

LICENSING SUB-COMMITTEE

MONDAY 18 JANUARY 2021

(9:45am - 10:28 am)

Councillor Lorraine Dunstone
Councillor Simon Edwards
Councillor Olly Wehring (Chair)

1. APPOINTMENT OF CHAIR

Councillor Wehring was appointed Chair for the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting held on 6 January 2021 were approved as a true and correct record.

4. FIRST STOP SURBITON - 27 - 29 BRIGHTON ROAD, SURBITON, Appendix A KT6 5LR

The Licensing Officer introduced the matter for determination and informed the Sub-Committee that Mr Manpreet Singh Kapoor at Personal Licence Courses UK had applied for a New Premises Licence on behalf of Mr Manpreet Singh to permit the sale of alcohol (for consumption off the premises only) in respect of the premises known as First Stop Surbiton, 27-29 Brighton Road, Surbiton, KT6 5LR.

The application sought the grant of the following:

- the sale by retail of alcohol (for consumption off the premises only), Monday to Sunday from 08:00 to midnight. Following discussions with Responsible Authorities, the terminal hour for the sale of alcohol was amended to 23:00 hours, Monday to Sunday. The proposed opening hours are 08:00 to midnight, Monday to Sunday.

The Licensing Officer informed the Sub-Committee that the proposed hours of licensable activities and the hours of operation were laid out in Annex 2. The Licensing Officer explained that the applicant had advertised the application, as required, by way of a poster at the premises and by advertisement in a local newspaper and that the application had also been advertised on the Council's website. In addition, some 207 residents were consulted in writing and informed that an application had been received. 3 valid representations were received from Other Persons. The representations referred to matters that related to prevention of crime and disorder and the prevention of public nuisance licensing objectives. Copies of the representations were attached at Annex 4.

It was confirmed that all Responsible Authorities received a copy of the application. The Metropolitan Police as the Responsible Authority for the prevention of crime and disorder licensing objectives and the Council's Environmental Health (Noise Pollution)

Officer as Responsible Authority for the prevention of public nuisance licensing objectives initially raised concerns regarding the application. Following further consultation, the applicant addressed the concerns by making amendments to their operating schedule. These amendments were reflected in the conditions shown in Annex 3 of the report. In light of these amendments the representations made by Responsible Authorities were satisfied.

The Sub-Committee then heard a submission from the applicant's agent who explained that the lease on the existing First Stop shop on 60 Brighton Road KT6 5PP was expiring and that they wished to move to a new premise within a close proximity. The applicant confirmed the various ways in which they would be adhering to the proposed conditions imposed by the Premises Licence. The Sub-Committee had seen the late material submitted by the applicant containing letters of support for the application from local residents. The Sub-Committee asked the applicant to clarify the times of operation of their current premises and whether there would be any differences. The Licensing Officer confirmed that the premises licence at the 60 Brighton Road Premises are 08:00 - 23:00 Monday to Saturday and 10:00 - 23:00 on Sunday. The only difference with regards to the new premises licence was the additional two hours between 08:00 - 10:00 on Sunday morning.

The Sub-Committee queried the applicant on the litter concerns raised within the representations. The applicant explained that a bin will be placed out in front of the premises in order to ease any concerns.

Reasoning and decision

In making their decision, the Sub-Committee considered the merits of the application and had regard to the Council's Statement of Licensing Policy and guidance issued by the Secretary of State under section 182 of the Licensing Act 2003. The Sub-Committee considered the steps which were appropriate and proportionate to promote the licensing objectives, and after taking account of all relevant issues that had been raised in the application and by the written and verbal representations, decided to GRANT the application for a NEW premises licence subject to conditions as set out below.

The Sub-Committee noted that following negotiation with the Metropolitan Police and the Council's Environmental Health Officer, the operating schedule had been amended and that these representations had been subsequently satisfied.

The Sub-Committee had regard to the relevant written representations from three residents which raised concerns relating to prevention of crime and disorder and the prevention of public nuisance licensing objectives. The applicant confirmed that a bin would be placed outside the front of the premises to ease local residents' concerns regarding litter.

Decision

The Sub-Committee decided to grant the application for a NEW PREMISES LICENCE, subject to conditions, as follows

(a) Hours

Permit the sale by retail of alcohol (for consumption off the premises only) Monday to Sunday 08:00 - 23:00.

(b) Conditions arising from applicants Operating Schedule, as amended in Annex 3 of the report, as follows:

The prevention of crime & disorder

Staffing, training

1. All staff shall be trained before they are allowed to sell any alcohol to the public.
2. Records of staff training along with any training material used must be kept by the Designated Premises Supervisor or Premises Licence Holder.
3. All training records shall be signed by the trainer and trainee in respect of training received.
4. The premises licence holder shall implement a training manual and all members of staff shall be suitably trained in underage sales prevention before making any sales of alcohol.
5. Refresher training shall be carried out every six months for all staff and documented within the training records.
6. The training records shall be available for inspection by the police or authorised local authority officers.

Closed-circuit television

7. The premises shall install and maintain a comprehensive closed-circuit television system (CCTV). All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
8. The digital CCTV will cover all areas to where public have access, including external areas of the premises.
9. CCTV will be recording at all times when premises is open, and the recordings will be of evidential quality in all lighting conditions and be of a sufficient quality to produce in court of hearing.
10. All images downloaded from the CCTV must be provided in a format which can be viewed on regularly available equipment without the need for specialist software.
11. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV.
12. The CCTV system shall be maintained in effective working order.
13. Suitable signage shall be displayed at the premises in a prominent position as customers enter the premises stating that CCTV is in operation.

Incident log

14. An incident log shall be maintained at the premises recording:
 - i. all incidents of crime and disorder occurring at the premises;
 - ii. details of occasions when the police are called at the premises;
 - iii. any complaints received;
 - iv. any faults in the CCTV system.
15. The register will be available for inspection by a police officer or other authorised officer on request.

The prevention of public nuisance

Dispersal policy

- 16. Clear and legible notices shall be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- 17. Customers will be reminded by members of staff that they must leave the premises quietly in order to respect the local residents.

The protection of children from harm

Age verification - Challenge 25 policy

- 18. Evidence of age in the form of photographic identification (ID) shall be requested from any person appearing to those selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
- 19. Examples of appropriate ID include a passport, photographic driving licence, and the Proof of Age Standards Scheme (PASS) approved age cards.
- 20. Notices shall be strategically and prominently placed at points of sale advising customers that they may be asked to provide evidence of age.
- 21. A refusals book to record every instance that sales of alcohol are refused shall be maintained.
- 22. The refusals book shall document the date and time a refusal of sale is made and the member of staff refusing the sale.
- 23. The refusal book shall be available for inspection by the police or authorised local authority officers.
- 24. All staff shall be trained in these procedures before they are allowed to sell any alcohol to the public.

There were no additional conditions and/or amended conditions imposed by the Sub Committee.

5. URGENT ITEMS AUTHORISED BY THE CHAIR

There were no urgent items.

6. EXCLUSION OF THE PRESS AND PUBLIC

This item was not required.

Signed.....Date.....
Chair