and/or Committee Clerk to retire with them.
RESUMING THE MEETING AND CONCLUSION		
17	Legal Advisor	If legal advice has been given to the Members whilst in retirement, this advice will be summarised and repeated in the presence of all parties.
18	Chairman	Will: a. announce the decision made by the sub-committee and the reasons for that decision; b. advise that the decision, and reasons, will be confirmed in writing to all the parties who made representations; and c. advise all parties of their rights of appeal to the Magistrates' Court.

(*) after receiving copies of this procedure, all parties are requested to give the Council's Licensing Department an indication of the time estimated to present their case. This will be taken into consideration when deciding whether maximum periods of time will be necessary.

TENDRING DISTRICT COUNCIL

THE LICENSING SUB-COMMITTEE HEARINGS PROCEDURE



PREMISES/PERSONAL LICENSING SUB-COMMITTEE

7 APRIL 2026

REPORT OF ASSISTANT DIRECTOR, CORPORATE POLICY AND SUPPORT

A.1 GRANT OF A PREMISES LICENCE

HIGH STREET EXPRESS, 23 HIGH STREET, CLACTON ON SEA, ESSEX

REF: 26/00075/PREMGR

PURPOSE OF THE REPORT

To inform Members that an application has been received for the grant of a premises licence under the Licensing Act 2003 from Mr Kathirgamamoorthy Balasamy for the sale of alcohol off the premises at High Street Express, 23 High Street, Clacton on Sea, Essex and further that objections to the proposed licensable activity have been received from members of the public.

BACKGROUND

The application is made under the Licensing Act 2003 for a Premises Licence to the sale of alcohol off the premises.

The applicant has described High Street Express as a convenience store selling groceries, food, drinks, confectionery, tobacco and alcohol. The property is a terrace house with the shop located on the ground floor.

The applicants are proposing to open to the public on the following days/hours:

Everyday 07:00 to 00:00

Sale of Alcohol Off the Premises Hours:

Everyday 07:00 to 00:00

The full application can be found attached at Appendix A.

RELEVANT REPRESENTATIONS

Interested Parties/Other Persons

The Police Reform and Social Responsibility Act 2011 (PRSR Act 2011) removed from the Licensing Act 2003 the specific reference for representations to be made by 'interested parties' and also removed the requirement that representations could only be accepted from persons living in the 'vicinity' of the premises concerned, or who had for example, a business in the 'vicinity' of the premises.

There was no guidance or definition of 'vicinity' within the Licensing Act 2003 which effectively had a limiting effect on those that could make relevant representations.

The PRSR Act 2011 replaced the references to 'interested parties' and 'vicinity' and substituted that representations can be made and accepted by the Licensing Authority from 'other persons' which means that those persons do not necessarily have to live or run a business for example in the proximity of the premises to be able to submit a valid and relevant representation.

The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to 'other persons'. They are shown in italics for ease of reference.

8.12 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises.

Representations can be made either against or in support of an application. The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to this point.

9.3 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.

5 representations/objections have been received from residents in relation to this application.

Letters of objection can be found attached at Appendix B.

Responsible Authorities

No representations have been received from the Responsible Authorities.

FINANCE, OTHER RESOURCES AND RISK

A decision made by the Committee is subject to appeal at the Magistrates Court by the premises user or a relevant person.

POLICY CONSIDERATIONS

The Licensing Act 2003 established a single integrated scheme for licensing premises that are used for the supply of alcohol, regulated entertainment, or provision of late-night refreshment. This system of licensing incorporates the sale of alcohol both on and off licensed premises; public entertainment such as music, dancing, indoor sporting events, boxing or wrestling, theatres, cinemas; and late-night refreshment houses and take-aways.

When determining the application with a view to promoting the licensing objectives in the overall interests of the local community the Licensing Authority in the form of the Licensing Sub-Committee must have regard and give appropriate weight to the following:

- Full Hearing Procedure for Applications for Premises Licences/Club Premises Certificates where representations have been received.
- Tendring District Council's Statement of Licensing Policy - <https://www.tendringdc.gov.uk/content/licensing-act-policy>
- The Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 - <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
- The steps appropriate to positively promote the four 'Licensing Objectives'.
- Representations (including supporting information) presented by all the parties.

Human Rights Implications

A Licence is to be regarded as the property of the applicant; however their right to the use of the property must be balanced against all other public interests or representations in this matter that the Premises/Personal Licences Sub-Committee may wish to consider as appropriate, reasonable and proportionate in relation to the application that has been submitted and also the representation/s that has/have been received against it.

In making their decision as to whether to grant this application, Members of the Premises/Personal Licences Sub-Committee should also take into consideration Article 1 of the First Protocol of the Human Rights Act 1998, that individuals are entitled to the peaceful enjoyment of their property, and also Article 8 that everyone has the right to respect for his private and family life and his correspondence.

Crime and Disorder Implications

Section 17 of the Crime and Disorder Act 1998 imposes a duty on local authorities when exercising any of their functions to have due regard to the likely effect of the exercise of those functions on, and the need to do all it possibly can to prevent, crime and disorder in its area.

Members are requested to consider the information shown below where the Licensing Authority has received a representation about an application which is relevant to one or more of the four licensing objectives, and which suggests that the application may have a negative impact on one or more of the licensing objectives.

The purpose of the licensing system is to positively promote the four 'licensing objectives'.

These are:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm.

The Licensing Authority's Statement of Licensing Policy expects applicants to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance relevant to the individual style and characteristics of their premises.

The relevant extracts from the Council's Statement of Licensing Policy in respect of Planning considerations (shown in *italics*) and also the 'Prevention of Public Nuisance' licensing objective are as follows:

1.24 When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the local planning authority. However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.

Relevant Section 182 Guidance –

The following sections are taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and the link is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety.

- Crime and Disorder Section 2.1 to 2.7
- Public Safety Section 2.8 to 2.20
- Public Nuisance Section 2.21 to 2.27
- Protection of Children from Harm Section 2.28 to 2.38

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

RECOMMENDATION(S)

Each application must be considered in its own right and on its own merits only as to how it might impact on the four licensing objectives which are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The Licensing Sub Committee is therefore asked to determine this application taking into consideration the application in its own right and on its own merits and also all of the relevant information that has been submitted as part of this report and at the hearing itself.

APPENDICES

Appendix A - Application and plan
Appendix B - Letters of objections

REPORT CONTACT OFFICER(S)

Name	Michael Cook Emma King
Job Title	Licensing Manager Licensing Officer
Email/Telephone	licensingsection@tendringdc.gov.uk 01255 686565

Tendring District Council

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form, please read the guidance notes at the end of the form. If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I **Kathirgamamoorthy Balasamy**

(insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
23 HIGH STREET CLACTON-ON-SEA			
Post town	CLACTON-ON-SEA	Postcode	CO15 1NU
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | ☒ | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | | please complete section (B) |
| ii. as a partnership | ☐ | please complete section (B) |
| iii. as an unincorporated association or | ☐ | please complete section (B) |
| iv. other (for example a statutory corporation) | ☐ | please complete section (B) |
| c) a recognised club | ☐ | please complete section (B) |
| d) a charity | ☐ | please complete section (B) |

A.1 - APPENDIX A

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☒	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname BALASAMY			First names KATHIRGAMAMOORTHY		
I am 18 years old or over				☒ Please tick yes	
Current postal address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					☐ Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	0	03 2026

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

DD	MM	YYYY

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

THE PREMISES IS CONVENIENCE STORE SELLING GROCERY, FOOD, DRINKS, CONFECTIONERY, TOBACCO AND ALCOHOL. THE PROPERTY IS A TERRACE HOUSE AND THE SHOPLOCATED IN GROUND FLOOR. I WISH TO APPLY FOR AN ALCOHOL LICENSE TO SELL ALCOHOL BEVARAGES OVER THE COUNTER TO CONSUMPTION OFF THE PREMISE.

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

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

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

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐
☐
☐
☐
☐
☐
☐
☐

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

☐

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

☒

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	☐
				Off the premises	☐
				Both	☐
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07:00	24:00			
Tue	07:00	24:00			
Wed	07:00	24:00			
Thu	07:00	24:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	07:00	24:00			
Sat	07:00	24:00			
Sun	07:00	24:00			

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

Name KATHIRGAMAMOORTHY BALASAMY	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) : 20/00420/LAPER	
Issuing licensing authority (if known): CHELMSFORD CITY COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

NOT APPLICABLE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	24:00	
Tue	07:00	24:00	
Wed	07:00	24:00	
Thur	07:00	24:00	
Fri	07:00	24:00	
Sat	07:00	24:00	
Sun	07:00	24:00	
<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)			

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

I WILL PROMOTE THE FOUR LICENSING OBJECTIVES AND MAKE SURE ALL STAFF FOLLOW THE SAME PROCEDURES. WE WILL STRICT POLICIES FOR HYGIENE, IDENTIFICATION OF AGE POLICIES AND THAT RESPECT FOR THE NEIGHBOURS ARE ENFORCED.

b) The prevention of crime and disorder

I WILL ENSURE THAT THE PREMISE IS LOCKED AND APPROPRIATELY MONITORED.
I WILL ENSURE THAT ALL THE LICENSE CONDITIONS ARE KEPT AND MAINTAINED.
I WILL ADOPT CHALLENGE 25 PROCEDURE AND REFUSE THE SALE OF ALCOHOL WITHOUT IDENTIFICATION.

c) public safety

WE WILL ENSURE FIRE RISK ASSESSMENT IS CARRIED OUT AND KEEP A FIRE EXTINGUISHER AND FIRE BLANKET TO USE IN AN EMERGENCY. HIGH LEVELS OF HYGIENE AND CLEANLINESS WILL BE ENFORCED IN THE PROPERTY.

d) The prevention of public nuisance

NOISE WILL BE MONITORED AND KEPT TO A MINIMUM.
NO PERSON WHO IS UNDER THE INFLUENCE OF ALCOHOL WILL BE ALLOWED IN THE SHOP.

e) The protection of children from harm

WE WILL BE VERY STRICT DO NOT SELL ALCOHOL TO CHILDREN AND UNDERAGE. ALL STAFF WHO SELLS ALCOHOL WILL BE TRAINED IN THE ROLE BY THE DPS WITH REGULAR REFRESHER TRAINING. WHERE A PERSON APPEARS TO BE UNDER THE AGE 25, CHALLENGED BY ASKING TO PROVIDE APPROVED AGE IDENTIFICATION. SUITABLE SIGNAGE WILL BE DISPLAYED AT THE POINT OF ENTRY AND AT THE SERVICE AREA.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☐
- I have enclosed the plan of the premises. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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.

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 notes 14)

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 read guidance note 14)

Part 4 – Signatures (please read guidance note 10)

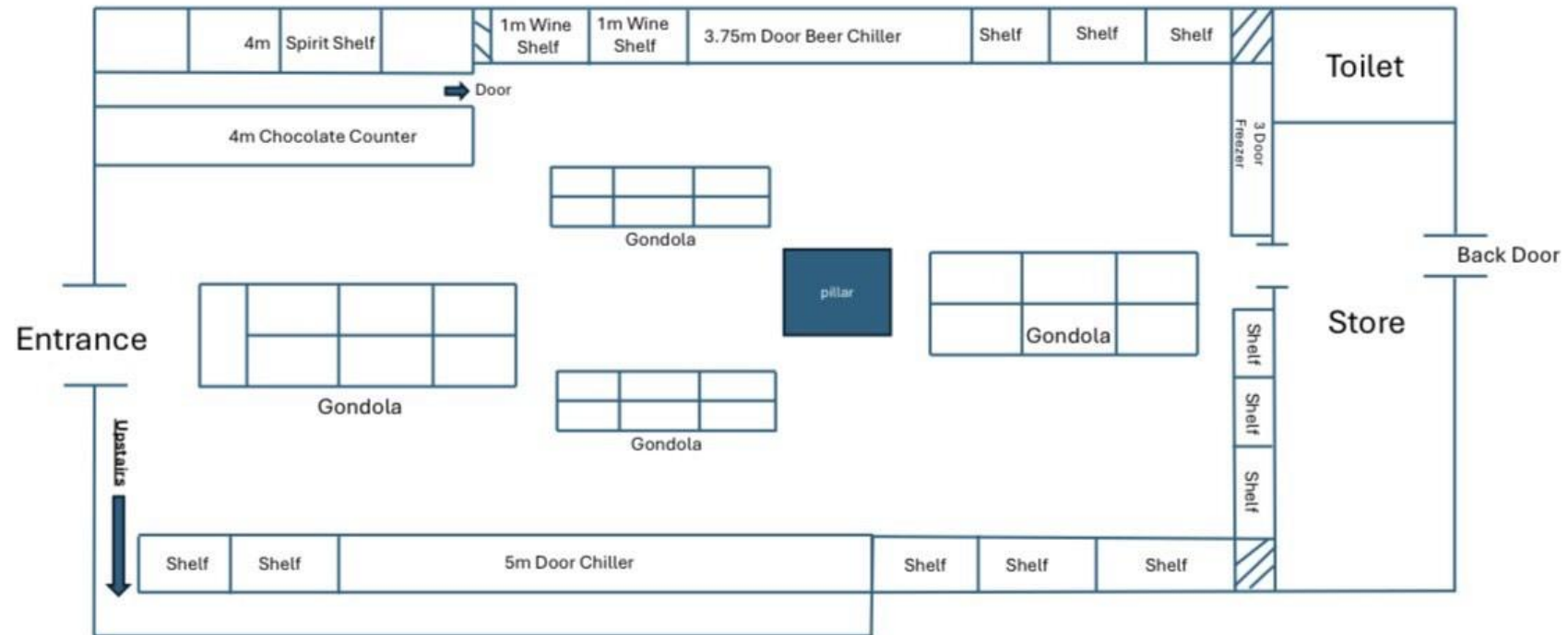
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	09/02/2026
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

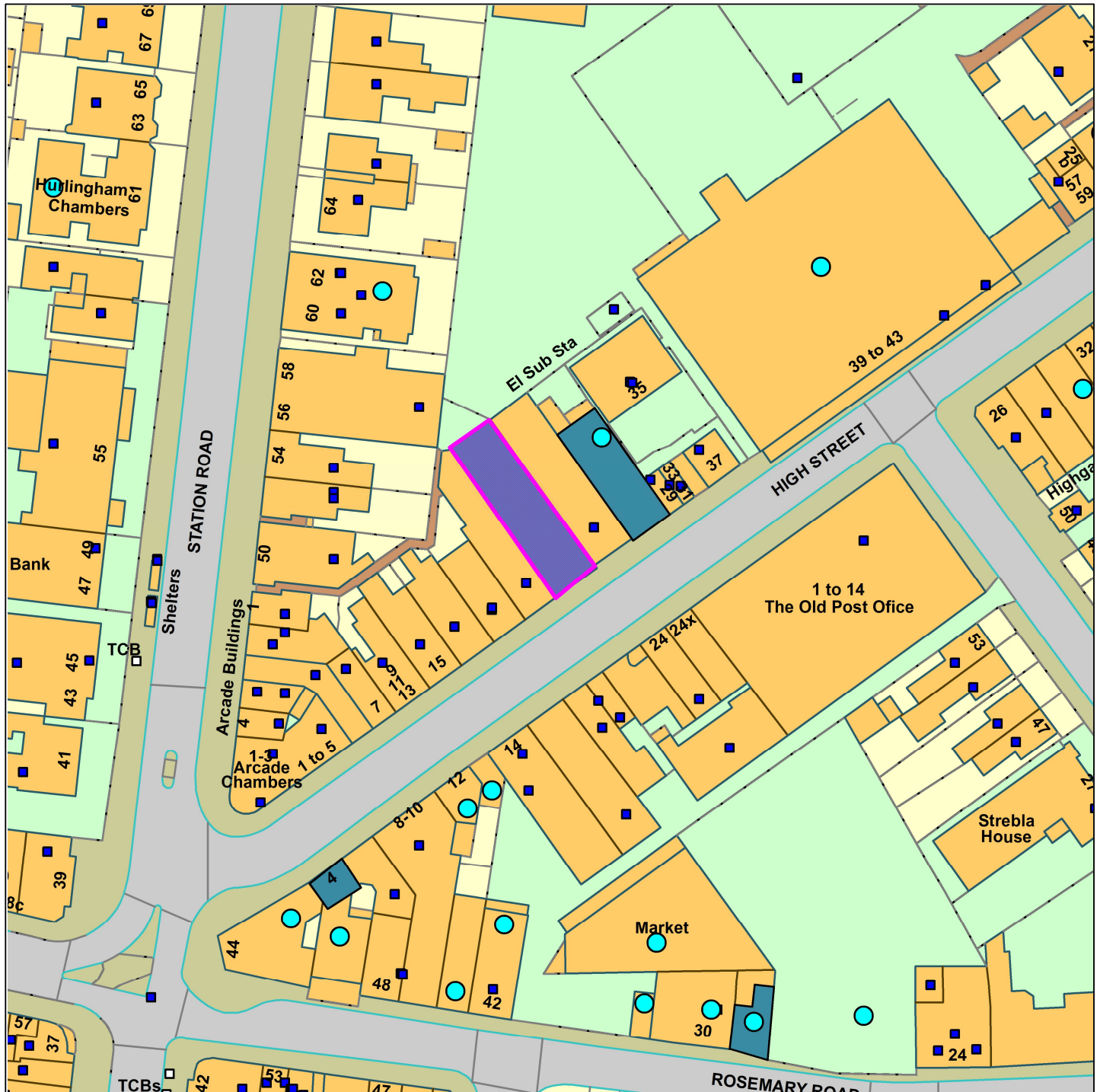
23 High street Clacton On Sea, CO15 1NU Shop Plan



This page is intentionally left blank

Premises Grant

High Street Express



Scale : 1:945

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Tendring District Council
Department	Licensing Department
Comments	23 High Street, Clacton on
Date	11 March 2026
SLA Number	100018684

This page is intentionally left blank

From: PublicAccess.Comments@tendringdc.gov.uk

Sent: 27 February 2026 13:49

To: Licensing Section

Subject: Comments for Licensing Application 26/00075/PREMGR

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 27/02/2026 1:48 PM from [Name Submitted].

Application Summary

Address: 23 High Street Clacton On Sea Essex CO15 1NU

Proposal: Premises Licence Grant

Case Officer: Kim Black

[Click for further information](#)

Customer Details

Name: [Name Submitted]

Email: [Email Submitted]

Address: [Address Submitted]

Comments Details

Commenter Type: Member of the Public

Stance:	Customer objects to the Licensing Application
Reasons for comment:	- General no evidence - Opening Hours - Public Nuisance
Comments:	27/02/2026 1:48 PM It is unclear from the information provided in the application what type of business is proposed. The requested licensing hours of 7:00am to 12:00am appear excessive, particularly in a town that already experiences significant antisocial behaviour linked to alcohol consumption. Individuals frequently congregate and drink in the town centre, including the town square, where their behaviour can be intimidating and, at times, abusive toward members of the public. There are already several convenience-style stores in the town centre that offer off-sales of alcohol. Granting an additional licence of this nature is likely to exacerbate the existing issues faced by residents and visitors.

Kind regards

From: [Email Submitted]

Sent: 06 March 2026 19:23

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: Licensing Department

Licensing Department
Tendring District Council

Dear Sir/Madam,

Subject: Representation Against Premises Licence Application – HIGH STREET EXPRESS, NO 23 HIGH STREET, CLACTON-ON-SEA, CO15 1NU

I am writing to formally submit a representation regarding the premises licence application for the proposed off-licence at the above address.

My concerns relate to the licensing objectives set out in the Licensing Act 2003, specifically the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.

Currently, parts of the local area in Clacton-on-Sea are already experiencing issues with antisocial behaviour involving young people, including underage vaping and concerns about access to alcohol. Residents have reported increasing problems with young people gathering in public spaces, which can sometimes lead to disturbances and inappropriate behaviour.

Allowing an additional off-licence in close proximity may increase the availability of alcohol and could potentially worsen these existing concerns. Increased alcohol availability can contribute to antisocial behaviour, street drinking, noise, littering, and disturbances that negatively impact the quality of life for local residents.

I am particularly concerned about the potential risk to children and young people in the area. The presence of another alcohol retailer may increase the risk of underage access to alcohol if strict safeguards are not implemented.

Furthermore, there are concerns that customers may congregate outside the premises, particularly during evening hours, which could result in noise, public nuisance, and safety concerns for nearby residents and pedestrians.

Given the existing challenges in the area, I respectfully request that the council carefully consider the potential impact of granting this licence. I ask that the application either be refused or that strict conditions be imposed to ensure the protection of the community and to uphold the licensing objectives.

Thank you for considering my representation.

From: [Email Submitted]

Sent: 07 March 2026 13:16

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: Representation Against Grant of Premises Licence for Hight Street Express, No 23 High Street

Dear sirs,

Name of Applicant: Kathirgamamoorthy Balasamy

Address of Premises: High Street Express, No 23 High Street, Clacton-On-Sea, CO15 1NU

I am writing to formally submit a representation regarding the application for a premises licence for the above proposed premises within the Tendring District.

As a local resident, I wish to express my serious concerns about the potential impact that granting this licence could have on the surrounding community. My concerns relate directly to the four licensing objectives set out under the Licensing Act 2003.

The introduction of another off-licence premises in this area has the potential to increase alcohol-related crime and antisocial behaviour. In many communities, late-night alcohol sales and easily accessible off-licence premises have been associated with increased incidents of public disorder, street drinking, and disturbances. Residents in the vicinity may experience increased noise, loitering, and intimidation, particularly during evening hours. If this licence is granted without strict consideration, it may unintentionally contribute to these problems and place additional pressure on local policing resources.

The area surrounding the proposed premises is used by local residents and families who expect a safe and peaceful environment. Off-licence premises can attract gatherings of individuals consuming alcohol nearby, leading to noise, littering (including broken bottles and cans), and disturbances late into the evening. Such activity would negatively affect the quality of life of residents living nearby and could lead to ongoing nuisance complaints.

Public safety is also a concern, particularly if alcohol is purchased and consumed in nearby public areas or streets. Increased alcohol availability may lead to incidents involving intoxicated individuals, which could pose risks to pedestrians, local businesses, and residents. Furthermore, discarded bottles and cans can create hazards, particularly for children and vulnerable individuals in the area.

The presence of an off-licence store may increase the risk of underage individuals attempting to obtain alcohol or being exposed to alcohol-related behaviour in the

immediate vicinity of the premises. If the premises are located near residential areas, schools, parks, or areas frequently used by young people, this raises additional concerns.

The council has a duty to ensure that children and young people are protected from harm, and the presence of another alcohol outlet may undermine this objective.

In addition to the above concerns, it is important to consider the cumulative effect of alcohol availability within the area. Granting additional licences may contribute to a saturation of alcohol outlets, which can amplify the negative impacts outlined above.

For the reasons outlined above, I respectfully request that the Licensing Authority carefully consider the potential consequences of granting this licence. The concerns raised directly relate to the statutory licensing objectives and the wellbeing of the local community.

I therefore urge the council to reconsider this application and, where appropriate, refuse the licence or impose very strict conditions to mitigate the potential harms identified.

Thank you for taking the time to consider this representation. I trust that the council will give due weight to the concerns of local residents when determining this application.

Kind regards,

[Name Submitted]

From: [Email Submitted]

Sent: 07 March 2026 12:37

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: Representation Against Premises Licence Application – High Street Express,
23 High Street, Clacton-on-Sea, CO15 1NU

Licensing Department

Tendring District Council

Dear Sir/Madam,

I wish to raise concerns regarding the above premises licence application.

My concerns relate to the licensing objectives under the Licensing Act 2003, particularly the prevention of crime and disorder, public nuisance, and the protection of children from harm. The area already experiences issues with antisocial behaviour and concerns about young people accessing alcohol and vaping.

An additional off-licence may increase alcohol availability and potentially contribute to further antisocial behaviour, noise, and disturbances affecting local residents.

I respectfully ask the council to carefully consider the impact on the community when determining this application.

Thankyou,

From: [Email Submitted]

Sent: 07 March 2026 12:35

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: Off Licence Objections

To: Licensing Authority / Relevant Council

Subject: Objection to the Proposed Opening of an Additional Off-Licence on HIGH STREET, CLACTON-ON-SEA, CO15 1NU

Dear Sir/Madam,

I am writing to formally object to the proposed application for a new off-licence to be opened on HIGH STREET, CLACTON-ON-SEA, CO15 1NU.

There is already an existing off-licence operating on this street, which adequately serves the needs of local residents. The addition of another off-licence in such close proximity raises concerns about its potential impact on the surrounding community.

Increasing the number of premises selling alcohol in a concentrated area may contribute to several issues, including increased noise, littering, anti-social behaviour, and disturbances, particularly during late hours. Residents value the safety, quietness, and wellbeing of the neighbourhood, and further alcohol retail outlets may negatively affect the character and quality of life in the area.

In my view, the current provision is sufficient for the local population, and approving an additional off-licence may create unnecessary pressure on the community and local authorities responsible for maintaining public order.

For these reasons, I respectfully request that the council carefully consider the concerns of local residents and refuse the application for an additional off-licence on the high street .

Thank you for taking the time to consider this objection.

Yours faithfully,

Anonymous

This page is intentionally left blank