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LICENSING HEARINGS

Date and Time: Wednesday 7 June 2023 at 11.00 am

Place: Council Chamber

Present:

Collins (Chair), Delaney and Smith

In attendance:

Mr Varinder Singh Bhandal (applicant)

Mr Graham Carruthers

Mr Panchal (agent's associate)

Officers:

Francis Umukoro, Shared Legal Services

Debbie Berry, Shared Legal Services

Angela Semowo, Licensing Officer

Jenny Murton, Committee and Member Services Officer

Emma Evans, Committee and Member Services Officer

1 APPOINTMENT OF CHAIRMAN

Councillor Collins had been appointed Chairman for this Hearing.

2 DECLARATIONS OF INTEREST

None declared and there were no objections to the Members on the Panel.

3 APPLICATION FOR PREMISES LICENCE - LIQUOR AND VAPE STORE, 158 ALDERSHOT ROAD, CHURCH CROOKHAM, FLEET, GU52 8JT

The Chairman welcomed everyone to the Hearing and all those present introduced themselves.

The Chairman confirmed that no representations had been withdrawn.

The Licensing Officer summarised the application contained in her report. She confirmed that within the 28-day consultation period four valid representations had been received opposing the application which related to the possibility that neighbouring residents would be affected by noise nuisance and anti-social behaviour and the possibility of youths congregating outside the premises.

No representations had been received from any of the Responsible Authorities.

There were no questions about the Officer's report.

The Agent's Associate presented the application and explained his client's (the Applicant) 12-year experience in the Licensing trade. He also explained the staff

training schedule and procedures, the importance of the challenge 25 policy and a refusal book, the use of CCTV and how this will be operated and monitored.

He highlighted that the Applicant planned to have no deliveries between 7pm and 8am.

Members further questioned the time that deliveries would be permitted.

Members also questioned the Applicant further on how credible he felt asking customers to leave the premises would ensure that customers left the store quietly to respect residents and the tenant living above the premises.

Members asked the Applicant if he planned to sell any other goods apart from vapes and alcohol and he replied he was looking at selling snacks, American sweets and crisps, confectionary and possible slushy drinks in addition.

Mr Carruthers opposed the application as well as his daughter who lives above the premises. Mr Carruthers spoke on behalf of his daughter who could not attend the Hearing.

Mr Carruthers informed the group he was concerned about the proposed opening hours, that were 7am until 10pm.

He said he appreciated the existing sound proofing that the dwelling above the premises has, but stated he does not believe it is soundproof.

Mr Carruthers confirmed that he does not object to an off licence operating in principle but asked the Committee to consider reducing the proposed opening hours.

The Agent's Associate asked Mr Carruthers to provide more detail on the existing sound proofing and this was discussed.

The Chairman thanked all parties for their contributions.

The Licensing Officer reiterated that the Applicant had asked for a condition to be included in the Licence preventing any deliveries to be carried out between 7pm and 8am.

The Agent's Associate summarised that his client planned to do more work on the premise's soundproofing and highlighted that the opening hours proposed are less than the core hours permitted.

Members had no further questions and adjourned from 11:28am until 1:04pm.

The Chairman welcomed the group back and read out the Decision Notice. This Notice is included in full in the Minutes.

DECISION NOTICE

The meeting closed at 1.14 pm

DECISION NOTICE
OF THE LICENSING SUB COMMITTEE
AT HART DISTRICT COUNCIL
ON 07 June 2023

22/00228/LAPRE: APPLICATION FOR NEW PREMISES LICENCE - LIQUOR AND VAPE STORE, 158 ALDERSHOT ROAD, CHURCH CROOKHAM, FLEET, GU52 8JT

The Licensing Sub Committee has carefully considered all the evidence regarding the application for a premises licence at Liquor and Vape Store, 158 Aldershot Road, Church Crookham, Fleet, GU52 8JT and listened to the representations from the Applicant's agent, the Applicant, and the Interested Party. The Committee has also had regard to the written representations. The Committee has decided having regard to all the circumstances to grant the application for a new premises licence in accordance with S18(4) of the Licensing Act 2003. The licence will be granted in accordance with the application, the operating hours and floor plan as applied for.

The proposed steps to promote the Licensing Objectives listed on the application form shall be included in the licence, and as stated below:

General conditions

- Strict implementation of challenge 25 policy.
- CCTV to be installed and 31 days recording system.
- All staff to be trained in responsible alcohol retailing.

The prevention of crime and disorder objectives

- CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from the council.



- The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
- The CCTV system shall display on any recordings, the correct date and time of the recording.
- A member of staff trained in the use of the CCTV system shall be available at the premises at all times that the premises are open to the public.
- A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the internal area and servery counter.
- A suitable intruder alarm complete with panic button shall be fitted and maintained.
- An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of the council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
- Staff training must be documented and based on legislation and operating procedures. All training shall be signed and dated, and a copy of such records will be available for inspection by Police and local authority enforcement officers.
- All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

Public safety objectives

- Installation of appropriate safety equipment

- Fire exit signs displayed
- CCTV working at all times

The prevention of public nuisance objectives

- Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
- Strict policy in place to tell all staff not to serve alcohol to drunk people at all
- Appropriate signage will be displayed, in a prominent position informing customers they are being recorded on CCTV

The protection of children from harm objectives

- A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
- The only acceptable ID will be those with photographic identification documents, including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
- A refusal book shall be kept at the premises and updated as and when required and made available for inspection on request to a Licensing Officer, Police or other responsible authority.
- A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

Conditions imposed by the Sub Committee

The Committee has also in addition to the above conditions, decided to impose the following conditions:

- No deliveries to the premises shall take place between 19:00 to 08:00 hours, 7 days a week.
- The business shall not open until the Applicant has sought advice from the Noise Pollution Team at Hart District Council with regards to sound proofing, and to carry

out any recommended sound proofing improvements between the retail unit and the residential flat above.


Reasons

Members considered that this would promote the licensing objective of public nuisance having listened to the representations from all parties.

The Licence will also be granted subject the relevant mandatory conditions stated in the Licensing Act 2003.

In making this decision the Sub Committee have considered representations from all the parties, Guidance made under S182 of the Licensing Act 2003 and Hart District Council's Licensing Policy. The decision is considered proportionate and appropriate to promote the licensing objectives.

You have 21 days from the date of receipt of the decision notice to appeal this decision.

Chair:  _____

Date: 8 June 2023