



Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
Surrey GU15 3HD
Telephone: (01276) 707100
Facsimile: (01276) 707177
DX: 32722 Camberley
Web Site: www.surreyheath.gov.uk

Department: Democratic Services
Division: Corporate
Please ask for: Rachel Whillis
Direct Tel: 01276 707319
E-Mail: rachel.whillis@surreyheath.gov.uk

11 July 2014

To: The Members of the **Licensing Sub Committee**
(Councillors: Glyn Carpenter, Ian Sams and Valerie White. Reserve: Councillor Paul Ilnicki.)

Dear Councillor,

A meeting of the **Licensing Sub Committee** will be held at Council Chamber, Surrey Heath House on **Monday, 21 July 2014 at 2.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

AGENDA

Pages

Part 1 (Public)

1 Election of Chairman

2 Declarations of Interest

Members are invited to declare that they do not have a Disclosable Pecuniary Interest or non-pecuniary interest. Members who have a Disclosable Pecuniary interest in the application will not be able to take part in its consideration and would be advised not to participate if they have a non-pecuniary interest. Members who consider they may have an interest **MUST** consult the Monitoring Officer or the Democratic Services Officer prior to the meeting as the meeting cannot proceed without all members being present.

3 Licensing Act 2003

1 - 36

Following objections received, to consider an application for a premises licence for **Hillview News, 2 Chertsey Road, Windlesham**.

Report to Licensing Sub-Committee
Date of 21 July 2014
meeting
Author Derek Seekings, Licensing Officer



DECISION REQUIRED

Not exempt

Report Application for a Premises Licence at
Title: Hillview News, 2 Chertsey Road,
Windlesham, Surrey GU20 6ET.
Submitted by Mrs Bhavnaben Jayeshkmar
Patel on behalf of Bhavna and Jay Ltd

SUMMARY

The report presents the application for a new Premises Licence relating to Hillview News, 2 Chertsey Road, Windlesham, Surrey GU20 6ET. The Licensing authority is required to hold a hearing to determine this premises licence application because relevant representations have been received.

The purpose of the hearing is for the Licensing Sub-Committee to consider the Application, in relation to the Licensing Act 2003's Licensing Objectives. The Licensing objectives being in this Application:

- 1 The prevention of crime and disorder
- 2 Public safety
- 3 The prevention of public nuisance
- 4 The protection of children from harm

Copies of the application, relevant representations and other correspondence received to date are attached to this report.

RECOMMENDATIONS

The Sub-Committee is recommended:

- i) To determine the premises licence application.

REASONS FOR RECOMMENDATIONS

- i) The Sub Committee is required to make a decision under the Licensing Act 2003

BACKGROUND INFORMATION

1 INTRODUCTION

The purpose of this report

- 1.1 For the Sub-Committee to determine the application for a Premises Licence in respect of Hillview News, 2 Chertsey Road, Windlesham, Surrey GU20 6ET.

The application is submitted under Section 17 of the Licensing Act 2003.

1.2 Background of the premises

Statutory background

- 1.3 The Licensing Act 2003 and secondary legislation in the form of Regulations there under.

Relevant Government policy

- 1.4 Guidance issued under section 182 of the Licensing Act 2003. (effective from June 2013)

Relevant Council policy

- 1.5 Statement of Licensing Policy.

2. DETAILS

2.1 Application

The application is made by Mrs Bhavnaben Jayeshkmar Patel on behalf of Bhavna and Jay Ltd and relates to premises at 2 Chertsey Road, Windlesham, Surrey GU20 6ET, trading as Hillview News.

The application is to permit the supply of alcohol for consumption off the premises only, and therefore does not include reference to regulated entertainment or the provision of late night refreshment. The application is attached at Document 1.

However, following an objection from Surrey Police as at 2.4.1 below, 8 additional conditions have been agreed. The agreement is attached at Document 2.

2.2 Grounds for the Hearing

Interested parties in their capacity as 'Other Persons' contend that the carrying on of licensable activities at the premises could lead to one or more of the following licensing objectives being seriously undermined:

- i) The prevention of crime and disorder;
- ii) Protection of public safety;
- iii) Prevention of public nuisance;
- iv) Protection of children from harm;

Further evidence submitted regarding the Application

2.3 Details included in documents attached to this report.

Responsible Authority Representations/ Comments

2.4 Details of Responsible Authority representations received:

2.4.1 Police

Surrey Police sent a letter of objection to the applicant, suggesting an additional 8 additional conditional. These were agreed by the applicant who amended their application accordingly.

2.4.2 Fire

No representations.

2.4.3 Local Planning Authority

No representations.

2.4.4 Environmental Health

No representations.

2.4.5 Child Protection Agency

No representations.

2.4.6 Licensing Authority

The application was submitted on 27 May 2014. The application was completed correctly and advertised as required by the Licensing Act 2003.

2.4.7 Health and Safety Executive

No representations.

Any Other Person - Representations

2.5 Details of any other person representations received and relation to the licensing objectives:

Representations have been received from nine 'Other Persons.'

A Copy of the representations is attached at Document 3. The representations are relevant to the prevention of public nuisance licensing objective and were made prior to the application being amended.

2.6 Invalid or Vexatious Representations

One letter was considered to be 'vexatious', as defined under paragraph 9.5 of the Guidance. A copy of the letter, together with Officers' reply is attached at Document 4.

A petition containing 521 (five hundred and twenty one) signatures was handed in to the Council on 23 June 2014. The petition was from the same source and the 3 pages which were headed with an explanation

for those countersigning contained text identical to the text in the original letter which in officers opinion was vexatious.
The petitioner was informed immediately in order for petitioners to be given the opportunity to make valid representations of their own accord, should they desire to do so.

2.7 **Policy Considerations**

Details of relevant policy considerations, including local policy statement:

Paragraphs 1 – 89, 95 – 138 of the Council’s Licensing Policy Statement are applicable to the consideration of this application.

3. **NEXT STEPS**

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives.

In making its decision, the Sub-Committee is also required to have regard to Guidance issued under Section 182 Licensing Act 2003, as amended, and the Council’s own Licensing Policy.

The Sub-Committee must have regard to all the representations made and the evidence it hears.

The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the Licensing Objectives:

- To grant the licence subject to conditions
- To exclude a licensable activity to which the application relates
- To reject the application

The Sub-Committee is asked to note that it may not add conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

4. **HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY**

Human Rights and Equality issues will be taken into account on the determination of the Application by balancing the competing rights of the applicant, responsible authority and the interested party.

The imposition of conditions will be proportionate having regard to the competing rights referred to above and will only be imposed where necessary to achieve this aim.

Attachments:

Document 1: Application for a Premises Licence

Document 2: Agreement to amended application

Document 3: Representations from ‘any other persons’



SURREY HEATH BOROUGH COUNCIL

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

RECEIVED AT S.H.B.C.
27 MAY 2014
POST ROOM

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 your records.

I/~~we~~ BHAVNABEN PATEL apply for a premises licence under schedule 17 of the
[insert name of applicant]
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 <u>HILLVIEW MEWS</u> <u>2, CHERTSEY ROAD</u>		SURREY HEATH BOROUGH COUNCIL 27 MAY 2014 BOROUGH SECRETARY - LICENSING
Post town <u>WINDLESHAM</u>	Post code <u>GU20 6ET</u>	

Telephone number of premises (if any)	<u>01276 471 551</u>
Non-domestic rateable value of premises	<u>£ 9600/-</u>

Part A2 – Applicant Details

Please state the capacity in which you are applying to convert your existing licence
Please tick ✓ Yes

- 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)

- 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 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First Names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from previous address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANTS (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First Names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from previous 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	MRS BHAVNABEN. JAYESHKUMAR PATEL
Address	(BHAYNA AND JAY LTD) 2a CHERTSEY ROAD WINDLESHAM SURREY GU20 6ET
Registered number (where applicable)	07911139
Description of applicant (for example, partnership, company, unincorporated association etc)	LIMITED COMPANY (BHAYNA AND JAY LTD)
Telephone number (if any)	07792336728
E-mail address (optional)	nice_jay@hotmail.co.uk

Part 3 Operating Schedule

	Month	Year	Day
When to you want the premises licence to start?	01/07/2014		TUESDAY

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

Please give a general description of the premises (please read guidance note 1)
 HILLVIEW NEWS, LOCATED @ CHERTSEY ROAD & UPDOWN HILL JUNCTION
 IN WINDLESHAM, SHOP SELUNG AT THE MOMENT, NEWS, MAGAZINE
 DRINKS & GROCERY, SHOP AREA IS 35' X 15' WITH FRONT AND
 BACK ENTRANCE INCLUDE PRIVATE CAR PARK,
 WE GOING TO PUT ALCOHALL BEHIND THE COUNTER LIKE
 SPIRT, & OTHER HIGH VOLUMES, AND BEER AND OTHER
 LOW VOLUME WE DISPLAY NEAR COUNTER RIGHTSIDE WALL
 MORE DETAILS OF PREMISES ATTACH MAP

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)

Please tick Yes

Provision of regulated entertainment

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
 (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details here</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon					<u>Please give further details here</u> (please read guidance note 3)
Tue					
Wed					<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)
Thur					
Fri					<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors	
				Outdoors	
Mon				Both	
			Please give further details here (please read guidance note 3)		
Tue					
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, (please read guidance note 5)		

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing			
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2).		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)			
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2).		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing			
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing					
			Will the entertainment facility be indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the performance of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).					
			Will the performance of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

M

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		
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>	
MON	0800	2000	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both		
Tue	0800	2000				
	—	—				
Wed	0800	2000				
	—	—				
Thur	0800	2000		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	0800	2000				
	—	—				
Sat	0800	2000				
Sun	0800	2000				
	—	—				

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

Name	MRS BHAVNABEN JAYESHKUMAR PATEL
Address	2a CHERTSEY ROAD WINDLESHAM SURREY
Postcode	GU20 6ET
Personal Licence number (if known)	LN 20122598
Issuing licensing authority (if known)	BOROUGH OF MERTON

N

Please highlight any adult entertainment or services, or 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)

WE APPLY FOR SELL ALCOHALL IM SHOP.. SO THERE IS NO OTHER ACTIVITY TAKE PLACE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
MON	0600	2000	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	0600	2000	
Wed	0600	2000	
Thur	0600	2000	
Fri	0600	2000	
Sat	0600	2000	
Sun	0600	2000	

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

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

NO BINGE DRINK PROMOTIONS WILL TAKE PLACE
ANY PERSON WHO APPEARS TO BE DRUNK / AGGRESSIVE WILL NOT BE PERMITTED ON THE PREMISES.
NOTICES TO BE PLACED IN PROMINENT POSITION TO ASK PATRONS TO LEAVE THE PREMISES QUIETLY,
A SUITABLE EVACUATION PLAN IN CASE OF EMERGENCY
USE OF CLOSE CIRCUIT TELEVISION

b) The prevention of crime and disorder

NO BINGE DRINK PROMOTIONS WILL TAKE PLACE
ANY PERSON WHO APPEARS TO BE DRUNK / AGGRESSIVE WILL NOT BE PERMITTED ON THE PREMISES
REGISTRATION WITH CRIME PREVENTION INITIATIVES RUN BY THE POLICE
USE OF CLOSE CIRCUIT TELEVISION
QUALITY OF SURVEILLANCE OF PREMISES
NO LATE NIGHT OPENING

c) Public safety

STAFF WILL BE FULLY AWARE OF LICENSING LAWS
I WILL FULLY SUPPORT ANY DIRECTION RECEIVED FROM THE AUTHORITIES
MAINTENANCE OF FULL RISK ASSESSMENT APPROPRIATE FOR PROPOSED PREMISES OPERATION
FULLY CCTV OPERATED DURING OPENING HOURS

d) The prevention of public nuisance

MEASURE TAKEN OR PROPOSED TO BE TAKEN TO PREVENT UNREASONABLE DISTURBANCES BY CUSTOMERS AND STAFF ARRIVING OR DEPARTING FROM THE PREMISE AND DELIVERY OF GOODS AND SERVICES
MEASURE TAKEN TO IT DOES NOT STAY OUTSIDE THE BOUNDARY OF THE PREMISES SO AS TO GIVE RISE TO PROBLEMS OF LOCAL RESIDENT AND OTHER BUSINESS.
NO LATE NIGHT OPENING, AS SHOP WILL BE CLOSED EVERYDAY 2000 PM

e) The protection of children from harm

THE PURCHASE, ACQUISITION AND CONSUMPTION OF ALCOHOL
LIKELY EXPOSURE TO DRUGS, DRUGS, DRUG-TAKING OR DRUG DEALING
EXPOSURE TO GAMBLING
EXPOSURE TO INCIDENTS OF VIOLENCE AND DISORDER
EXPOSURE TO ENVIRONMENTAL POLLUTION SUCH AS THE EFFECTS OF PASSIVE SMOKING AND EXCESSIVE NOISE

SALE OF CIGARETTES UNDER 18'S

NO ALCOHOL UNDER 18'S

ID REQUIRED TO PROVE AGE

- SPIRIT WILL BE SOLD BEHIND COUNTER

- BEER & WINE WILL BE DISPLAYED NEAR THE COUNTER


Please tick yes

- 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 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 CONVICTION TO A FINE UP TO 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

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	20/05/2014
Capacity	MANAGING DIRECTOR

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	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

This page is intentionally left blank

Derek Seekings

From: Patel jayesh [REDACTED]
Sent: 03 June 2014 09:42
To: Derek Seekings
Cc: [REDACTED]
Subject: confirmationemail regarding premises licence 2003
Attachments: Licensing condition agreed with Surrey Police..zip; Appropriate digital CCTV equipment and a sufficient number of cameras shall be installed and maintained at the premises to record colour images of a quality to be agreed with Surrey Police.doc

hello sir.

Mr Derek Seekings ,

i am sending you confirmation email regarding surrey police terms and condition above .I read all condition what Surrey police required regrading premises licence 2003 act ..And we happy to follow all requirement ..and we going to add public notice in Camberley news and mail in 12Th June edition..Thank you for your help and support

Thank you

Mrs Bhavna Patel

Hillview News

Windlesham

Surrey

GU20 6ET

03/06/2014

- 1) Appropriate digital CCTV equipment and a sufficient number of cameras shall be installed and maintained at the premises to record colour images of a quality to be agreed with Surrey Police. The areas covered by the cameras will cover all areas within the premises that are open to the public. A camera will be positioned to obtain images of persons entering the building by the main entrance these images shall be of evidential quality
- 2) No persons other than the Police, the licensing authority, the premises licence holder or DPS shall have access to the CCTV recording equipment or the recordings made from such equipment. The CCTV system will be in operation and recording whenever the premises are open to the public.
- 3) Recordings made on the CCTV system shall be retained for a period of at least 30 days of recording
- 5) A challenge 25 scheme accredited proof of age initiative will be utilised in the premises by all staff involved in the sale of alcohol
- 6) All staff shall receive training in and be aware of licensing legislation requirements, especially in relation to the prevention of underage sales
- 7) A comprehensive programme of training shall be given to all staff regarding the law relating to the licensing act 2003, with regular refresher training carried out every 6 months
- 8) Staff shall be required to sign a register confirming that they have undertaken training and are aware of their responsibilities

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 16:58
To: Derek Seekings
Subject: FW: Lisa Logan - Hillview News representation

Derek Seekings
Licensing Officer
Community Services

01276 707626

Great Place • Great Community • Great Future

From: Lisa Locke [REDACTED]
Sent: 24 June 2014 19:34
To: licensing
Subject: Peditition against having a second off licence in Windlesham

I am writing to say I am against granting a licence for there to be a second off licence in the village of Windlesham.

We are a small village and this will just add to the likelihood of crime and disorder.

In addition it gives more opportunity for children being able to obtain alcohol. We need to protect children from alcohol not create more opportunity for it to be available to buy.

It will add to possible disorder in the village and add risk to the public safety of people living here.

We do not need a second off licence. Surely the premises could be put to better use providing alternative facilities to the village i.e maybe take away or a family run Italian restaurant, something to help the village remain a village with diverse services to the community.

Yours sincerely

Lisa Logan

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:00
To: Derek Seekings
Subject: FW: Mrs Newton - Hillview News representation

Derek Seekings
Licensing Officer
Community Services
01276 707626
Great Place • Great Community • Great Future

-----Original Message-----

From: Simone Rodgers [mailto:simone.rodgers@windleshamnews.com]
Sent: 24 June 2014 19:40
To: licensing
Cc: [mailto:licensing@windleshamnews.com]
Subject: Windlesham off license

Good evening

I am writing in regard to our local news agents trying to expand to also sell alcohol.

I am upset to here you will not take the written petition into consideration and I am therefore emailing you directly.

I expect as well as looking at any licensing regulations that you should also take into account the community and what shops are already trying to survive in a small village.

There is no need for another shop to sell alcohol on windlesham and I feel this will only lead to crime and disorder.

Our local off license has proven to keep within the law and I feel strongly that you should support then by not offering a license to the news agents.

Regards

Mrs Newton

Sent from my iPhone

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:02
To: Derek Seekings
Subject: FW: Louise Shaw - Hillview News representation

Derek Seekings
Licensing Officer
Community Services
01276 707626
Great Place • Great Community • Great Future

-----Original Message-----

From: Louise Shaw [REDACTED]
Sent: 24 June 2014 21:06
To: licensing
Subject: No to second off license in windlesham

I am writing to express my concern for a second off-licence in Windlesham . Firstly a village of this size does not need 2 . I am concerned that under age children will be served this will cause disorder in the village and affect local residents. . The off-licence that already trades in the village is run to a high standard and there is no trouble .

Yours sincerely

Louise shaw .

Sent from my iPhone

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:04
To: Derek Seekings
Subject: FW: Mark Creasey - Hillview News representation

Derek Seekings
Licensing Officer
Community Services
01276 707626
Great Place • Great Community • Great Future

-----Original Message-----

From: Mark Creasey [REDACTED]
Sent: 24 June 2014 21:08
To: licensing
Subject: Application to sell alcohol by Hill View News Agent, Windlesham

I wish to object to the above on the grounds that a news agent \ general store which sells sweets and comics to children of all ages is not an appropriate establishment to also sell alcohol.

Best Regards,
Mark Creasey
[REDACTED]
Windlesham
Surrey GU20 [REDACTED]

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:06
To: Derek Seekings
Subject: FW: Emma Town - Hillview News representation

Derek Seekings
Licensing Officer
Community Services
01276 707626
Great Place • Great Community • Great Future

-----Original Message-----

From: Emma Town [REDACTED]
Sent: 24 June 2014 21:17
To: licensing
Subject: Hillview Newsagents

Dear Sir/Madam,

I have recently been informed that hill view newsagents are trying to pursue a license to sell alcohol.

I am highly against this, as I live within the village and believe that we don't need trouble on our roads from children in Windlesham and surrounding areas. It will cause more crime and disorder within the village which myself and many others could do without!

Many Thanks,
Emma Town

[REDACTED]
Windlesham
Surrey
GU20 [REDACTED]

Sent from my iPhone

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:08
To: Derek Seekings
Subject: FW: Kevin Braybrook - Hillview News representation

Derek Seekings
Licensing Officer
Community Services

01276 707626

Great Place • Great Community • Great Future

From: Kevin Braybrook [redacted]
Sent: 24 June 2014 21:34
To: licensing
Subject: k.braybrook [redacted] windlesham surrey [redacted]

I would like to object to hill view newsagent getting alcohol license as I strongly believe this will increase under age drinking social disorder and eventual crime to the area .
this would also cause problems with already high traffic levels in an village area with very little parking an now need for more congestion on all ready dangerous cut through with obvious consequences with I am sure your aware off and will take in to content

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:10
To: Derek Seekings
Subject: FW: Mike Brinkley - Hillview News representation

Derek Seekings
Licensing Officer
Community Services

01276 707626

Great Place • Great Community • Great Future

From: Michael Brinkley [REDACTED]
Sent: 24 June 2014 21:39
To: licensing
Subject: Opposition to licensing

Dear/sir/madam,

Please take this email as my official opposition to the supply of a licence to sell alcohol to Hillview newsagents in Windlesham, Surrey. We already have one off-licence in the village who are well known and well respected. The addition of a second vendor of alcohol leaves me with great reservations as to the safety of the local people. I would strongly advise against the provision of a licence to this trader as I think that it may increase the risk of public nuisance and disorderly behaviour in the village. This could well lead to an increase in crime and certainly breaches of the peace in the future. We are a quiet village and could well do without this opportunity for mayhem amongst our residents. I look forward to your reply.
Best Regards,

Mike Brinkley
[REDACTED], Windlesham, Surrey, GU20 [REDACTED]
Freelance Television and Film Vehicle Supervisor/Coordinator/Precision Driver
[REDACTED]

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:12
To: Derek Seekings
Subject: FW: Natalie Bance - Hillview News representation

Derek Seekings
Licensing Officer
Community Services
01276 707626
Great Place • Great Community • Great Future

-----Original Message-----

From: Natalie Bance [REDACTED]
Sent: 24 June 2014 21:44
To: licensing
Subject: Petition against yet another alcohol outlet being given a license in the village.

To whom it may concern,

I am writing in regards to the petition created by Liquour World that was not accepted by the council. I do not believe it is a good idea that the news agents in my home village is now seeking permission for an alcohol license. As a resident of the village who has grown up here, I have always liked the fact that crime has been low, my parents have never had an issue with me spending time around the village as a teenager with my friends as they knew it wasn't the sort of place I could get into trouble or acquire alcohol from a local shop without proof of identification. From experience it is very easy for minors to buy alcohol and tobacco from convenience stores, however proper off licenses tend to be stricter and so underage drinking is rare; an issue that in today's culture is something we as a country are trying to cut down on! I feel with the many pubs around the village and the one off license there seems no need to add another. It'll increase crime as minors will have another outlet in which to try and buy alcohol. It is a small village and does not need to have shops selling the same produce. It will also increase the amount of people within the village and the surrounding areas who may try to buy alcohol from Bagshot, Lightwater, Chobham etc and fail. It seems a waste of a license if I am totally honest. Liquour World opened before I was old enough to buy alcohol they have always adhered to the law and I don't really see why another off license needs to open in the village. To conclude, I think we have enough alcohol outlets in the village and I don't see it at all a positive to open YET another.

Regards,

Natalie Bance
Resident at [REDACTED] Windlesham, GU20 [REDACTED] Contact number - [REDACTED]

Sent from my iPhone

Derek Seekings

From: Derek Seekings
Sent: 30 June 2014 17:14
To: Derek Seekings
Subject: FW: Phil Bolton - Hillview News representation

Derek Seekings
Licensing Officer
Community Services

01276 707626

Great Place • Great Community • Great Future

From: Phil Bolton [<mailto:phil@windlesham.com>]
Sent: 24 June 2014 22:24
To: licensing
Subject: Fwd: Peditition against having a second off licence in Windlesham

I am writing to say I am against granting a licence for there to be a second off licence in the village of Windlesham.

We are a small village and this will just add to the likelihood of crime and disorder.

In addition it gives more opportunity for children being able to obtain alcohol. We need to protect children from alcohol not create more opportunity for it to be available to buy.

It will add to possible disorder in the village and add risk to the public safety of people living here.

We do not need a second off licence. Surely the premises could be put to better use providing alternative facilities to the village i.e maybe take away or a family run Italian restaurant, something to help the village remain a village with diverse services to the community.

Yours sincerely

Phil Bolton

This page is intentionally left blank

From SANDHU, Guv

Date 11 June 2014 14:52:25

To licensing

Cc

Subject Representation against premises license application for Hillview News 2 Chertsey Road Windlesham GU20 6ET

G Sandhu

Windlesham
GU20

Hello,

I would like to make a representation against the application for a premises license for Hillview News 2 Chertsey Road Windlesham Surrey GU20 6ET.

I would like to appeal against them obtaining a licence on two points from the Licensing Act 2003.

1. Protection Of Children From Harm - Hillview News is primarily a sweet shop where all the children that live in the village go, before and after school, and at weekends to buy their sweets, soft drinks and comics. It has been a sweet shop for over 30 years and it is not a place where alcohol should be sold as it will tempt children to want try it. There is already a dedicated Off License shop in this small village and another one is definitely not needed. I believe the protection of children should be paramount in Surrey Heath's licensing policy. The cigarette display ban coming into effect is a great deterrent for children not to see cigarettes in small shops and believe the same to be true for alcohol in premises for alcohol where children frequent daily.

2. Public Safety - Hillview News is in the corner of a parade of shops at a very very busy three road junction where there is no roundabout and also opposite a public house. Parking is very limited and there is also a bus stop at the corner there. I believe granting a license will increase the number of cars trying to stop at what is the busiest junction in the whole village making it more dangerous and will be a serious public safety concern. There are many elderly people and children who cross the road there and their safety is very important. Also many commuters use this village as a short cut between the M25 and M3 on a daily basis and already speed though the village way over the speed limits. There has been an incident recently where three children were knocked over by one car and creating further traffic in that area is definitely not required.

Based on my points above I will appreciate it if a license is not granted as safety and protection of children and public safety will be compromised. Thankyou

Regards,
Guv Sandhu

Guv Sandhu

m ::

e ::

This e-mail is intended only for the addressee named above. As this e-mail may contain confidential or privileged information, if you are not the named addressee, or the person responsible for delivering the message to the named addressee, please return to the sender and delete the original. The contents should not be disclosed to any other person nor copies taken.



Surrey Heath Borough Council Service: Community Services
Surrey Heath House
Knoll Road
Camberley
Surrey GU15 3HD
01276 707100
DX: 32722 Camberley
www.surreyheath.gov.uk

Our Ref: LICPR/66811/14
Your Ref:
Direct Tel: 01276 707327
Email: licensing@surreyheath.gov.uk

Mr G Sandhu

██████████
Windlesham
Surrey
GU20 ████████

18 June 2014

Dear Mr Sanhu,

REPRESENTATIONS MADE IN RESPECT OF HILLVIEW NEWS, 2 Chertsey Road, Windlesham, Surrey, GU20 6ET

Thank you for the representations you have made concerning an application for a premises licence for Hillview News, 2 Chertsey Road, Windlesham, Surrey, GU20 6ET. The representations you have made do not, however, satisfy statutory and regulatory requirements.

As a consequence the representations you have submitted cannot be taken into consideration in that in my view, the representations do not meet the requirements set out in section 18 (7) (c) of the Licensing Act 2003 (copy of that section enclosed). I have also had regard to Regulations and the statutory guidance applicable to the Act.

I will set out the reasons why I believe your representation is vexatious and frivolous which means that your representation is not being taken into account, so that you are fully informed of the Council's position:

I have taken into account my knowledge regarding the fact that you have referred to there being an off licence in the village in your representation. What you do not say is that you are the holder of the premises licence for that business, so that this proposal would be in competition with the premises you are involved in running. In the context of your representations, it appears to me that you intend to cause inconvenience or oppression. The application would clearly place the premises in competition with the off licence.

The representation you have made regarding the exposure of children to the sale of alcohol is in my view frivolous as children are exposed to alcohol for sale in other premises, which might include off licences, where they are entitled to enter to purchase other goods. I have concluded that the representation lacks seriousness as the need to address that issue specifically would not be warranted.

Guidance tells me that I must give the words vexatious and frivolous their ordinary meaning, which I have done. If you are unhappy with the decision not to take your representation into account for the reasons I have given you may complain via the Council's complaints procedure <http://www.surreyheath.gov.uk/council/complaints/default.htm> or you may also challenge the decision in the courts by way of judicial review. As to the implications of a court challenge, I suggest you take your own legal advice.

The "licensing objectives" to which representations must relate are:

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

A statement made by “other persons” making a representation opposing an application or any proposed licensable activity must give reasons why the grant of the licence or this activity will be detrimental to the promotion of the “licensing objectives”. Where reasons are not supplied or the matters raised do not relate to the licensing objectives, the Council as “licensing authority” must disregard the representation.

Further information relating to the making of representations can be viewed on the Council’s web site at www.surreyheath.gov.uk/council/Licensing/licensingact2003 or the Department of Culture, Media and Sports web site at www.culture.gov.uk

If a Hearing is to take place it will be held in the Council Chamber and for your information, it would be open to the public. You are therefore welcome to attend and sit in the area set aside for the public but you will not be able to speak or present your views to the Sub-Committee.

Yours sincerely,



Derek Seekings
Licensing Officer
Community Services

This page is intentionally left blank