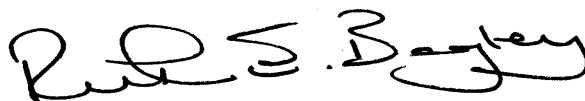


Date of issue: 1 November 2011

<b>MEETING</b>	<b>LICENSING SUB-COMMITTEE</b> (Councillors Dodds (Chair), Long and Rasib)
<b>DATE AND TIME:</b>	WEDNESDAY, 9TH NOVEMBER, 2011 AT 9.30 AM
<b>VENUE:</b>	MAYOR'S CONFERENCE ROOM, TOWN HALL, BATH ROAD, SLOUGH
<b>DEMOCRATIC SERVICES OFFICER:</b> (for all enquiries)	SHABANA KAUSER 01753 875013

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



**RUTH BAGLEY**  
Chief Executive

AGENDA

PART I

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
	<b>CONSTITUTIONAL MATTERS</b>		
1.	Declarations of Interest		
	(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct)		

<b><u>AGENDA ITEM</u></b>	<b><u>REPORT TITLE</u></b>	<b><u>PAGE</u></b>	<b><u>WARD</u></b>
2.	Minutes of the Meeting held on 22 September 2011	1 - 4	
<b>LICENSING ISSUES</b>			
3.	Application for Premises Licence - Lebanese Flaming Grill, 2 Alpha Street, Slough.	5 - 34	Upton
4.	Review of Premises Licence - Roshni Food and Wine, 18 High Street, Slough.	35 - 56	Chalvey
5.	Review of Premises Licence - Way to Save, 216-218 Farnham Road, Slough	57 - 76	Farnham
6.	Review of Premises Licence - Harshini Food and Wine, Belgrave Parade, 9 Bradley Road, Slough	77 - 118	Baylis & Stoke

**Press and Public**

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.

**Licensing Sub-Committee – Meeting held on Thursday, 22nd September, 2011.**

**Present:-** Councillors Dodds (Chair) and Long.

**Officers Present:-** Mrs Kauser (Democratic Services) and Ms Okafor (Legal Services)

**Apologies for Absence:-** Councillor Davis.

**PART 1**

**9. Declarations of Interest**

None.

**10. Minutes of the Last Meeting held on 11 August 2011**

The minutes of the meeting held on 11 August 2011 were approved as a correct record.

**11. Exclusion of the Press and Public**

**Resolved** – That the press and public be excluded from the remainder of the meeting as the items to be considered contain exempt information relating to individuals as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended).

**12. Private Hire Driver Conduct Hearing (Reference 01-11)**

The Democratic Services Officer informed the Sub-Committee that notification of the hearing and associated paperwork had been sent to the Appellant via recorded delivery. It was noted that no contact had been made by the Appellant to request an adjournment of the hearing.

Following legal advice, Members of the Sub-Committee decided to proceed and determine the matter in absence of the Appellant, based on the written information available. It was decided that the matter be considered in absence of the Appellant due to the seriousness of the issue.

In introducing the report, the Licensing Officer stated that the Appellant currently held a Private Hire Driver and Private Hire Operator Licence. It was noted that the Appellant was convicted for battery in November 2010 following an incident committed in March 2010. Members were informed that the Appellant did not mention that he was on bail or subject to any outstanding charge or summons on his renewal application form which was submitted in July 2010.

## **Licensing Sub-Committee - 22.09.11**

It was noted that the matter had only been brought to the attention of the Licensing Office following the receipt of a Criminal Record Bureau disclosure in February 2011.

Although Members were reminded that the Council's Policy and Guidance on Convictions and Cautions stated that a firm line should be taken with applicants who had convictions or cautions relating to violence; each case was to be considered on its own merits. Options available were outlined for Members consideration.

A Member questioned how many individuals were employed by the Appellant under his private hire operator's (PHO) licence. The Licensing Officer stated that although the Appellant held a PHO licence, apart from himself, he did not employ any other individuals.

**Resolved:** That Appellant Reference 01-11's Private Hire Driver and Private Hire Operator licences' be revoked immediately under Section 61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976.

### **13. Private Hire Driver Conduct Hearing (Reference 02-11)**

The Democratic Services Officer (DSO) confirmed that the Appellant had been sent notification of the hearing via recorded delivery, following which the Appellant contacted the DSO to request an adjournment of the hearing. Sub-Committee Members were informed that the Appellant had stated that he was currently out of the country due to a family emergency. The DSO informed Members that you had stated you would be available from the first week of October 2011 onwards.

**Resolved** – That consideration of Private Hire Driver Conduct Hearing (Reference 02-11) be adjourned.

### **14. Private Hire Driver Conduct Hearing (Reference 03-11)**

Following introductions, the Chair explained the procedure for the hearing and confirmed that all parties had received a copy of the paperwork.

Prior to commencement of the hearing, the Licensing Officer clarified that this was a conduct hearing for a combined private hire/hackney carriage licence and not only a private hire conduct hearing as stated within the Licensing Officer's report. The Appellant confirmed that this was correct and that he was in agreement for the matter to be considered on this basis.

The Licensing Officer stated that the Appellant was arrested in February 2011 for the offence of 'solicit another for the purpose of obtaining their sexual services as a prostitute in a street/public place' and convicted for the offence in June 2011. It was noted that the matter was brought to the attention of the Licensing Office following a local newspaper article.



## **Licensing Sub-Committee - 22.09.11**

The Appellant addressed the Sub-Committee and stated that he was very remorseful of his actions and provided an explanation regarding events that had led to the incident. The Appellant submitted that he was aware of the seriousness of the offence and that it was irresponsible behaviour. A number of character references were circulated to the Sub-Committee for their consideration.

In summing up, the Licensing Officer reminded Members of the options available to them and referred to the Policy on Convictions and Cautions which stated that an application should not be considered until a period of three years free from conviction or caution was shown.

The Appellant provided a brief summary stating that he regretted his actions.

**Resolved** – That Appellant Reference 03-11's combined Private Hire/Hackney Carriage Driver's Licence be revoked immediately under Section 61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976

Chair

(Note: The Meeting opened at 10.00 am and closed at 11.25 am)

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO LICENSING SUB-COMMITTEE**  
**LICENSING ACT 2003**

**APPLICATION FOR A NEW PREMISES LICENCE FOR LEBANESE**  
**FLAMING GRILL, 2 ALPHA STREET, SLOUGH, SL1 1RB**

**1. The Application**

The application is being made by Mr Mohammed Alsharif for a new premises licence called Lebanese Flaming Grill, 2 Alpha Street, Slough, SL1 1RB.

The original application was made for the licensable activity of **Late Night Refreshment** between the hours of 11.00pm and 04:00am Monday to Sunday.

Copy of the application form is attached at **Appendix 'A'**.

A copy of Thames Valley Police formal representation is attached at **Appendix 'B'**.

A copy of Thames Valley Police formal response following a meeting with Mr Alsharif is attached at **Appendix 'C'**.

A copy of the emails from Mr Alsharif confirming agreement with the Police proposals is attached at **Appendix 'D'**.

**2. Background**

Following the submission of the application Thames Valley Polices submitted a formal representation to the application (**Appendix B**). A mediation meeting was held with Thames Valley Police's Licensing Officer, Slough Borough Council's Senior Licensing Officer and Mr Alsharif. The hours of operation applied for as well as additional steps to be put in place to promote the four Licensing Objectives were discussed.

The Police requested to reduce the terminal hour for the provision of Late Night Refreshment from 04.00am to 01.00am and for a number of conditions to be added to the premises licence (**as detailed in Appendix B**).

Through the mediation process Mr Alsharif has agreed for the conditions to be added with the exception to the request for door supervision. The Police have agreed to remove the request for two door supervisors (**see Appendix C**).

No agreement could be reached with regards to the hours of operation. Mr Alsharif has proposed reduced hours as a compromise however Thames Valley Police do not accept the revised times which are as follows;

Sunday to Thursday 11:00pm – 02:00am  
Thursday to Saturday 11:00pm – 03:00am

**3. Representations Received**

No further representations have been received.

**4. The Sub-Committee must have regard to:**

- The Licensing Act 2003
- The Guidance given by the Secretary of State – The Sub-Committee can decide not to follow the Guidance if it has good reason to do so
- The Council's Statement of Licensing Policy. The Sub-Committee must have regard to the Council's policy but may depart from it if it has good reason to do so.
- The overriding principle is that each application will be determined on its merits.

**5. Human Rights Act 1998**

Article 6 of the Human Rights Act 1998 applies:

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

**6. Options Available**

The Sub-Committee may

1. Grant the application as it stands in which case it would be issued subject to the relevant mandatory conditions and conditions consistent with the applicant's operating schedule.
2. Grant the application subject to further conditions which are reasonable, proportionate and necessary in order to meet one or more of the four licensing objectives i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.
3. Refuse the application.

## **7. Appeals**

Any party to the hearing may appeal against a decision of the licensing authority by giving notice to the Clerk to the Magistrates within 21 days of being notified of the decision.

## **8. Appendices**

- A. Application.
- B. Thames Valley Police formal response.
- C. Thames Valley Police formal response following a meeting with Mr Alsharif.
- D. Emails from Mr Alsharif confirming agreement with the Police proposals.

## **9. Background Papers**

- 1. The Licensing Act 2003.
- 2. Guidance issued under Section 182 of the Licensing Act 2003.
- 3. Regulations (cited as the Licensing Act 2003 ([various]) Orders 2005).
- 4. Slough Borough Council Statement of Licensing Policy – December 2010.

### Contacts for further information

Rachael Rumney, Senior Licensing Officer  
01753 875664  
[melanie.sagar@slough.gov.uk](mailto:melanie.sagar@slough.gov.uk)

Mick Sims, Licensing Manager  
01753 477387  
[michael.sims@slough.gov.uk](mailto:michael.sims@slough.gov.uk)

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# **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/we MOHAMMED ALSHARIF  
(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 <u>Lebanese FLaming Grill</u> <u>2 ALPHA Street, Slough</u>			
Post town	<u>Berkshire</u>	Post code	<u>SL1 1RB</u>

Telephone number at premises (if any)	<u>[REDACTED]</u>
Non-domestic rate-able value of premises	£ <u>4850-00</u>

### **Part 2 - Applicant Details**

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

- |   |   |
|---|---|
| a) an individual or individuals *               | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *          |   |
| i. as a limited company                         | <input type="checkbox"/> please complete section (B)            |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B)            |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                            | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                    | <input type="checkbox"/> please complete section (B)            |



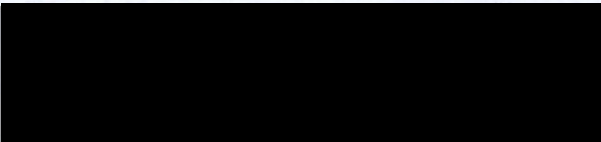

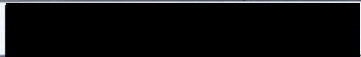

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) 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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>ALSHARIF</b>			First names <b>MOHAMMED</b>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town	<b>Berkshire</b>			Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (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 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?

Day Month Year

1 3 0 9 2 0 1 1

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

Day Month Year

Please give a general description of the premises (please read guidance note1)

566 sqft Just restaurant servicing takeaway food  
no Alcohol, 12 seating available for people to  
eat in.

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 yes**

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

**Provision of entertainment facilities:**

- |  |                          |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I)  | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)   | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)<br>(if ticking yes, fill in box K) | <input type="checkbox"/> |

**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**



L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	11 pm	4 am			
Tue	11 pm	4 am			
Wed	11 pm	4 am	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thurs	11 pm	4 am			
Fri	11 pm	4 am	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	11 pm	4 am			
Sun	11 pm	4 am			

N

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)

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	11 am	4 am	<b>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</b> (please read guidance note 5)
Tue	11 am	4 am	
Wed	11 am	4 am	
Thur	11 am	4 am	
Fri	11 am	4 am	
Sat	11 am	4 am	
Sun	11 am	4 am	



**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)

Please see attached G.T.C.O.S ,  
we provide quality food.

**b) The prevention of crime and disorder**

No binge drink promotions will take place  
No bottles or glasses shall be taken off the premises

**c) Public safety**

I will fully support any directives received from the  
authorities.

**d) The prevention of public nuisance**

**e) The protection of children from harm**

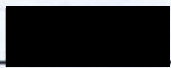
Please tick yes

- 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	 MOHAMMED ALSHARIF
Date	13-9-2011
Capacity	owner

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			



## CRIME AND DISORDER

<u>Door Supervisors</u>	I intend to promote the 4 licensing objectives by (Please tick)
1. Will be correctly registered with the Security Industry Authority (S.I.A.).	<input type="checkbox"/>
2. Door supervisor ratio agreed by the Police and Licensing Authority, which is 1: ____	<input type="checkbox"/>
3. A female door supervisor will be available if searches are to be conducted on female customers.	<input type="checkbox"/>
4. Where there are 5 or more door supervisors, at least one of these will be female.	<input type="checkbox"/>
5. Will wear clothing that can be easily and clearly identifiable on Closed Circuit Television (C.C.T.V.) – yellow reflective tabards.	<input type="checkbox"/>
6. Will be in attendance at the entrance of the premises from _____ hrs until the main exit doors to the premises are closed, and at any time when patrons may be queuing for access.	<input type="checkbox"/>
7. Door Supervisors will be issued with multi-channel radios capable of communicating with other door supervisors, the designated premises supervisor and Town Centre radio link where applicable	<input type="checkbox"/>
8. A Door Supervisor Register is kept and includes names, dates and times of the persons employed in such capacity. An incident register will be kept to record all incidents of disorder at the premise and immediately outside and the manager and member of staff involved in incident must sign off entry. These registers must remain on site at all times.	<input type="checkbox"/>
<u>C.C.T.V.</u>	
9. A C.C.T.V. system has been installed and is working to the satisfaction of Thames Valley Police and the Licensing Authority.	<input checked="" type="checkbox"/>
10. Recordings will be maintained for a period of 31 days	<input checked="" type="checkbox"/>



<b>CRIME AND DISORDER</b> <b>C.C.T.V. (Cont'd)</b>	<b>I intend to promote the 4 licensing objectives by</b> (Please tick)
11. If the C.C.T.V. equipment fails, the Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.	<input checked="" type="checkbox"/>
12. A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation.	<input checked="" type="checkbox"/>
13. At least one C.C.T.V. camera will be in operation at the front of the premises at all times when the premise's is in use.	<input checked="" type="checkbox"/>
<b><u>Bottles and glasses</u></b>	
14. Alcohol and soft drinks will be served in plastic or toughened glasses.	<input type="checkbox"/>
15. All bottles sold will be made of plastic (where available).	<input type="checkbox"/>
16. Where glass bottles are to be used the contents will be decanted into plastic or toughened glasses where it is not intended that the contents are to be consumed direct from the bottle.	<input type="checkbox"/>
17. Customers carrying open or <del>sealed</del> bottles or glasses will not be admitted to the premises at any time.	<input checked="" type="checkbox"/>
18. Customers will not be permitted to take open containers of alcoholic or soft drinks from the premises.	<input type="checkbox"/>
19. All bottles and glasses are to be removed from public areas as soon as the contents have been drunk or are empty.	<input checked="" type="checkbox"/>
20. Bottle bins for collection of empty bottles will not be accessible to members of the public.	<input type="checkbox"/>
<b><u>Radios</u></b>	
21. We are members of the Town Link Radio System which provides two way communications between licensed premises in Slough, the Police & the Licensing Authority (i.e. C.C.T.V.).	<input type="checkbox"/>
22. The equipment will be kept in working order at all times.	<input type="checkbox"/>
23. The equipment will be on at all times the premises are open to the public, and will be monitored by the Designated Premises Supervisor or other responsible staff member.	<input type="checkbox"/>



<b>CRIME AND DISORDER</b>  <b>Capacity Limits</b>	<b>I intend to promote the 4 licensing objectives by</b> <b>(Please tick)</b>
24. All instances of crime and disorder will be reported to the Police as soon as reasonably practicable via C.C.T.V. or the radio.	<input type="checkbox"/>
25. We have a capacity limit of <u>20</u> to prevent overcrowding which could lead to crime and disorder.	<input checked="" type="checkbox"/>
26. Door supervisors will ensure the capacity limits are not exceeded, at all times.	<input type="checkbox"/>
<b><u>Proof of age cards</u></b>	
27. We have a proof of age policy that has been formulated in discussion with the Police and the Licensing Authority.	<input type="checkbox"/>
<b><u>Drinks promotions</u></b>	
28. All-inclusive nights or other irresponsible drinks promotions will not to be permitted.	<input type="checkbox"/>
29. The Designated Premises Supervisor or a Personal Licence holder will be in charge of the premises when any drinks promotions are taking place.	<input type="checkbox"/>
<b><u>Drugs</u></b>	
30. We have an anti-drugs policy that has been agreed following discussion with the Police and the Licensing Authority and is in line with the Safer Clubbing Guidance.	<input type="checkbox"/>
31. A secure facility to store controlled drugs prior to collection is available.	<input type="checkbox"/>
32. A drugs register will be maintained.	<input type="checkbox"/>
33. The Police will be notified of all seizures of controlled drugs.	<input type="checkbox"/>
<b><u>Notices</u></b>	
34. Crime prevention notices are displayed warning customers of the possibility of crime which may target them, e.g. <b>"Bags should not be left unattended", "Watch out for Pickpockets"</b> .	<input type="checkbox"/>



CRIME AND DISORDER	I intend to promote the 4 licensing objectives by (Please tick)
<b>Notices (Cont'd)</b>  35. A detailed " <b>Customer Code of Conduct</b> " poster is conspicuously displayed warning customers that if they act in an inappropriate manner they could be barred from all licensed premises in the vicinity.	<input type="checkbox"/>
<b><u>General</u></b>	
36. We are a member of Pubwatch and a representative attends Pubwatch meetings and participates in all initiatives.	<input type="checkbox"/>
37. A Personal Licence holder will be at the premises at all times when alcohol is being sold or regulated entertainment is being provided.	<input type="checkbox"/>
38. We have a policy on the safe management of large groups, i.e. hen and stag parties.	<input type="checkbox"/>
39. A secure area for customer's personal belongings is available.	<input type="checkbox"/>
40. During under 18 nights, no alcohol is available to any customers.	<input type="checkbox"/>

## PUBLIC SAFETY

41. The premises have current and suitable Public Liability Insurance in the sum of £ <u>2</u> million. A certificate will be obtained each year and displayed at the premises.	<input checked="" type="checkbox"/>
42. An appropriately qualified Medical Practitioner is present throughout any sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.	<input type="checkbox"/>
43. Where a ring is involved, it is constructed and maintained by a competent person and inspected by a competent authority before use. Any material used to form this is fire-retardant.	<input type="checkbox"/>
44. At any wrestling or similar entertainment, members of the public will not occupy any seat within 2.5 metres of the ring.	<input type="checkbox"/>
45. At water sports entertainments, an appropriate member of staff trained in rescue and life saving procedures is stationed within the vicinity of the water at all times.	<input type="checkbox"/>



<b>PUBLIC SAFETY</b>  <b>Indoor Sports Entertainments</b>	<b>I intend to promote the 4 licensing objectives by</b> (Please tick)
46. Special effects including the following will only be used with prior notification to the Licensing and/or Fire authorities:-  Dry ice machines and cryogenic fog; Smoke machines and fog generators; Pyrotechnics, including fireworks; Real flame; Firearms; Motor vehicles; Strobe lighting; Lasers; Explosives and highly flammable substances.	<input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>PUBLIC SAFETY</b>  <u><b>General</b></u>	
47. Free drinking water will be available at all times when the premises are open to the public and taps are labelled as such.	<input type="checkbox"/>
48. A chill out area is provided which is to the satisfaction of the Police and Licensing Authority.	<input type="checkbox"/>
49. Personal safety messages are displayed, e.g. <b>"Make mine a safe one"</b> or similar poster campaigns.	<input type="checkbox"/>
50. A <b>"Hot Line"</b> to local taxi firms is available.	<input type="checkbox"/>
51. A policy is in place for escorting all patrons from the premises to a licensed taxi or private hire vehicle should a request be made.	<input type="checkbox"/>
52. Seats are available to accommodate <u>50</u> % of the maximum capacity of the premises.	<input type="checkbox"/>
53. A continuous and accurate record is maintained of the number of patrons within the premises. These records are available upon request.	<input type="checkbox"/>
54. Searching, as a condition of entry will be considered at all times and will be mandatory when directed by Police.	<input type="checkbox"/>

## **PUBLIC SAFETY (Theatres, Cinemas, Concert Halls & similar places)**

<b>Premises used for closely seated audiences</b>		<b>I intend to promote the 4 licensing objectives by</b> (Please tick)
<u><b>Attendants</b></u>		
55. The number of attendants on each floor in the auditorium is _____.		<input type="checkbox"/>
<b>Number of members of the audience present on a floor</b>	<b>Minimum number of attendants required to be present on that floor</b>	
1 – 100	One	
101 – 250	Two	
251 – 500	Three	
501 – 750	Four	
751 – 1000	Five	
And one additional attendant for each additional 250 persons (or part thereof)		
56. Attendants are not engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or result in their absence from the auditorium when they are on duty.		<input type="checkbox"/>
57. Attendants are readily identifiable to the audience.		<input type="checkbox"/>
58. The premises are only used for a closely seated audience in accordance with seating plans. A copy of the plan is available at the premises.		<input type="checkbox"/>
59. The premises have a certificate confirming the suitability of the design, construction and loading of any temporary seating which should be kept available at all times.		<input type="checkbox"/>
<b>PUBLIC SAFETY (Theatres, Cinemas, Concert Halls &amp; similar places)</b>		
<u><b>Gangways</b></u>		
60. Sitting on floors will not be permitted except where authorised in the Premises Licence.		<input type="checkbox"/>



<b>Premises used for closely seated audiences</b>		<b>I intend to promote the 4 licensing objectives by</b> (Please tick)
<b>Gangways (Cont'd)</b>		
61. Waiting or standing will not to be permitted except in areas designated in the Premises Licence.		
62. In no circumstances is anyone permitted to:-  (i) Sit in any gangway; (ii) Stand or sit in front of an exit; or (iii) Stand or sit on any staircase including any landings.		<input type="checkbox"/>
<b>PUBLIC SAFETY (Theatres, Cinemas, Concert Halls &amp; similar places)</b>		
<b><u>General</u></b>		
63. No drinks will be sold to or consumed by a closely seated audience unless they are in plastic or paper containers.		<input type="checkbox"/>
64. Where the potential audience exceeds 250, all seats in the auditorium are, except in boxes accommodating not more than 8 persons, either securely fixed to the floor or securely linked together in lengths of not fewer than four or more than twelve.		<input type="checkbox"/>
<b><u>Premises use for film exhibitions</u></b>		
65. The number of attendants on each floor in the auditorium is _____.		<input type="checkbox"/>
<b><u>Attendants – premises without a staff alerting system</u></b>		
<b>Number of members of audience present on the premises</b>	<b>Minimum number of attendants required to be on duty</b>	<input type="checkbox"/>
1 – 250	Two	
And one additional attendant for each additional 250 members of the audience present (or part thereof).		
Where there are more than 150 members of an audience in any auditorium or on any floor.	At least one attendant shall be present in any auditorium or on any floor.	



<b>PUBLIC SAFETY (Theatres, Cinemas, Concert Halls &amp; similar places)</b>			<b>I intend to promote the 4 licensing objectives by</b> (Please tick)
<b><u>Attendants –premises with a staff alerting system</u></b>			
<b>Number of members of the audience present on the premises</b>	<b>Minimum number of attendants required to be on duty</b>	<b>Minimum number of other staff on the premises who are available to assist in the event of an emergency</b>	<input type="checkbox"/>
1 – 500	Two	One	
501 – 1000	Three	Two	
1001 – 1500	Four	Four	
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	
66. The staff alerting system is maintained in working order.			<input type="checkbox"/>

## PREVENTION OF PUBLIC NUISANCE

<b><u>Noise and vibration</u></b>	<b>I intend to promote the 4 licensing objectives by</b> (Please tick)
67. A noise management plan has been devised and is in operation at the premises.	<input type="checkbox"/>
68. Noise or vibration from the premises will be maintained at a level that will not be audible at the façade of any neighbouring noise sensitive premises.	<input type="checkbox"/>
69. Doors and windows will be kept closed when regulated entertainment is taking place.	<input type="checkbox"/>
70. All windows are double glazed to minimise the breakout of noise.	<input type="checkbox"/>
71. The premises are air-conditioned to avoid the need to open doors and windows for ventilation.	<input type="checkbox"/>



72. All entrances and exits have an effective lobby to minimise the breakout of noise.	<input type="checkbox"/>
73. Noise limiters are fitted to amplification equipment and have been set at a level agreed with the local authority.	<input type="checkbox"/>
74. Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.	<input type="checkbox"/>
75. Disposal of empty bottles into waste receptacles outside the premises will not be permitted to take place between the hours of 23:00 hrs and 07:00 hrs to minimise disturbance to nearby occupiers.	<input type="checkbox"/>
76. For the final hours of opening the music is reduced in volume and is discernibly quieter.	<input type="checkbox"/>
77. The playing of live or recorded music in garden or outside seating areas of the premises is not permitted.	<input type="checkbox"/>
78. The playing of live or recorded music in garden or outside seating areas of the premises is not permitted after _____ hrs.	<input type="checkbox"/>
79. The garden or outside seating areas are closed to the public after _____ hrs.	<input type="checkbox"/>
80. A full acoustic survey into the impact of noise from the premises has been carried out by a competent person. All recommendations have been carried out.	<input type="checkbox"/>
<b><u>Noxious smells</u></b>	
81. All ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.	<input type="checkbox"/>
<b><u>Light pollution</u></b>	
82. Flashing / bright / flood lights used outside the premises and any security or access lighting installed will not be operated so as to cause a nuisance to nearby occupiers.	<input type="checkbox"/>
83. All external lighting, including floodlighting, is directed away from adjacent occupiers.	<input type="checkbox"/>
<b><u>Litter</u></b>	
84. _____ litter receptacles are placed outside the premises for customers to use and are emptied at least daily.	<input type="checkbox"/>
85. Staff undertake a litter pick to a distance of _____ metres around the premises daily.	<input type="checkbox"/>



## PROTECTION OF CHILDREN FROM HARM

<u>General</u>	I intend to promote the 4 licensing objectives by (Please tick)
86. The premise's provides entertainment of a clearly adult or sexual nature and as such access is not permitted to people under 18 years of age.	<input type="checkbox"/>
87. The premise's operates a proof of age policy that has been agreed by the police.	<input type="checkbox"/>
88. A crime prevention policy agreed by the police and local authority is in place.	<input type="checkbox"/>
<u>Nudity and Striptease</u>	
89. Advertising of such events will not be displayed <u>on</u> the premises so that it is seen from outside the premises.	<input type="checkbox"/>
90. No person under 18 years of age is permitted to enter the premises whilst nudity or striptease is taking place.	<input type="checkbox"/>
91. The activities inside the premises cannot be seen from outside the premises.	<input type="checkbox"/>
92. Conditions relating to regulated entertainment involving striptease, pole dancing, lap dancing, nudity or semi-nudity have been agreed in advance of such events with the Licensing Authority.	<input type="checkbox"/>

Name of Applicant: MOHAMMED ALSHARIF

If on behalf of Applicant: Lebanese flaming Grill  
(please enter full details and position)

Date: 13 - 9 - 2011



# THAMES VALLEY POLICE

Division/Station : HQ Local Policing

From : Debie Pearmain  
Police Licensing Officer

To : Mr M Sims  
Licensing & Enforcement Manager,

SBC

Ref :

Date : 29 September 2011

Tel.No. 01753 835571

Subject :

**Police Objection - Lebanese Flaming Grill, 2 Alpha Street, Slough**

After consulting with Sergeant Piper, Town Centre Sergeant for Slough Town Centre, I wish to inform you that Thames Valley Police object to the above application for a Late Night Refreshment licence until 4am on each day of the week. This objection is under the crime and disorder licensing objective and public nuisance licensing objective. There are already alcohol related issues and problems in Slough High Street.

We feel that granting a Late Night Refreshment Licence until 4am could potentially cause crime and disorder in and around the vicinity, as operating at this time will encourage pub goers to loiter in and around the area, which will inevitably lead to an increase in crime and disorder in the area. It is our view that the majority of the customers would also be intoxicated.

There are also residents who live nearby who would also suffer from the noise of the customers as they would be loitering around eating, queuing and potentially causing anti-social behaviour. This would have a detrimental affect to the resident's quality of lives.

We would recommend the following amendment and conditions to be placed on the premises licence alongside the conditions already offered:

**Amendment**

Late night refreshment to be 11pm until 01.00am each day of the week

**Conditions**

Two SIA Doorstaff to be on duty at the entrance of the premises from 10.00pm until close wearing yellow reflective jackets on a Friday and Saturday evening, the Christmas period from 15<sup>th</sup> December until 2<sup>nd</sup> January each year and at any other time as requested by Thames Valley Police.

A Door Supervisor Register to be kept and include names, dates and times of the persons employed in such capacity. The Register is to be kept on site at all times and kept for 2 years and made available to Thames Valley Police when requested.

An incident Register will be kept to record all incidents of disorder at the premise and immediately outside and the Manager and member of staff involved must sign off the entry. This Register is to be kept on site at all times and kept for 2 years and made available to Thames Valley Police when requested.

Town Centre Radio to be used.

Nominated person is able to download any requested CCTV footage when requested by Thames Valley Police.

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## Rumney Rachael

---

**From:** Pearmain Debie [Debie.Pearmain@thamesvalley.pnn.police.uk]

**Sent:** 11 October 2011 14:30

**To:** Rumney Rachael

**Subject:** Lebanese Flaming Grill, Alpha Street, Slough

Rachael

Further to the mediation meeting earlier today with Mr Alsharif, I can confirm the following:

**Police do not accept** the revised opening hours of:

Sunday, Monday, Tuesday and Wednesday until 2am

Thursday, Friday and Saturday until 3am

I can confirm that Mr Alsharif agreed to the following:

Town Centre Radio (depending on price)

Nominated person is able to download any requested CCTV footage when requested by Thames Valley Police.

An incident Register will be kept to record all incidents of disorder at the premise and immediately outside and the manger and member of staff involved must sign off the entry. This Register is to be kept on site at all times and kept for 2 years and made available to Thames Valley Police when requested.

We agree to drop the request for doorstaff.

Regards

Debie

**Debie Pearmain** | Police Licensing Officer | Telephone 01753 835571 | Internal: 730 5571 |

Address: Windsor Police Station, Alma Road, Windsor, Berkshire SL4 3ES |

E Mail: [debie.pearmain@thamesvalley.pnn.police.uk](mailto:debie.pearmain@thamesvalley.pnn.police.uk)

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## Rumney Rachael

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**From:** Info Account [REDACTED]  
**Sent:** 12 October 2011 11:28  
**To:** Rumney Rachael  
**Subject:** RE: Lebanese Flaming Grill, Alpha Street, Slough

I agree to the below points but can you let me know the charges for Town Radio please.  
CCTV footage can be downloaded by me when ever is required by the Police  
The Book Register will be kept in the premises  
Thank you.

Regards

Mohammed Alsharif

---

**From:** Rumney Rachael [mailto:Rachael.Rumney@slough.gov.uk]  
**Sent:** 12 October 2011 08:00  
**To:** Info Account  
**Cc:** Sims Michael; Idowu Tolani  
**Subject:** RE: Lebanese Flaming Grill, Alpha Street, Slough

Dear Mr Alsharif,

As there is no agreement between yourself and the Police, the matter will be put before the Licensing Sub-Committee for members to determine the application. As requested in my previous email can you please confirm that you agree with the following conditions being added to the premises licence;

- Town Centre Radio (depending on price)
- Nominated person is able to download any requested CCTV footage when requested by Thames Valley Police.
- An incident Register will be kept to record all incidents of disorder at the premise and immediately outside and the manager and member of staff involved must sign off the entry. This Register is to be kept on site at all times and kept for 2 years and made available to Thames Valley Police when requested.

To confirm, the hours you wish to be stated in the report for the Licensing Sub-Committee are;

Mon. Tues, Wed, and Sun until 2:00am  
Thurs, Fri, and Sat until 3:00am

Please advise the Licensing Office if this is not the case.

Yours sincerely

**Rachael Rumney**  
Senior Licensing Officer

Slough Borough Council  
Tel: 01753 875564  
Fax: 01753 875890  
[www.slough.gov.uk](http://www.slough.gov.uk)

Please don't print this email unless you really need to - think of the environment

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**From:** Info Account [REDACTED]  
**Sent:** 11 October 2011 16:33  
**To:** Rumney Rachael



**Subject:** RE: Lebanese Flaming Grill, Alpha Street, Slough

Thank you for all your support, but as I have explained to you before there is no point for us to open until 1.00 am as the trade really start after 1.00 am. I don't want to sound not helpful but I have dropped down the original required hours from 4 am to 3 am and 2am on other days. So please mediate with the police to accept the hours:

Mon. Tues, Wed, and Sun until 2.am  
Thurs, Fri, and Sat until 3.am

Thank you for all your help.

Best Regards

Mohammed Alsharif

---

**From:** Rumney Rachael [mailto:Rachael.Rumney@slough.gov.uk]

**Sent:** 11 October 2011 15:53

**To:** [REDACTED]

**Cc:** Idowu Tolani; Sims Michael

**Subject:** FW: Lebanese Flaming Grill, Alpha Street, Slough

Dear Mr Alsharif,

I am writing further to our mediation meeting today with Thames Valley Police. They have responded (see email below) and I need you to confirm that you agree with the following conditions being added to the premises licence;

- **Town Centre Radio (depending on price)**
- **Nominated person is able to download any requested CCTV footage when requested by Thames Valley Police.**
- **An incident Register will be kept to record all incidents of disorder at the premise and immediately outside and the manger and member of staff involved must sign off the entry. This Register is to be kept on site at all times and kept for 2 years and made available to Thames Valley Police when requested.**

As the Police have not accepted the revised opening hours, I also need you to confirm what opening hours you wish to proceed with. Please do not hesitate to contact either me or Tola if you have any queries.

Yours sincerely

**Rachael Rumney**  
Senior Licensing Officer

Slough Borough Council  
Tel: 01753 477338  
Fax: 01753 875890

[www.slough.gov.uk](http://www.slough.gov.uk)

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---

**From:** Pearmain Debie [mailto:Debie.Pearmain@thamesvalley.pnn.police.uk]

**Sent:** 11 October 2011 14:30

**To:** Rumney Rachael

**Subject:** Lebanese Flaming Grill, Alpha Street, Slough

Rachael

Further to the mediation meeting earlier today with Mr Alsharif, I can confirm the following:

**Police do not accept** the revised opening hours of:

Sunday, Monday, Tuesday and Wednesday until 2am  
Thursday, Friday and Saturday until 3am

I can confirm that Mr Alsharif agreed to the following:

Town Centre Radio (depending on price)

Nominated person is able to download any requested CCTV footage when requested by Thames Valley Police.

An incident Register will be kept to record all incidents of disorder at the premise and immediately outside and the manager and member of staff involved must sign off the entry. This Register is to be kept on site at all times and kept for 2 years and made available to Thames Valley Police when requested.

We agree to drop the request for doorstaff.

Regards

Debie

**Debie Pearmain** | Police Licensing Officer | Telephone 01753 835571 | Internal: 730 5571 |  
Address: Windsor Police Station, Alma Road, Windsor, Berkshire SL4 3ES |  
E Mail: [debie.pearmain@thamesvalley.pnn.police.uk](mailto:debie.pearmain@thamesvalley.pnn.police.uk)

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**LICENSING SUB-COMMITTEE**  
9<sup>th</sup> November 2011

**LICENSING ACT 2003**

**Roshni Food & Wine**  
18 High Street, Slough, Berkshire, SL1 1EQ  
Review of Premises Licence – **Number PL004859**  
Application made by Thames Valley Police

**1. CURRENT POSITION**

- 1.1 Roshni Food & Wine operates under a Premises Licence which is held by Mr Jagmohan Singh Chopra. The Designated Premises Supervisor (DPS) at the time of a test purchase operation carried out at the premises on 4<sup>th</sup> August 2011 was Mr Jagmohan Singh Chopra who holds a Personal Licence Number **H001445** issued by Hounslow.
- 1.2 The DPS is responsible for the day to day management of the premises.
- 1.3 The Premises Licence authorises the carrying out of the Relevant Licensable Activity – The sale by retail of alcohol for consumption OFF the premises only
- 1.4 The latest terminal hour for this Licensable Activities is 00:00am (midnight) and a copy of the current Premises Licence is attached at **APPENDIX 1**.

**2. BACKGROUND INFORMATION**

- 2.1 On 12<sup>th</sup> September 2011 Thames Valley Police submitted an application for the Review of the Premises Licence on the grounds of the Prevention of Crime and Disorder, and the Protection of Children from Harm. The full Review Application And evidence is contained at **APPENDIX 2**.
- 2.2 The grounds for the Review Application although contained fully within the application itself can be summarised as follows;
  - Alcohol being sold to a 16 year old boy during a test purchase operation
  - Breach of Mandatory Condition 4 with regards to non compliance with age verification
  - The named DPS at the time alcohol was sold to an underage person was not at or on the premises

**3. APPLICATION – REVIEW OF PREMISES LICENCE**

- 3.1 The Licensing Authority is satisfied that this application for Review meets the appropriate legislative requirements within the Licensing Act 2003 and is therefore a valid application to be considered by the Licensing Sub-Committee.

3.2 The Review application requests that the following amendments are made and conditions added to the premise licence in order to uphold the licensing objectives;

1. Sale of alcohol for consumption off the premises to be reduced to 11.00pm
2. Sale of alcohol to be reduced to 9:00am.
3. The premises licence is suspended for a period to be decided by the Committee for staff training to be completed and for CCTV to be checked to ensure that it is working and a nominated person is able to download any footage during this period.
4. In the absence of the DPS, a Personal Licence holder to be on the premises during the sale of alcohol.
5. Two members of staff to be on the premises each evening from 6:00pm until close.
6. Challenge 21 policy to be in place.
7. DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police or relevant Agencies.
8. To participate in 'Bottlewatch' if requested by Police or Trading Standards.
9. The applicant and their staff are able to converse with customers, the public and representatives of Statutory Agencies to a level that satisfies Police and Trading Standards they are able to meet the four licensing objectives.
10. The Premises Licence holder to Designated Premises Supervisor shall ensure all staff receives training on a regular basis in relation to the four licensing objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.
11. All persons trained to sell alcohol shall be trained to the BIIAB Level 1 award in Responsible Alcohol Retailing (ARAR).
12. The Designated Premises Supervisor or nominated person to attend the local Town Centre Pubwatch scheme where in existence.
13. No single cans to be sold.
14. The Licensing Sub-Committee issue a 'Yellow Card' to the licensed premises as a warning that if a further Review is necessary and matters have not improved the premise licence may be revoked. A 'Yellow Card'

will be clearly and visibly displayed at the premises for a period of 12 months detailing the imposition of new conditions on the Premises Licence and that this warning has been given.

- 3.3 Condition 14 as requested by the Police is in line with the DCMS Guidance on the Red and Yellow Card Scheme which if agreed by the Committee will necessitate a 'Yellow Card' being displayed at the premises for a period of 12 months.

#### 4. **REPRESENTATIONS RECEIVED**

- 4.1 In response to the review application being served on other Responsible Authorities, Mr Peter Adshead – Senior Trading Standards Officer has submitted representations under the Prevention of Crime and Disorder and Public Safety objectives with regards to illicit tobacco products being seized at the premises on 10<sup>th</sup> May 2011. Mr Adsheads' formal response is attached at **APPENDIX 3**.

#### 5. **RELEVANT GUIDANCE AND POLICIES**

- 5.1 The proceedings set out in the 2003 Act for Reviewing of Premises Licence represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a Premises Licence. Where a request to Review the licence is made by a Responsible Authority, the Licensing Authority will hold a hearing in respect of this, unless it, the applicant and the Responsible Authorities agree that a hearing is not necessary
- 5.2 Section 52 of the Licensing Act 2003 provides that the Sub-Committee must, having regard to the Review application and any relevant representations, take such of the steps listed below as it considers necessary for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence, (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - (b) to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
  - (c) to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
  - (d) to suspend the licence for a period not exceeding three months;
  - (e) to revoke the licence.
- 5.3 However, the Sub-Committee may consider it is not necessary to take any of the steps listed above to promote the licensing objectives. These are matters for the Sub-Committee to determine having regard to the evidence of all parties.
- 5.4 There is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. However, where responsible authorities like the Police, Environmental Health or

Trading Standards Officers have already issued oral or written warnings requiring improvement, licensing authorities should not merely repeat that approach.

- 5.5 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.
- 5.6 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial act taken should generally be directed at these causes and should always be no more than as necessary and proportionate response.
- 5.7 The Sub-Committee should also consider and make use of the 'Yellow and Red Cards' system as directed and recommended by The Department of Culture, Media and Sport (DCMS).

## **APPENDICES**

- Appendix 1 Copy of current Premises Licence PL004859.  
Appendix 2 Review Application of Premises Licence by Thames Valley Police  
Appendix 3 Representations made by Peter Adshead – Senior Trading Standards Officer

## **Background papers**

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 - (Revised 2010)
- Regulations (cited as the Licensing Act 2003 ([Various]) Orders 2005
- Slough Borough Council statement of Licensing Policy - December 2007
- DCMS Guidance – Red and Yellow cards system

## **Contact Officer**

Michael Sims  
Licensing Manager  
01753 477387

# APPENDIX 1

Licensing Act 2003

## Premises Licence

PL004859

### LOCAL AUTHORITY

[www.slough.gov.uk](http://www.slough.gov.uk)  
**Slough**  
Borough Council

#### Slough Borough Council

Licensing Team  
Landmark Place  
High Street  
Slough  
Berkshire  
SL1 1JL

tel: 01753 875664

web: [www.slough.gov.uk](http://www.slough.gov.uk)

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

##### Roshni Food and Wine

18 High Street, Slough, Berkshire, SL1 1EQ.

Telephone 01753 572502

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	7:00am	Midnight

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	7:00am	Midnight

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

### Part 2

#### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jagmohan Singh Chopra

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)





Licensing Act 2003

# Premises Licence

PL004859

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE  
AUTHORISES THE SUPPLY OF ALCOHOL

Jagmohan Singh CHOPRA

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. H001445

Issued by Hounslow



**ANNEXES****Annex 1 - Mandatory conditions****AUTHORISATION OF ALCOHOL**

The supply or sale of alcohol is prohibited when:

- (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence
- (b) at a times when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence has been suspended

In addition every supply of alcohol must be made or authorised by a person who holds a Personal Licence

Condition 4, with effect from 1<sup>st</sup> October 2010

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**Annex 2 - Conditions consistent with the operating schedule**

As agreed with the Thames Valley Police:-

- 1. The licence holder to be a member of the local 'pub watch' and to be a regular attendee of the meetings.
- 2. A refusal register is to be kept and is to be available for inspection by the Police and Licensing Authority.
- 3. CCTV has been installed in the premises. All recordings to be kept for a period of 31 days and made available to the responsible authorities if required.
- 4. One of the CCTV cameras is to be arranged so as to give a full facial view of persons entering the front door of the premises.





Licensing Act 2003

# Premises Licence Summary

PL004859

## LOCAL AUTHORITY



### Slough Borough Council

Licensing Team  
Landmark Place  
High Street  
Slough  
Berkshire  
SL1 1JL

tel: 01753 875664

web: www.slough.gov.uk

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Roshni Food and Wine

18 High Street, Slough, Berkshire, SL1 1EQ.

Telephone 01753 572502

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	7:00am	Midnight

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	7:00am	Midnight

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Jagmohan Singh Chopra

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jagmohan Singh CHOPRA





Licensing Act 2003

# Premises Licence Summary

**PL004859**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

no restrictions on access by children



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**Application for the review of a premises licence or club premises certificate  
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.

**Debie Pearmain, Police Licensing Officer apply for the review of a premises licence under section 51 or – apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

**Postal address of premises or club premises, or if none, ordnance survey map reference or description**

**Roshni Food & Wine  
18 High Street**

**Post town  
Slough**

**Post code (if known)  
SL1 1EQ**

**Name of premises licence holder or club holding club premises certificate (if known)**

**Jagmohan Singh Chopra**

**Number of premises licence or club premises certificate (if known)**

**PL 004859**

**Part 2 – Applicant Details**

I am

Please tick ✓ yes

1) an interested party [please complete (A) or (B) below] ☐

(a) a person living in the vicinity of the premises ☐

(b) a body representing persons living in the vicinity of the premises ☐

- (c) a person involved in business in the vicinity of the premises ☐
- (d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority [please complete (C) below] ☒
- 3) a member of the club to which this application relates [please complete (A) below] ☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title ☐  
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

☐

Current address

Post Town

Post code

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail (optional)



### (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Debie Pearmain, Police Licensing Officer  
Windsor Police Station  
Alma Road  
Windsor  
Berkshire  
SL4 3ES

Telephone number (if any)

01753 8535571

E-mail (optional)

Debie.pearmain@thamesvalley.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick ✓ one or more boxes Y

- (1) the prevention of crime and disorder
- (2) public safety
- (3) the prevention of public nuisance
- (4) the protection of children from harm



**Please state the ground(s) for review** (please read guidance note 1)

Thames Valley Police are requesting the review of Roshni Food & Wine, 18 High Street, Slough, Berkshire, premises licence under the Prevention of crime and disorder licensing objective, public safety and Protection of children from harm licensing objectives.

Mr Jagmohan Singh Chopra is the Premises Licence Holder and Designated Premises Supervisor. I am aware that there is concern from the Town Centre Officers that alcohol is being served to drunken persons from this shop. As a result of street drinking and alcohol related problems a dispersal order was applied for and approved. The dispersal order starts at Burlington Road some 200 metres away from the premises. The Dispersal order is in place until midnight on the 21<sup>st</sup> December 2011. Sergeant Piper, Town Centre Patrol will be attending the hearing to support the application and inform members of the local issues.

I have detailed the relevant incident that has progressed to this review application.

**25 July 2011**

Information received of suspected under age persons purchasing alcohol at this premises.



#### **4<sup>th</sup> August 2011**

Test Purchase operation – bottle of Bulmers original cider was sold by Mr Tarluk Singh Kapoor who is not a personal licence holder to a 16 year old male. No identification was requested or age asked by Mr Kapoor. Police concern that Mr Kapoor could not communicate very well in English when spoken to on the night of the test purchase. Another member of staff had to interpret what we was being said to him. Concern as to how Mr Kapoor could challenge persons who were either drunk or under aged.

#### **8<sup>th</sup> August 2011**

Appointment letter sent by Debie Pearmain, Police Licensing Officer to attend Windsor Police Station on 18<sup>th</sup> August 2011.

#### **18<sup>th</sup> August 2011**

Meeting with Mr Chopra, Owner and DPS, Rachael Rumney, Senior Licensing Officer and Debie Pearmain, Police Licensing Officer. Mr Chopra was informed that due to the failed test purchase Thames Valley Police would be applying to review the premises licence. I also asked Mr Chopra how long the CCTV footage was kept for and he was unsure. I reminded Mr Chopra that there was a condition on the licence clearly stating that CCTV was to be kept for 31 days. Advice given to ensure that this is the case. Mr Chopra was also informed that information had been received from the Town Centre Sergeant that he had observed a drunken male lying on the footpath directly outside his shop, quite clearly drunk and still drinking alcohol. It was believed that he had purchased the alcohol from this shop.

Mr Chopra must take responsibility and be showing due diligence as far as possible. He and his staff should be fully committed in trying to stop the sale of alcohol to under aged persons and drunken persons and not undermine the licensing objectives.

#### **Thames Valley Police request the following amendments and conditions are made to this premises licence:**

Sale of Alcohol for consumption off the premises to be reduced to 11.00pm.

Sale of Alcohol to be reduced to 09.00am.

The premises licence is suspended for a period to be decided by the Committee for staff training to be completed and for CCTV to be checked to ensure that it is working and nominated person is able to download any footage, during this period.

In the absence of the DPS a Personal Licence Holder to be on the premises during the sale of alcohol.

Two members of staff to be on the premises each evening from 6.00pm until close.

Challenge 21 policy to be in place.

DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police or relevant Agencies.

To participate in Bottlewatch if requested by Police or Trading Standards.



The applicant and their staff are able to converse with customers, the public and representatives of Statutory Agencies to a level that satisfies Police and Trading Standards they are able to meet the four licensing objectives.

The Premises Licence Holder or Designated Premises Supervisor shall ensure staff receives training on a regular basis in relation to the four licensing objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.

All persons trained to sell alcohol shall be trained to the BIIAB Level 1 award in Responsible Alcohol Retailing (ARAR).

The Designated Premises Supervisor or nominated person to attend the local Town Centre Pubwatch scheme where in existence.

No single cans to be sold.

The Licensing Sub Committee to issue a 'Yellow card' to the licensed premises as a warning that if a further Review is necessary and matters have not improved the Premises Licence may be revoked. A 'Yellow card' will be clearly and visibly displayed at the Premises for a period of 12 months detailing the imposition of new conditions on the Premises Licence and that this warning has been given.

Please tick ✓ **Yes**

Have you made an application for review relating to this premises before

☐

If yes, please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to this premises please state what they were and when you made them**

N/A

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate. ☒
- 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 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** [please read guidance note 4]. **If signing on behalf of the applicant please state in what capacity.**

Signature: D. Pearmain

Date: 12<sup>th</sup> September 2011

Capacity: Police Licensing Officer

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 5)

Post town

Post code

Telephone number (if any)

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional).**

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application.





## BottleWatch

### Tamper Proof Labels Drinks Bottle Labels



[Click Here For More Information](#)

Underage drinking and the associated Anti-Social Behaviour is a growing problem in the UK, stretching already stretched Police Forces to the limit. Not only that it's also draining the NHS with a growing number of diseases associated with heavy drinking. This is why the Government has set about trying to tackle the problem; however Police Forces have tried various methods in combating the problem with no success. That is until PC Andrew Jackson from Northumbria Police took up the challenge. Working alongside SURE Northumbria implemented the **Bottle Watch** Scheme for the first time in 2006 proving an overnight success solving Newcastle Upon Tyne's underage drinking problem.

[Download the Northumbria Police Testimonial Here](#)



Because the Bottle Watch scheme was so successful Northumbria Police came Runners Up in the National Policing Awards receiving over 20,000 votes from other Police Officers because of the success of the scheme.



### How BottleWatch Works?

A number of retailers collaborate and work together, aiming to tackle Underage Drinking and the resulting ASB etc. One central organisation e.g. The Police or County Council buys a number of Bottle Watch Tamper Proof labels which come in either a different colour or number to identify each shop involved in the scheme. (e.g. Asda=1 Threshers=2 Sainsburys=3 etc.)

The most successful Bottle Watch schemes charge a small deposit for each marked bottle of say 50p, which is refunded when the bottle is returned. This combats and dramatically reduces the number of broken bottles and litter on the streets as people wish to get their deposit back and helps prevent people attempting to peel the labels off the bottle!

Whenever a broken bottle or underage drinker is found, simply look at the bottle and the tamper proof Bottle Watch sticker that is attached. This will identify the EXACT shop where the alcohol was bought, and let you know who is selling alcohol illegally or who sold alcohol to someone that gave it to a minor! You could also point out exactly which till operator sold the alcohol by simply writing the till number on the sticker when the alcohol was bought!



## Responsible Authority Representation Form

Thames Valley Police, Royal Berkshire Fire and Rescue Service, Health and Safety Executive, Area Child Protection Committee, Slough Borough Council [SBC] Commercial Services (Health and Safety and Trading Standards), Planning and Development Control Services [SBC], Public Health Services [SBC].

### APPLICATION DETAILS

<b>Name of Premises</b>	Roshni Superstore Ltd t/a Roshni Food and Wine
<b>Address of Premises &amp; Tel: No.</b>	Registered Office: - [REDACTED] Trading Address: - 18 High Street Slough SL1 1EQ
<b>Applicant Details</b> (Name, address, Tel: No.) if different from above	Peter Adshead, Senior Trading Standards Officer Slough Borough Council, St Martin's Place 51 Bath Road Slough SL1 3UF
<b>Company Name</b> (if different from Applicant)	
<b>Application type</b> (state fully)	Review
<b>Date Application received</b>	



## REPRESENTATION SUBMISSION

Please tick

There are no representations to the granting of this licence	<input checked="" type="checkbox"/>
--	-------------------------------------

**If you are making representations to the application identify which of the four licensing objectives your representation relates to:**

Please detail your representation and the reason together with your supporting evidence, as appropriate. *(If replying by hard copy, please attach separate sheet(s) if necessary).*

Prevention of Crime and Disorder	<p>Please tick</p> <input checked="" type="checkbox"/>	<p>On the 10<sup>th</sup> May 2011, officers of the Trading Standards Service found 86 packets of cigarettes and 14 pouches of tobacco that were hidden in the store. The products contravened the Consumer Protection from Unfair Trading Regulations 2008, and the Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2007.</p> <p>This also points to duty evasion.</p>
Public Safety	<input checked="" type="checkbox"/>	<p>See above. The Tobacco Products etc regulations are designed to warn the public of the dangers of using the tobacco products by requiring warnings to be both in English and displayed in a pictorial manner. The products seized had no pictorial warnings and no English warnings.</p>
Prevention of Public Nuisance	<input type="checkbox"/>	



Protection of Children from Harm	<input type="checkbox"/>	

**Please provide advice to the Licensing Sub-Committee on how you believe they should consider the representation.**

If appropriate, recommend conditions that could be added to the Licence to remedy your representation or other suggestions you would like the Licensing Sub-Committee to take into account.

If replying by hard copy, please attach separate sheet(s), if necessary.

Please refer to the Responsible Authority Guidance Note.

The licensee and his staff should refrain from obtaining and selling illicit tobacco. They should also undergo training on the identification of legal product.

Name of Officer completing Representation	Peter Adshead
Job Title	Senior Trading Standards Officer
Name of Responsible Authority	Slough Borough Council
E-mail address:	<a href="mailto:Peter.adshead@slough.gov.uk">Peter.adshead@slough.gov.uk</a>
Tel: No.	01753 477904

**N.B.** If you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

Signed: Peter Adshead

Dated: 14<sup>th</sup> September 2011

Please return this form along with any additional sheets, if replying by hard copy to:

The Licensing Team  
Public Protection Services  
Landmark Place  
High Street  
Slough  
SL1 1JL    **Or** E-mail to [Licensing@Slough.gov.uk](mailto:Licensing@Slough.gov.uk)

**LICENSING SUB-COMMITTEE**

9<sup>th</sup> November 2011

**LICENSING ACT 2003**

**WAY TO SAVE**

216-218 Farnham Road, Slough, Berkshire,  
SL1 4XE

Review of Premises Licence – **Number PL005516**  
Application made by Thames Valley Police

**1. CURRENT POSITION**

- 1.1 Way to Save operates under a Premises Licence which is held by Mr Surjit SINGH. The Designated Premises Supervisor (DPS) at the time of a test purchase operation carried out at the premises on 4<sup>th</sup> August 2011 was Surjit SINGH who holds a Personal Licence number **H03118** issued by Hounslow.
- 1.2 The DPS is responsible for the day to day management of the premises.
- 1.3 The Premises Licence authorises the carrying out of the Relevant Licensable Activity – The sale by retail of alcohol for consumption OFF the premises only
- 1.4 The latest terminal hour for this Licensable Activities is 11.00pm and a copy of the current Premises Licence is attached at **APPENDIX 1**.

**2. BACKGROUND INFORMATION**

- 2.1 On 13<sup>th</sup> September 2011 Thames Valley Police submitted an application for the Review of the Premises Licence on the grounds of the Prevention of Crime and Disorder, and the Protection of Children from Harm. The full Review Application and evidence is contained at **APPENDIX 2**.
- 2.2 The grounds for the Review Application although contained fully within the application itself can be summarised as follows;
  - Alcohol being sold to a 16 year old boy during a test purchase operation
  - Breach of Mandatory Condition 4 with regards to non compliance with age verification
  - The named DPS at the time alcohol was sold to an underage person was not at or on the premises

**3. APPLICATION – REVIEW OF PREMISES LICENCE**

- 3.1 The Licensing Authority is satisfied that this application for Review meets the appropriate legislative requirements within the Licensing Act 2003 and is therefore a valid application to be considered by the Licensing Sub-Committee.



3.2 The Review application requests that the following amendments are made and conditions added to the premise licence in order to uphold the licensing objectives;

1. In the absence of the Designated Premises Supervisor, a Personal Licence holder to be on the premises during the sale of alcohol.
2. Designated Premises Supervisor or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police or relevant Agencies.
3. The applicant and their staff are able to converse with customers, the public and representatives of Statutory Agencies to a level that satisfies Police and Trading Standards they are able to meet the four licensing objectives.
4. Challenge 21 policy to be in place.
5. All persons trained to sell alcohol shall be trained to the BIIAB Level 1 award in Responsible Alcohol Retailing (ARAR).
6. To participate in 'Bottlewatch' if requested by Police or Trading Standards.
7. The Premises Licence holder to Designated Premises Supervisor shall ensure all staff receives training on a regular basis in relation to the four licensing objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained and made available upon request of Police, Trading Standards or Slough Borough Council Licensing Officers.
8. Two members of staff to be on the premises from 6:00pm until close.
9. Refusal Register to be in place, kept up to date and made available request of Police, Trading Standards or Slough Borough Council Licensing Officers.
10. No single cans to be sold.
11. To participate in 'Bottlewatch' if requested by Police or Trading Standards.
12. The Licensing Sub-Committee issue a 'Yellow Card' to the licensed premises as a warning that if a further Review is necessary and matters have not improved the premise licence may be revoked. A 'Yellow Card' will be clearly and visibly displayed at the premises for a period of 12 months detailing the imposition of new conditions on the Premises Licence and that this warning has been given.

3.3 Condition 12 as requested by the Police is in line with the DCMS Guidance on the Red and Yellow Card Scheme which if agreed by the Committee will

necessitate a 'Yellow Card' being displayed at the premises for a period of 12 months.

#### **4. REPRESENTATIONS RECEIVED**

- 4.1 The remaining responsible authorities have not made representations in respect of this application.

#### **5. RELEVANT GUIDANCE AND POLICIES**

- 5.1 The proceedings set out in the 2003 Act for Reviewing of Premises Licence represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a Premises Licence. Where a request to Review the licence is made by a Responsible Authority, the Licensing Authority will hold a hearing in respect of this, unless it, the applicant and the Responsible Authorities agree that a hearing is not necessary
- 5.3 Section 52 of the Licensing Act 2003 provides that the Sub-Committee must, having regard to the Review application and any relevant representations, take such of the steps listed below as it considers necessary for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence, (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - (b) to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
  - (c) to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
  - (d) to suspend the licence for a period not exceeding three months;
  - (e) to revoke the licence.
- 5.4 However, the Sub-Committee may consider it is not necessary to take any of the steps listed above to promote the licensing objectives. These are matters for the Sub-Committee to determine having regard to the evidence of all parties.
- 5.5 There is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. However, where responsible authorities like the Police, Environmental Health or Trading Standards Officers have already issued oral or written warnings requiring improvement, licensing authorities should not merely repeat that approach.
- 5.6 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the

licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

- 5.7 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial act taken should generally be directed at these causes and should always be no more than as necessary and proportionate response.
- 5.8 The Sub-Committee should also consider and make use of the 'Yellow and Red Cards' system as directed and recommended by The Department of Culture, Media and Sport (DCMS).

## **APPENDICES**

Appendix 1 Copy of current Premises Licence **PL005516**

Appendix 2 Review Application of Premises Licence by Thames Valley Police

## **Background papers**

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 - (Revised 2010)
- Regulations (cited as the Licensing Act 2003 ([Various]) Orders 2005
- Slough Borough Council statement of Licensing Policy - December 2007
- DCMS Guidance – Red and Yellow Cards system

## **Contact Officer**

Michael Sims  
Licensing Manager  
01753 477387



Licensing Act 2003  
**Premises Licence**

**PL005516**

**LOCAL AUTHORITY**



**Slough Borough Council**

Licensing Team  
Landmark Place  
High Street  
Slough  
Berkshire  
SL1 1JL

tel: 01753 875664  
web: www.slough.gov.uk

**Part 1 - Premises Details**

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**

**Way to Save**

216-218 Farnham Road, Slough, Berkshire, SL1 4XE.

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	8:00am	11:00pm

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Sunday	8:00am	11:00pm

**WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- M. The sale by retail of alcohol for consumption OFF the premises only

**Part 2**

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Surjit Singh

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**



Licensing Act 2003

# Premises Licence

**PL005516**

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE  
AUTHORISES THE SUPPLY OF ALCOHOL

Surjit SINGH

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. H03118

Issued by Hounslow





## ANNEXES

**Annex 1 - Mandatory conditions****PREMISES LICENCES****AUTHORISATION OF ALCOHOL**

The supply or sale of alcohol is prohibited when:

- (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence
- (b) at a times when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence has been suspended

In addition every supply of alcohol must be made or authorised by a person who holds a Personal Licence

Condition 4, with effect from 1<sup>st</sup> October 2010

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**Annex 2 - Conditions consistent with your operating schedule****CRIME AND DISORDER****C.C.T.V.**

1. A C.C.T.V. system has been installed and is working to the satisfaction of Thames Valley Police and the Licensing Authority
2. Recordings will be maintained for an appropriate period of time to be agreed with the Police and the Licensing Authority)
3. If the C.C.T.V. equipment fails, the Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order
4. A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation





## ANNEXES continued ...

5. At least one C.C.T.V. camera will be in operation at the front of the premises at all times when the premises is in use

**Proof of age cards**

6. We have a proof of age policy that has been formulated in discussion with the Police and the Licensing Authority

**PUBLIC SAFETY****Fire Safety**

7. We have conducted a suitable Fire Risk Assessment at the premises and implemented the necessary control measures
8. All exit doors are easily operable without the use of a key, card, code or similar means
9. Exit doors are regularly checked to ensure they function satisfactorily
10. All removable security fastenings are removed whenever the premises are open to the public or staff
11. All fire doors are maintained unobstructed and effectively self-closing and will not be held open other than with approved devices
12. Step and stair edges are appropriately highlighted so as to be conspicuous
13. Hangings, curtains and temporary decorations are maintained in a flame retardant condition
14. Curtains, hangings and temporary decorations are located so as not to obstruct exits, fire safety signs or fire-fighting equipment
15. Notices detailing the actions to be taken in the event of fire or other emergency are prominently displayed and maintained in good condition
16. All fire exits and means of escape are signed in accordance with BS5499: Part 1: Specification for Fire Safety Signs: 1990
17. Wall and ceiling finishes are fire resistant to the appropriate standard
18. Exit doors open outwards or are secured in the open position if this is not the case

**Disabled people**

## ANNEXES continued ...

19. Adequate arrangements exist to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency

**First Aid**

20. Adequate and appropriate First Aid equipment and materials are available on the premises

**Fire Safety - Lighting**

21. In the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in any area accessible to the public
22. Fire safety signs are adequately illuminated

**Safety Certificates**

23. The premises have either a current and satisfactory National Inspection Council (for) Electrical Installation Contracting (N.I.C.E.I.C.) or Electrical Contractors Association (E.C.A.) periodic electrical installation report. An inspection is carried out every \_\_\_\_ year(s) and a new report will be obtained each time
24. The premises have a certificate issued by a suitably qualified and competent person confirming the safety of any suspended ceilings installed at the premises
25. The premises have current and suitable Public Liability Insurance in the sum of £5 million. A certificate will be obtained each year and displayed at the premises
26. Any temporary electrical installation being used is checked before use by a N.I.C.E.I.C. or E.C.A. electrician and a temporary electrical installation report or a certificate of compliance with British Standard BS7909: 1998 will be obtained





## ANNEXES continued ...

**Conditional Steps to promote the four licensing objectives****a) General - all four licensing objectives (b,c,d & e)****b) The prevention of crime and disorder**

- CCTV camera will be in operation and tape changed every 30 days
- Staff training measures for crime prevention
- Staff training on age restrictions for the purchase of tobacco and alcohol
- Advertise that CCTV is present, in order to deter potential crime

**c) Public safety**

- Will abide by health and safety regulations
- Train staff on the importance of health and safety issues
- First Aid kit will be readily available
- Keep an accident log book
- Keep floor space clean and tidy to prevent accident
- Keep wires and leads well hidden

**d) The prevention of public nuisance**

- Follow strict measures on age regulations for the purchase of tobacco and alcohol
- Not let large groups gather inside/outside the premises
- Advertise the fact that CCTV is present, as this will deter potential nuisance

**e) The protection of children from harm**

- Keep alcohol away from children's reach
- Keep floor space clean and tidy in order to avoid a child falling
- Keep wires and leads well hidden

**Annex 3 - Conditions attached after a hearing by the licensing authority****1. Sale by retail of alcohol for consumption off the premises**

Monday to Sunday - 08-00 hrs to 23-00 hrs

**2. Opening hours of the premises**

Monday to Sunday - 08-00hrs to 23-00 hrs





## LOCAL AUTHORITY

**Slough Borough Council**

Licensing Team  
Landmark Place  
High Street  
Slough  
Berkshire  
SL1 1JL

tel: 01753 875664

web: www.slough.gov.uk

## Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Way to Save**

216-218 Farnham Road, Slough, Berkshire, SL1 4XE.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	8:00am	11:00pm

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	11:00pm

## WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

## NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Surjit Singh

## REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

## NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Surjit SINGH



Licensing Act 2003

# Premises Licence Summary

**PL005516**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

no restriction on access by children





## APPENDIX 2.

### **Application for the review of a premises licence or club premises certificate 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.

**Debie Pearmain, Police Licensing Officer apply for the review of a premises licence under section 51 or – apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

#### **Part 1 – Premises or club premises details**

**Postal address of premises or club premises, or if none, ordnance survey map reference or description**

Way To Save  
216-218 Farnham Road

**Post town**  
Slough

**Post code (if known)**  
SL1 4XE

**Name of premises licence holder or club holding club premises certificate (if known)**

Surjit Singh Arora

**Number of premises licence or club premises certificate (if known)**

PL 005516

#### **Part 2 – Applicant Details**

I am

Please tick ✓ yes

1) an interested party [please complete (A) or (B) below] ☐

(a) a person living in the vicinity of the premises ☐

(b) a body representing persons living in the vicinity of the premises ☐



- (c) a person involved in business in the vicinity of the premises ☐
- (d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority [please complete (C) below] ☒
- 3) a member of the club to which this application relates [please complete (A) below] ☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title ☐  
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

☐

Current address

Post Town

Post code

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Debie Pearmain, Police Licensing Officer Windsor Police Station Alma Road Windsor Berkshire
Telephone number (if any) 01753 835571
E-mail (optional)  Debie.pearmain@thamesvalley.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick ✓ one or more boxes Y

- (1) the prevention of crime and disorder
- (2) public safety
- (3) the prevention of public nuisance
- (4) the protection of children from harm

☐  
☐  
☐  
☒

**Please state the ground(s) for review** (please read guidance note 1)

Thames Valley Police are requesting the review of Way to Save, 216-218 Farnham Road, Slough, Berkshire, premises licence under the Protection of Children from harm licensing objective.

Mr Surjit Singh Arora is the Premises Licence Holder and Designated Premises Supervisor. I am aware there are issues along the Farnham Road area although not directly linked to the premise, the crime rate has increased. Sergeant McAllen will be attending the licensing hearing to support this application and update members of the issues in the area.

I have detailed the relevant incident that has progressed to this review application.

**14<sup>th</sup> July 2011**

Routine Licensing check with Rachael Rumney, Senior Licensing Officer, Slough Borough Council. Breach of licence found:

No Personal Licence Holder on site and no authorisation in place

During this visit there was also a communication issue with the Staff member on site and the Staff member could not find the Refusals Register.

**18<sup>th</sup> July 2011**

Appointment letter sent to the Owner, Mr Singh Arora, to attend Windsor Police Station on Monday 1<sup>st</sup> August 2011.



#### **1<sup>st</sup> August 2011**

Pre-arranged meeting with Mr Surjit Singh Arora, Premises Licence Holder and Designated Premises Supervisor, WPC Rance, Neighbourhood Officer, WPC Griffiths, Neighbourhood Officer and Debie Pearmain, Police Licensing Officer. Mr Singh informed us that written authorisation was now in place and the Refusals Register was now in place. Mr Arora informed me that there was a problem with the CCTV in June 2011, but this had now been sorted out and the CCTV was now working. I informed Mr Singh that he must keep to the times and conditions on his licence, failure to do so will result in action being taken. Mr Arora was also reminded not to sell alcohol to under aged persons or drunken persons and Mr Arora was informed that there would be a test purchase operation in the future.

#### **4<sup>th</sup> August 2011**

Test Purchase Operation conducted – bottle of Bulmers Cider was sold to a 16 year old male by Mrs Needa Patel who is not a Personal Licence Holder. No identification or age requested by Mrs Patel.

#### **8<sup>th</sup> August 2011**

Appointment letter sent to the Owner, Mr Arora, to attend Windsor Police Station on Thursday 18<sup>th</sup> August 2011 to discuss the failed test purchase.

#### **18<sup>th</sup> August 2011**

Pre-arranged meeting with Surjit Singh Arora, Owner and DPS, Rachael Rumney, Senior Licensing Officer, Slough Borough Council and Debie Pearmain, Police Licensing Officer. At this meeting I informed Mr Arora that I was very disappointed that this failure had happened as we had met on the 1<sup>st</sup> August 2011 to discuss housekeeping issues and I had informed him at that meeting that a test purchase operation would be conducted. I also informed Mr Arora that because of the failed test purchase Thames Valley Police would be applying to review the premises licence.

Mr Arora must take responsibility and be showing due diligence as far as possible. He and his staff should be fully committed in trying to stop the sale of alcohol to under aged persons and drunken persons. He should also be adhering to the licence conditions already on this licence and not undermine the licensing objectives. In view of this we would request that the premises licence be suspended to enable the following requested conditions be put into place and checked by Police:

In the absence of the Designated Premises Supervisor a Personal Licence Holder to be on the premises during the sale of alcohol.

Designated Premises Supervisor or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police or relevant Agencies.

The applicant and their staff are able to converse with customers, the public and representatives of Statutory Agencies to a level that satisfies Police and Trading Standards that they are able to meet the four licensing objectives.

Challenge 21 policy to be in place.

All persons trained to sell alcohol shall be trained to the BIIAB level 1 award in Responsible Alcohol Retailing (ARAR)

The Premises Licence Holder or Designated Premises Supervisor shall ensure staff receives training on a regular basis in relation to the four licensing objectives contained within the



Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained and made available upon request of Police, Trading Standards or Slough Borough Council Licensing Officers.

Two members of staff to be on the premises from 6.00pm until close.

Refusals Register to be in place, kept up to date and made available upon request of Police, Trading Standards or Slough Borough Council Licensing Officers.

No single cans to be sold.

To participate in Bottlewatch if requested by Police or Trading Standards.

The Licensing Sub Committee to issue a 'Yellow card' to the licensed premises as a warning that if a further review is necessary and matters have not improved the Premises Licence may be revoked. A 'Yellow card' will be clearly and visibly displayed at the Premises for a period of 12 months detailing the imposition of new conditions on the Premises Licence and that this warning has been given.

Please tick ✓ **Yes**

Have you made an application for review relating to this premises before

☐

If yes, please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to this premises please state what they were and when you made them**

N/A

Please tick ✓ **Yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate. ☒
- 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 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** [please read guidance note 4]. **If signing on behalf of the applicant please state in what capacity.**

Signature: Debie Pearmain

Date: 13<sup>th</sup> September 2011

Capacity: Police Licensing Officer

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional).</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application.





## BottleWatch

### Tamper Proof Labels Drinks Bottle Labels



[Click Here For More Information](#)

Underage drinking and the associated Anti-Social Behaviour is a growing problem in the UK, stretching already stretched Police Forces to the limit. Not only that it's also draining the NHS with a growing number of diseases associated with heavy drinking. This is why the Government has set about trying to tackle the problem; however Police Forces have tried various methods in combating the problem with no success. That is until PC Andrew Jackson from Northumbria Police took up the challenge. Working alongside SURE Northumbria implemented the **Bottle Watch** Scheme for the first time in 2006 proving an overnight success solving Newcastle Upon Tyne's underage drinking problem.

[Download the Northumbria Police Testimonial Here](#)



Because the Bottle Watch scheme was so successful Northumbria Police came Runners Up in the National Policing Awards receiving over 20,000 votes from other Police Officers because of the success of the scheme.



### How BottleWatch Works?

A number of retailers collaborate and work together, aiming to tackle Underage Drinking and the resulting ASB etc. One central organisation e.g. The Police or County Council buys a number of Bottle Watch Tamper Proof labels which come in either a different colour or number to identify each shop involved in the scheme. (e.g. Asda=1 Threshers=2 Sainsburys=3 etc.)

The most successful Bottle Watch schemes charge a small deposit for each marked bottle of say 50p, which is refunded when the bottle is returned. This combats and dramatically reduces the number of broken bottles and litter on the streets as people wish to get their deposit back and helps prevent people attempting to peel the labels off the bottle!

Whenever a broken bottle or underage drinker is found, simply look at the bottle and the tamper proof Bottle Watch sticker that is attached. This will identify the EXACT shop where the alcohol was bought, and let you know who is selling alcohol illegally or who sold alcohol to someone that gave it to a minor! You could also point out exactly which till operator sold the alcohol by simply writing the till number on the sticker when the alcohol was bought!



**LICENSING SUB-COMMITTEE**  
9<sup>th</sup> November 2011

**LICENSING ACT 2003**

**HARSHINI FOOD & WINE**

Belgrave Parade, 9 Bradley Road, Slough,  
SL1 3PR

Review of Premises Licence – **Number PL004620**  
Application made by Trading Standards

**1. CURRENT POSITION**

- 1.1 'Harshini Food & Wine' operates under a Premises Licence held by Mr Manickam Rajeetharan. The Designated Premises Supervisor (DPS) at the time of the Review application being made is Mr Manickam Rajeetharan who holds a Personal Licence.
- 1.2 The DPS is responsible for the day to day management of the premises.
- 1.3 The Premises Licence authorises the carrying out of the Relevant Licensable Activity of "The Sale by Retail of Alcohol for Consumption OFF the Premises Only:"
- 1.4 The operating hours for this Licensable Activity are:
- Monday to Saturday - 08.00am to 11.00pm  
Sunday – 10:00am – 10:30pm  
Good Friday - 8:00am 10:30pm  
Christmas Day – Noon – 10:30pm
- 1.5 A copy of the current Premises' Licence is attached at **APPENDIX 1.**

**2. BACKGROUND INFORMATION**

- 2.1 On 16<sup>th</sup> September 2011 Peter Adshead – Senior Trading Standards Officer for Slough Borough Council Trading Standards submitted an application for the Review of the Premises Licence on grounds of the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm. The full Review application is contained at **APPENDIX 2.**
- 2.2 The grounds for the Review Application although contained fully within the application itself can be summarised as;
- 25 bottles of counterfeit Jacobs Creek wine found in possession for sale on the premises on the 27<sup>th</sup> April 2011. The contents were not as stated on the label.
  - The Trade Marks Act 1994 offence is subject to a criminal prosecution against Mr Rajeetharan.

- Offences have been committed under the Food Safety Act 1990 and the Consumer Protection from Unfair Trading Regulations 2008.
- The premises being the subject of a previous Review Application in January 2011 where conditions were imposed by the Licensing Sub-Committee.

### **3. APPLICATION – REVIEW OF PREMISES LICENCE**

- 3.1 The Licensing Authority is satisfied that this application for Review meets the appropriate legislative requirements within the Licensing Act 2003 and is therefore a valid application to be considered by the Licensing Sub-Committee.
- 3.3 The Review Application highlights that in April 2011 counterfeit alcohol was found and seized at the premises and which is subject of legal proceedings taking place.
- 3.4 The Review also details that the premises were subject of a previous Review Application made by Thames Valley Police and heard by The Licensing Sub Committee in January 2011. That Review related to an underage test purchase operation conducted on 19<sup>th</sup> October 2010 where alcohol was sold to a 16 year old boy.
- 3.5** The Licensing Sub Committee imposed a total of 11 new conditions on the Premises Licence as well as issuing a ‘Yellow Card’ to the premises to serve as a warning that if a further review is necessary and matter had not improved, the premises Licence may be revoked. The previous Review report, Application, supporting evidence, minutes, decision letter and Yellow Card are attached at **APPENDIX 3.**
- 3.6 The current Review application highlights “In light of the previous Review Application, the seizure of counterfeit alcohol on 27<sup>th</sup> April 2011 and of the impending prosecution the Trading Standards officers are of the opinion that the Premises Licence should be revoked on the grounds of the Prevention of Crime and Disorder, Public Safety and the Protection of Children from harm objectives.

### **3 REPRESENTATIONS RECEIVED**

- 3.1 The remaining responsible authorities have not made representations in respect of this application.

### **4 RELEVANT GUIDANCE AND POLICIES**

- 4.1 The proceedings set out in the 2003 Act for Reviewing of Premises Licence represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a Premises Licence. Where a request to Review the licence is made by a Responsible Authority, the Licensing Authority will hold a hearing in respect of this, unless it, the applicant and the Responsible Authorities agree that a hearing is not necessary



- 4.3 Section 52 of the Licensing Act 2003 provides that the Sub-Committee must, having regard to the Review application and any relevant representations, take such of the steps listed below as it considers necessary for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence, (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - (b) to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
  - (c) to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
  - (d) to suspend the licence for a period not exceeding three months;
  - (e) to revoke the licence.
- 4.4 However, the Sub-Committee may consider it is not necessary to take any of the steps listed above to promote the licensing objectives. These are matters for the Sub-Committee to determine having regard to the evidence of all parties.
- 4.5 There is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. However, where responsible authorities like the Police, Environmental Health or Trading Standards Officers have already issued oral or written warnings requiring improvement, licensing authorities should not merely repeat that approach.
- 4.6 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.
- 4.7 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial act taken should generally be directed at these causes and should always be no more than as necessary and proportionate response.
- 4.8 The committee should also consider and make use of the 'Yellow and Red Cards' system as directed and recommended by The Department of Culture, Media and Sport (DCMS).

## **APPENDICES**

Appendix 1 - A copy of the Premise Licence **PL004620**

Appendix 2 - Application for the Review of a Premises Licence for 'Harshini Food & Wine

Appendix 3 - Copy previous Review papers from January 2011

## **Background papers**

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 - (Revised 2010)
- Regulations (cited as the Licensing Act 2003 ([Various]) Orders 2005
- Slough Borough Council statement of Licensing Policy - December 2007
- DCMS Guidance – Yellow and Red Card system

## **Contact Officer**

Michael Sims  
Licensing Manager  
01753 477387

Licensing Act 2003

## Premises Licence

**PL004620**

### LOCAL AUTHORITY



#### Slough Borough Council

Licensing Team  
Landmark Place  
High Street  
Slough  
Berkshire  
SL1 1JL

tel: 01753 875664  
web: www.slough.gov.uk

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

##### Harshini Food and Wine

Belgrave Parade, 9 Bradley Road, Slough, Berkshire, SL1 3PR.

Telephone 01753 534062

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only			
	Monday to Saturday	8:00am	11:00pm
	Sunday	10:00am	10:30pm
	Good Friday	8:00am	10:30pm
	Christmas Day	Noon	10:30pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	8:00am	11:00pm
Sunday	10:00am	10:30pm
Good Friday	8:00am	10:30pm
Christmas Day	Noon	10:30pm

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

### Part 2

#### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Manickam Rajeetharan





Licensing Act 2003

# Premises Licence

**PL004620**

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE  
AUTHORISES THE SUPPLY OF ALCOHOL

Manickam RAJEETHARAN

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No.

Issued by



# Premises Licence

## ANNEXES

### Annex 1 - Mandatory conditions

#### AUTHORISATION OF ALCOHOL

The supply or sale of alcohol is prohibited when:

- (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence
- (b) at a times when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence has been suspended

In addition every supply of alcohol must be made or authorised by a person who holds a Personal Licence.

#### Condition 4, with effect from 1<sup>st</sup> October 2010

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

### Annex 2 - Conditions consistent with the operating Schedule

#### OFF- LICENCES

Alcohol shall not be sold or supplied except during permitted hours.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces:

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

### Annex 3 - Conditions attached by the Licensing Sub-Committee.

Following a review hearing on 20th January 2011, the Licensing Sub-Committee resolved that the following 11 additional conditions should be added to the premises licence:-

- (1) A CCTV system to be installed and working to the satisfaction of Thames Valley Police and the Licensing Authority.
- (2) Recordings will be maintained for an appropriate period of time to be agreed with Thames Valley Police and the Licensing Authority i.e.31 days.
- (3) If the CCTV equipment fails, Thames Valley Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.





ANNEXES continued ...

- (4) A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
- (5) At least one CCTV Camera will be in operation at the front of the premises at all times when the premise is in use.
- (6) The CCTV system will be time & date stamped at all times.
- (7) A suitable written age verification policy document be prepared and supplied to the Police and the Licensing Authority for inclusion on the licence and be displayed and made readily available at the premises.
- (8) A personal licence holder must be in attendance at all times when a licensable activity is taking place.
- (9) All persons authorised to sell alcohol shall be trained to the BIIAB Level Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation.
- (10) The premises Licence holder or Designated Premises Licence holder shall ensure staff receive training on a regular basis in relation to the four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.
- (11) The Premises Licence holder shall provide written training schedules and written confirmation from members of staff to the effect that such training has been given.

In accordance with Central Government guidance and due to the seriousness of the incident highlighted the Sub-Committee also decided to issue the premises with a Yellow Card. Please let this serve as a warning that if a further review is necessary and matters have not improved, the premises licence may be revoked.





## Premises Licence Summary

## LOCAL AUTHORITY



## Slough Borough Council

Licensing Team  
Landmark Place  
High Street  
Slough  
Berkshire  
SL1 1JL

tel: 01753 875664

web: www.slough.gov.uk

## Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

## Harshini Food and Wine

Belgrave Parade, 9 Bradley Road, Slough, Berkshire, SL1 3PR.

Telephone 01753 534062

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only			
	Monday to Saturday	8:00am	11:00pm
	Sunday	10:00am	10:30pm
	Good Friday	8:00am	10:30pm
	Christmas Day	Noon	10:30pm

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	8:00am	11:00pm
Sunday	10:00am	10:30pm
Good Friday	8:00am	10:30pm
Christmas Day	Noon	10:30pm

## WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

## NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Manickam Rajeetharan

## REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

# Premises Licence Summary

**PL004620**

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Manickam RAJEETHARAN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No restriction on access by children.





## APPENDIX Z.

Peter Adshead, Senior Trading Standards Officer of Slough Borough Council, St  
Martin's Place 51 Bath Road, Slough, SL1 3UF

### **Application for the review of a premises licence or club premises certificate 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 Peter Adshead - Senior Trading Standards Officer

(Insert name of applicant)

apply for the review of a premises licence under section 51 (delete as  
applicable)

RECEIVED

16 SEP 2011

#### **Part 1 – Premises or club premises details**

**Postal address of premises or, if none, ordnance survey map reference or  
description**

Harshini Food & Wine, Belgrave Parade, 9 Bradley Road,

**Post town** Slough

**Post code (if known)** SL1 3PR

**Name of premises licence holder or club holding club premises certificate (if  
known)**

Manickam Rajeetharan (this is the name on the licence, but his name is in fact  
Rajeetharan Sivarajah)

**Number of premises licence or club premises certificate (if known)**  
PL004620

#### **Part 2 - Applicant details**

I am

**Please tick yes**

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

☐

b) a body representing persons living in the vicinity of the premises

☐

c) a person involved in business in the vicinity of the premises

☐

d) a body representing persons involved in business in the vicinity of the  
premises

☐



- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A) below) ☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

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**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address

Peter Adshead,  
Senior Trading Standards Officer  
Slough Borough Council  
St Martin's Place, Bath Road  
Slough SL1 3UF

Telephone number (if any)

01753 875255

E-mail address (optional)

peter.adshead@slough.gov.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

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

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

**Please state the ground(s) for review** (please read guidance note 1)

25 bottles of counterfeit Jacob's Creek wine found in possession for sale on the premises on the 27<sup>th</sup> April 2011. Bottles seized and detained and examined by the Trade Mark owner. In addition, the contents of the bottles are not as stated on the label, but are a cheap Italian wine. No duty will have been paid on these bottles.

There is always the possibility of public harm if the contents are not as described. This can vary from fiscal detriment to health issues.

In addition, there are revenue issues to be considered as there will be no excise duty, tax or VAT paid on this kind of product.

The Trade Marks Act 1994 offence is subject to a criminal prosecution against Mr Rajeetharan.

In addition, there are offences under the Food Safety Act 1990 and the Consumer Protection from Unfair Trading Regulations 2008.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

This premises has been the subject of a previous review for selling alcohol to under age persons.

On 19<sup>th</sup> October 2010 Slough Borough Council Trading Standards Officers carried out an underage test purchase operation at Harshini Food and Wine. The Premises Licence holder at that time was Mr Manickam Rajeetharan, whose real name as previously stated is Rajeetharan Sivarajah. During that operation a bottle of WKD Vodka was sold to a 16 year old boy.

Thames Valley Police subsequently submitted an application for the Review of the Premises Licence which detailed statements and evidence from the Trading Standards Officers.

The Review application was heard by the Licensing Sub Committee in January 2011 and full details of the determination will be detailed by the Licensing Team.

In light of the the previous Review application, the seizure of the counterfeit alcohol on 27<sup>th</sup> April 2011 and of the impending prosecution the Trading Standards officers are of the opinion that the Premises Licence should be revoked on the grounds of the Prevention of Crime and Disorder, Public Safety and the protection of Children from Harm



**Please tick yes**

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

**If you have made representations before relating to this premises please state what they were and when you made them**

Thames Valley Police previously made an application for the Review of the Premises Licence with supporting evidence supplied by Slough Borough Council Trading Standards Officers

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- 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 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature PETER ADSHEAD

Date 16TH SEPTEMBER 2011

Capacity SENIOR TRADING STANDARDS OFFICER.

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



**LICENSING SUB-COMMITTEE**  
20<sup>th</sup> January 2011

**LICENSING ACT 2003**

**HARSHINI FOOD AND WINE,**  
9 Belgrave Parade, Bradley Road, Slough,  
Berkshire, SL1 3PR

Review of Premises Licence – **Number PL004620**  
Application made by Thames Valley Police

1. **CURRENT POSITION**

- 1.1 Harshini Food and Wine operates under a Premises Licence which is held by Mr Manickam Rajeetharan. The Designated Premises Supervisor (DPS) at the time, a test purchase operation was carried out at the premises on 12<sup>th</sup> October, was Mr Baskaran Thisoban who held a Personal Licence number **006962** issued by Slough Borough Council.
- 1.2 On the 29<sup>th</sup> October 2010 following the test purchase operation an application was made to vary the DPS into the name of Mr Manickam Rajeetharan, the Premises Licence holder, as Mr Thisoban had returned to Sri Lanka some 4 months previously.
- 1.3 The DPS is responsible for the day to day management of the premises.
- 1.4 The Premises Licence authorises the carrying out of the Relevant Licensable Activity – The sale by retail of alcohol for consumption OFF the premises only

The latest terminal hour for this Licensable Activities is 11.00pm.  
A copy of the current Premises Licence is attached at **APPENDIX 6.**

2. **BACKGROUND INFORMATION**

- 2.1 On 29<sup>th</sup> November 2010 Thames Valley Police submitted an application for a Review of the Premises Licence on the grounds of the Prevention of Crime and Disorder and The Protection of Children from Harm. The full Review Application is contained at **APPENDIX 1.**
- 2.2 The grounds for the Review Application although contained fully within the application itself can be summarised as follows;
  - Alcohol being sold to a 16 year old boy during a test purchase operation
  - CCTV not in working order or operation
  - The named DPS at the time alcohol was sold to an underage person was not at or on the premises as he has returned to Sri Lanka some 4 months previously.
- 2.3 All relevant evidence and information supporting the Police Review Application are contained within **APPENDICES 1 to 5.**



### 3. **APPLICATION – REVIEW OF PREMISES LICENCE**

- 3.1 The Licensing Authority is satisfied that this application for Review meets the appropriate legislative requirements within the Licensing Act 2003 and is therefore a valid application to be considered by the Licensing Sub-Committee.
- 3.2 The Review Application requested that the DPS Mr Thisoban be removed as the DPS and replaced by a person acceptable to the Police and the Licensing Authority. However as outlined above an application has been made to vary the named DPS to Mr Rajeetharan which has been approved. The Police are also asking that a total of 12 conditions be attached to the Premises Licence in order to uphold the Licensing Objectives.
- 3.3 Condition 7 as requested by the Police is now included in new **Mandatory Condition 4** on the Premises Licence which took effect from the 1<sup>st</sup> October 2010. However the Police will be asking for a suitable **written**, age verification policy document to be prepared and supplied to the Police and the Licensing Authority for inclusion on the licence and to be displayed and made readily available at the premises.

### 4. **REPRESENTATIONS RECEIVED**

- 4.1 Miss Pat Leroy of the Local Safeguarding of Children's Board has responded to the Review Application as follows: "Having viewed the papers, I fully endorse the application made by Jim Ferguson for the review of the licence. I would add that the conditions suggested are appropriate and would ensure that the welfare of children and young people is better safeguarded and monitored".
- 4.2 The remaining responsible authorities have not made representations in respect of this application.

### 5. **RELEVANT GUIDANCE AND POLICIES**

- 5.1 The proceedings set out in the 2003 Act for Reviewing of Premises Licence represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a Premises Licence. Where a request to Review the licence is made by a Responsible Authority, the Licensing Authority will hold a hearing in respect of this, unless it, the applicant and the Responsible Authorities agree that a hearing is not necessary
- 5.3 Section 52 of the Licensing Act 2003 provides that the Sub-Committee must, having regard to the Review application and any relevant representations, take such of the steps listed below as it considers necessary for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence, (which includes adding new conditions or any alteration or omission of an existing condition), for example , by reducing the hours of opening or by requiring door supervisors at particular times;
  - (b) to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded



- music (where it is not within the incidental live and recorded music exemption);
- (c) to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
  - (d) to suspend the licence for a period not exceeding three months;
  - (e) to revoke the licence.
- 5.4 However, the Sub-Committee may consider it is not necessary to take any of the steps listed above to promote the licensing objectives. These are matters for the Sub-Committee to determine having regard to the evidence of all parties.
- 5.5 There is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. However, where responsible authorities like the Police, Environmental Health or Trading Standards Officers have already issued oral or written warnings requiring improvement, licensing authorities should not merely repeat that approach.
- 5.6 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.
- 5.7 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial act taken should generally be directed at these causes and should always be no more than as necessary and proportionate response.
- 5.8 The Sub-Committee should also consider and make use of the 'Yellow and Red Cards' system as directed and recommended by The Department of Culture, Media and Sport (DCMS).

## **APPENDICES**

- Appendix 1 Application for the Review of a Premises Licence by Thames Valley Police
- Appendix 2 MG 11 (statement form) Dean Cooke
- Appendix 3 MG 11 (statement form) Jaspal Singh
- Appendix 4 MG 11 (statement form) Jim Ferguson 28/10/2010
- Appendix 5 MG 11 (statement form) Jim Ferguson 29/10/2010
- Appendix 6 Copy of Premises Licence for Harshini Food and Wine.

#### Background papers

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 - (Revised 2010)
- Regulations (cited as the Licensing Act 2003 ([Various]) Orders 2005
- Slough Borough Council statement of Licensing Policy - December 2007
- DCMS Guidance – Red and Yellow cards system

#### Contact Officer

Michael Sims  
Licensing Manager  
01753 477387



**Application for the review of a premises licence or club premises certificate  
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 .....**JIM FERGUSON**..... apply  
for the review of a premises licence under section 51 or – apply for the review of a club  
premises certificate under section 87 of the Licensing Act 2003 for the premises  
described in Part 1 below (delete as applicable)

**Part 1 – Premises or club premises details**

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
<b>HARSHINI FOOD &amp; WINE 9 BELGRAVE PARADE BRADLEY ROAD</b>	
Post town	Post code (if known)
<b>SLOUGH</b>	<b>SL1 3PR</b>

Name of premises licence holder or club holding club premises certificate (if known)
<b>MANICKAM RAJEETHARAN</b>

Number of premises licence or club premises certificate (if known)
<b>PL004620</b>

**Part 2 – Applicant Details**

I am

Please tick ✓ yes

1) an interested party [please complete (A) or (B) below]

- |  |                          |
|--|--------------------------|
| (a) a person living in the vicinity of the premises                                  | <input type="checkbox"/> |
| (b) a body representing persons living in the vicinity of the premises               | <input type="checkbox"/> |
| (c) a person involved in business in the vicinity of the premises                    | <input type="checkbox"/> |
| (d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

- 2) a responsible authority [please complete (C) below] ☒
- 3) a member of the club to which this application relates  
[please complete (A) below] ☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title ☐  
(for example, Rev)

Surname  First names

Please tick ✓ yes

I am 18 years old or over ☐

Current address

Post Town

Post code

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address



JIM FERGUSON SLOUGH POLICE STATION WINDSOR ROAD SLOUGH SL1 8HH
Telephone number (if any) 01753 506157
E-mail (optional) jim.ferguson@thamesvalley.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick ✓ one or more boxes Y

- |  |                          |
|--|--------------------------|
| (1) The prevention of crime and disorder | Y                        |
| (2) Public safety                        | <input type="checkbox"/> |
| (3) The prevention of public nuisance    | <input type="checkbox"/> |
| (4) The protection of children from harm | Y                        |

**Please state the ground(s) for review (please read guidance note 1)**

"Harshini Food & Wine" is a small newsagents/grocery store with the benefit of a Premises Licence to make off premise sales of alcohol to the public. The store is located on the north side of Bradley Road about 60 yards west of Stoke Poges Lane. It is situated in a residential area in a small parade of shops. It is also in an "Alcohol Consumption Order" area which in effect makes it an offence to consume alcohol in any of the streets named in the order.

The Premise Licence holder is Mr Manickam Rajeetharan,  
& has been since 2/2/2009.

The Designated Premises Supervisor is Mr Baskaran Thisoban,  
has been since 2/2/2009. His Personal Licence number is 006962 &  
it was issued by Slough Borough Council.

On Tuesday 12<sup>th</sup> October 2010 Slough Borough Council Trading Standards Officers & Thames Valley Police Licensing Officer Jim Ferguson carried a test purchase operation at the premises. A 16 year old boy volunteer entered the off licence & purchased a bottle of WKD vodka & packet of 10 Marlborough Lites cigarettes. He was not asked for his age nor was he asked for any form of ID to verify his age. The seller at the time was a man called Mr Kunalan Sivarajah, He does not have a Personal Licence to sell alcohol.

The sale was witnessed by Trading Standards Officer Jaspal Singh.

On Thursday 28<sup>th</sup> October 2010, Jim Ferguson attended the shop & spoke to the seller Mr Sivarajah & asked him for a copy of the CCTV footage covering the under age sale of alcohol & cigarettes. Mr Sivarajah was unable to provide it saying that the video recorder was broken & had been for about 3 weeks. When asked by Mr Ferguson where the Designated Premise Supervisor was, he stated that he had returned to Sri



Lanka & did not know when he would be returning.

On Friday 29<sup>th</sup> October 2010 at 09:45 hrs at Slough police Station, Jim Ferguson saw Mr Manickam Rajeetharan, the Premises Licence holder. When he was asked where the Designated Premises Supervisor, Mr Baskaran Thisoban was, he stated that he was in Sri Lanka & had been there for about 4 months & did not know when he would be returning.

In view of the above, Police ask that Mr Baskaran Thisoban be removed as the Designated Premises Supervisor & replaced by someone who is acceptable to Police & the Licensing Authority. He is clearly not in day to day control of the running of these premises & has not been for at least 4 months. Further, Police would ask that the following conditions be placed on the licence in order that the Licensing objectives may be better met: -

1. A C.C.T.V. system has been installed and is working to the satisfaction of Thames Valley Police and the Licensing Authority
2. Recordings will be maintained for an appropriate period of time to be agreed with the Police and the Licensing Authority, i.e. 31 days.
3. If the C.C.T.V. equipment fails, the Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.
4. A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation.
5. At least one C.C.T.V. camera will be in operation at the front of the premises at all times when the premise is in use.
6. The CCTV system will be time & date stamped at all times
7. A proof of age policy to be agreed with Thames Valley Police in writing & implemented
8. A personal licence holder must be in attendance at all times when a licensable activity is taking place
9. All persons authorised to sell alcohol shall be trained to the BIIAB Level Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation.
- 10 The premises Licence holder or Designated Premises Licence holder shall ensure staff receives training on a regular basis in relation to the four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.
- 11 The Premises Licence holder shall provide written training schedules and written confirmation from members of staff to the effect that such training has been given.

- 12 That the Licensing Sub Committee issue a 'Yellow Card' to the licensed premises as a warning that if a further Review is necessary and matters have not improved the Premises Licence may be revoked.



**Please provide as much information as possible to support the application (please read guidance note 2)**

MG11 Dean Cooke

MG11 Jaspal Singh

MG11 Jim Ferguson dated 28/10/2010

MG11 Jim Ferguson dated 29/10/2010



Please tick ✓ Yes

Have you made an application for review relating to this premises before

☐

If yes, please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to this premises please state what they were and when you made them**

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.
- I understand that if I do not comply with the above requirements my application will be rejected

Y

Y

**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 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** [please read guidance note 4]. If signing on behalf of the applicant please state in what capacity.

Signature: Jim Ferguson.....

Date: 29/11/10.....

Capacity: Licensing Officer Thames Valley Police.....

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 5)

Post town

Post code

Telephone number (if any)

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional).**

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application.



**STATEMENT OF WITNESS**  
(Criminal Procedure Rules r.27.1(1); C.J.Act 1967, s.9; M.C. Act 1980, ss5B)

**STATEMENT OF:** DEAN ANTHONY COOKE

**AGE OF WITNESS (IF OVER 18 ENTER "OVER 18"):** OVER 18

**OCCUPATION:** SENIOR TRADING STANDARDS OFFICER,  
SLOUGH BOROUGH COUNCIL TRADING STANDARDS

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

**Dated the 8th day of November 2010 Signed.....**

I am a Senior Trading Standards Officer for Slough Borough Council Trading Standards. The following facts are within my own personal knowledge.

I was given full authorisation by Mr Keith Eaglestone, Chief Weights and Measures Inspector, under the Licensing Act 2003, to act as a Lead Officer in implementing an alcohol & tobacco test purchasing exercise, on the 19<sup>th</sup> October 2010, around the Slough borough, using an underage volunteer.

At 12:00 hours on the 19<sup>th</sup> October 2010, I met with the volunteer at the Slough Borough Council offices at the St Martin's Place, 51 Bath Road, Slough, SL1 3UF.

The volunteer had been previously trained in relation to health and safety measures and conduct during the test purchasing exercise. The relevant documentation had been signed by the volunteer and one of their parents. Photographs were taken of the volunteer, prior to the commencement of the exercise.

The volunteer was taken to a number of premises, with the assistance of another colleague of mine, where the volunteer attempted to purchase alcohol products. I then met with another colleague of mine, Mr Jaspal Singh (Senior Enforcement Officer with Slough Trading Standards) at 15:15hrs.

**Dated the 8th day of November 2010 Signed.....**



**CONTINUATION OF STATEMENT OF: DEAN ANTHONY COOKE**

Further visits were made with the volunteer with Mr Singh. One of these premises was "Harshini Food & Wine", at 9 Belgrave Parade, Slough, SL1 3PR.

I entered the store at 15:45hrs. The volunteer was accompanied to the front of the store by Mr Singh and entered the store at 15:46hrs.

The volunteer proceeded to select a bottle of "WKD Vodka Iron Brew" from a chiller fridge in the store (please see the "Layout Plan of Harshini Food & Wine on 19/10/10", which is presented as Exhibit DCO/HAR/1).

The volunteer was served by a man possibly of African origin, approximately late 20's, early 30's in age, wearing a baseball cap; who I now know to be Mr Kunalan Sivarajah. The sale was made at 15:46hrs, shortly after the volunteer entered the store. The seller did not challenge the volunteer for their age or ask for proof of age.

The volunteer then left the store and was met by Mr Singh. On leaving the store myself at 15:48hrs, Mr Singh passed the test purchased evidence to me.

The evidence remained in my possession until we returned to our vehicle.

We returned to the car at approximately 15:55hrs, where further photographs of the volunteer with the evidence were taken and my notebook updated. The evidence was then placed into an evidence bag and secured closed with a tamper proof evidence seal number at approximately 16:00hrs.

For the bottle of "WKD Iron Brew" the tamper proof seal number was 002996902. The evidence was then secured in the boot of Mr Singh's vehicle at 16:02hrs.

I returned to Harshini Food & Wine, at 16:04hrs, to speak to the seller and the person in charge to explain to them that the seller and owner would be called into our offices for a PACE recorded interview.

**Dated the 8th day of November 2010 Signed.....**

..

**CONTINUATION OF STATEMENT OF: DEAN ANTHONY COOKE**

I spoke to the seller, who declared himself as Mr Kunalan Sivarajah (the seller and brother in law of the owner) his address was given as :

During my conversation with the seller, at 16:15hrs, the owner of the store arrived and declared himself as Mr Rajeetharan Sivarajah (owner and designated premises supervisor). He advised that his home address was also

I advised that they would both be called to our offices for a recorded interview under caution. I left my contact details and advised that we would be in touch in writing I left at 16:19hrs.

The volunteer was returned home at the end of the exercise. The evidence was returned to the Slough Borough Council offices at the St Martin's Place. It was then transferred (still sealed in bag number 002996902 ) to a locked evidence cupboard at 16:35hrs.

On speaking with the Slough Borough Council Licensing Team, I was provided with a copy of their premises licence for Harshini Food & Wine (No. PL004620), which cites the current designated premises supervisor as being : Manickam Rajeetharan.

A letter was sent on the 21<sup>st</sup> October 2010 to Mr Kunalan (the seller), and Mr Rajeetharan Sivarajah (owner) inviting them to our offices for a PACE recorded interview. I present this letter as Exhibit DCO/HAR/2.

The remainder of the documentation and evidence, was on the 21<sup>st</sup> October 2010, then provided to Mr Jaspal Singh, as the investigating officer in this case.

**Dated the 8th day of November 2010 Signed....**



**STATEMENT OF WITNESS**

*(Criminal Procedure Rules r.27.1(1); C.J.Act 1967, s.9; M.C. Act 1980, ss5B)*

**STATEMENT OF:** Jaspal Singh

**AGE OF WITNESS (IF OVER 18 ENTER "OVER 18"):** OVER 18

**OCCUPATION:** Senior Technical Enforcement Officer

**This statement (consisting of 1 page signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

**Dated the 3<sup>rd</sup> day of November 2010**

**Signed..**

..

I am employed as a Senior Technical Enforcement Officer by Slough Borough Council Trading Standards Department. On 19 October 2010, I accompanied Dean Cooke, also an Officer with the Department, on an alcohol test purchase exercise. We were assisted on the day by a 16 year old volunteer. At approximately 15:45 hours, I observed Dean Cooke walking into Harshini Food and Wine store, situated at 9 Belgrave Road, Slough. The volunteer walked into the same shop a few moments later. I waited outside near to the shop. A few minutes later I saw the volunteer walk out of the shop. He was carrying something in a black plastic bag. I looked inside the bag and saw that it contained a 275 ml bottle of WKD original Vodka iron brew. We were joined a few minutes later by Mr Cooke and we all returned to where my car was parked. I placed the bottle of WKD Vodka in a clear evidence bag and sealed it with seal 002996902 and it was secured in the boot of my vehicle. I produce this bottle in evidence as exhibit JS/HFW/1. Photographs of the volunteer holding the bottle of vodka were taken. Mr Cooke returned to the shop to speak to the proprietor. When Mr Cooke returned a few minutes later, we made our way back to Slough Borough Council Offices.

**Dated the 3<sup>rd</sup> day of November 2010**

**Signed...**





**Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: 

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Statement of: **JIM FERGUSON**

Age if under 18 (if over insert "over 18"): **Over 18**

Occupation: **LICENSING OFFICER**

This statement (consisting of .....1..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: \_\_\_\_\_

Date: **28/10/2010**

Tick if witness evidence is visually recorded: ☒

(Supply witness details on last page)

I am a Licensing Officer for Thames Valley Police & I am based at Slough Police Station.

On Thursday 28<sup>th</sup> October 2010 at about 09:00 hrs I went to "Harshini Food & Wine" 9, Belgrave Parade, Bradley Road, Slough, SL1 3PR. There I saw a man standing behind the counter who I now know to be Mr Kunalan Sivarajah, I introduced myself to him & said, "Can you tell who was serving here on Tuesday 19<sup>th</sup> October in the afternoon, please?" He said, "Yes, it was me. You are on about the underage boy I sold to? The Trading Standards man is going to send a letter." I said, "Yes, that's correct. Are you able to give me a copy of the CCTV footage covering this incident?" He said, "No. The video machine is broken down." I said, "When did it break down?" He said, "About 3 weeks ago. My brother has called an engineer to fix it?" I said, "When?" He said, "I don't know." I said, "Do you hold a personal licence to sell alcohol?" He said, "No sir." I said, "Where is the Designated Premise Supervisor?" He said, "He has gone home to Sri Lanka." I said, "How long has he been gone for?" He said, "I don't know." I said, "Do you know when he is coming back here?" He shook his head & said, "No." I said, "Can you confirm that it is Mr Baskaran Thisoban who is the Designated Premise Supervisor & has gone to Sri Lanka?" He said, "Yes." I then said, "I'll be in touch later." & then left the shop.

Signature: \_\_\_\_\_

Signature Witnessed by: **N/A**



**Witness Statement**

Page 1 of 1

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: 

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Statement of: **JIM FERGUSON**Age if under 18 (if over insert "over 18"): **Over 18**Occupation: **LICENSING OFFICER**

This statement (consisting of .....1..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true

Signature: \_\_\_\_\_

Date: **29/10/2010**Tick if witness evidence is visually recorded: ☒

(Supply witness details on last page)

I am a Licensing Officer for Thames Valley Police & I am based at Slough Police Station.

On Friday 29<sup>th</sup> October 2010 at 09:45 hrs at Slough police Station, I saw Mr Manickam Rajeetharan, the Premises Licence holder for "Harshini Food & Wine" 9, Belgrave Parade, Bradley Road, Slough, SL1 3PR.

I said to him, "Mr Rajeetharan, "Are you aware that Trading Standards & me carried out an underage test purchase operation at your shop on the 19<sup>th</sup> October when a 16 year old boy was sold a bottle of "WKD Vodka Iron Brew?" He said, "Yes." I said, "Who was the Designated Premise Supervisor at the time?" He said, "Mr Baskaran Thisoban." I said, "I understand that he was not there. Where was he?" He said, "He is in Sri Lanka on holiday." I said, "How long has he been there?" He said, "Four months." I then informed him that I would be preparing papers to take him to a Licensing Review. The meeting then ended.

Signature: \_\_\_\_\_

Signature Witnessed by: **N/A**

**Licensing Sub-Committee – Meeting held on Thursday, 20th January, 2011.**

**Present:-** Councillors MacIsaac (Chair) and Dodds

**Officers Present:-** Ms Channa (Legal Services), Mrs Cook (Democratic Services) and Ms Rumney (Licensing Officer)

**Apology for Absence:-** Councillor S K Dhaliwal

**PART I**

**1. Declarations of Interest**

None.

**2. Application for Review of the Premises Licence for Harshini Food and Wine, 9 Belgrave Parade, Bradley Road, Slough**

The Chair welcomed all parties to the meeting; asked those present to introduce themselves and explained the procedure for the hearing.

The Licensing Officer introduced the report stating that Harshini Food and Wine operated under a Premises Licence which was held by Mr Manickam Rajeetharan. At the time a test purchase operation was carried out at the premises on 12<sup>th</sup> October, 2010 the Designated Premises Supervisor (DPS) was Mr Baskaran Thisoban.

On 29<sup>th</sup> November 2010 the Thames Valley Police submitted an application for a Review of the Premises Licence on the grounds of the prevention of crime and disorder and the protection of children from harm. All relevant evidence and information supporting the Police Review application which included copies of the witness statements of the Police Officer, the Trading Standards Officer and test operation volunteer were submitted to the Sub Committee. The Review application had been made on the following grounds:-

- Alcohol had been sold to a 16 year old boy during a test purchase operation.
- The CCTV system was not in working order or operation.
- The named DPS at the time alcohol was sold to an underage person was not at or on the premises as he had returned to Sri Lanka some 4 months previously.

The Review application requested the removal of Mr Thisoban as the DPS and his replacement by a person acceptable to the Police and the Licensing Authority. This request had already been met as an application had been submitted on 29<sup>th</sup> October 2010 to vary the named DPS to Mr Rajeetharan which had been approved.



## **Licensing Sub-Committee - 20.01.11**

The Police had also asked for a total of 11 conditions to be attached to the premises licence and for a "yellow card" to be issued in respect of the premises. The conditions requested by the Police had been endorsed by the Local Safeguarding Children's Board. The Licensing Officer referred to the relevant guidance and policies and in particular to the various steps that the Sub-Committee could take if it considered them necessary for the promotion of the licensing objectives.

Mr Ferguson representing the Thames Valley Police outlined the events which took place on 12<sup>th</sup> October 2010 when he and a Slough Borough Council Trading Standards Officer had carried out a test purchase operation at the premises which was situated in an "Alcohol Consumption Order" area. In response to a question from a member of the Sub-Committee Mr Ferguson indicated that Mr Rajeetharan had not reported prior to the test operation that the DPS was out of the country.

Mr Sufiaan Manzoor who accompanied Mr Rajeetharan to the meeting explained that the DPS, Mr Thisoban had been absent for far longer than had originally been expected and that Mr Rajeetharan had not appreciated that it was a requirement of the licence that the DPS had to be available at all times. He thought that he, as the Premises Licence holder would be able to provide cover for Mr Thisoban.

Mr Rajeetharan accepted that the CCTV equipment had not been working but in mitigation stated that 2/3 weeks before the test operation he had reported the fault to the company with whom he had a maintenance contract. The company had advised him that the equipment was recording satisfactorily and that the problem was with the monitor. However, when they were approached after the test operation they indicated that it was the recording equipment which was faulty and not the monitor. The equipment had since been repaired by another company. Mr Rajeetharan gave an assurance to the Sub-Committee that he would make arrangements to ensure that a suitably qualified person was be available at all times alcohol was sold on the premises and that the CCTV system and Refusal Register were both properly maintained. He confirmed that he accepted all the conditions requested by the Police.

The Licensing Officer, Thames Valley Police representative and the Premises Licence holder were given the opportunity to sum up whereupon all parties then left the room to enable the Sub-Committee to deliberate.

All parties were then asked to rejoin the meeting.

Having considered all the written information submitted and having listened carefully to the representations made by all the parties at the meeting the Sub-Committee



**Licensing Sub-Committee - 20.01.11**

**Resolved –**

- (a) That the following additional conditions be placed on the premises licence in respect of Harshini Food and Wine:-
  - (1) A CCTV system to be installed and working to the satisfaction of Thames Valley Police and the Licensing Authority.
  - (2) Recordings will be maintained for an appropriate period of time to be agreed with Thames Valley Police and the Licensing Authority i.e.31 days.
  - (3) If the CCTV equipment fails, Thames Valley Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.
  - (4) A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
  - (5) At least one CCTV Camera will be in operation at the front of the premises at all times when the premises are in use.
  - (6) The CCTV system will be time & date stamped at all times.
  - (7) A suitable written age verification policy document to be prepared and supplied to the Police and the Licensing Authority for inclusion on the licence and to be displayed and made readily available at the premises.
  - (8) A personal licence holder must be in attendance at all times when a licensable activity is taking place.
  - (9) All persons authorised to sell alcohol shall be trained to the BIIAB Level Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation.
  - (10) The premises Licence holder or Designated Premises Licence holder shall ensure staff receive training on a regular basis in relation to the four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.
  - (11) The Premises Licence holder shall provide written training schedules and written confirmation from members of staff to the effect that such training has been given.

**Licensing Sub-Committee - 20.01.11**

- (b) That a "yellow card" be issued in respect of the licensed premises as a warning that if a further Review is necessary and matters have not improved the premises licence may be revoked.



24<sup>th</sup> January 2011

Department: Resources  
Contact Name: Mrs June Cook  
Contact No: 01753 875019  
Fax: 01753 875171  
Email: June.cook@slough.gov.uk  
Our Ref:  
Your Ref:

Mr Manickam Rajeetharan  
9 Belgrave Parade  
Bradley Road  
Slough  
Berkshire  
SL1 3PR

Dear Mr Rajeetharan

**Application for a Review of the Premises Licence for Harshini Food and Wine,  
9 Belgrave Parade, Bradley Road, Slough SL1 3PR**

With reference to the above and the meeting of the Licensing Sub-Committee held on Thursday, 20<sup>th</sup> January, 2011 I write to formally advise you of the Sub-Committee's decision.

Members were provided with details relating to the incident which occurred at the above premises on 12<sup>th</sup> October 2010 as outlined by Thames Valley Police and Officers of the Council which had prompted the application for the Review of the Premises licence on the grounds of the prevention of crime and disorder and the protection of children from harm. The Sub-Committee carefully considered all the written and oral submissions made at the meeting including the report of the Licensing Officer, the submission made on behalf of the Thames Valley Police and representations made by you as the premises licence holder and Mr Sufiaan Manzoor on your behalf.

In determining this matter the Sub-Committee Members took into account your appointment as the Designated Premises Supervisor in place of Mr Baskaran Thisoban; your undertaking to ensure that a suitably qualified person is available at all times alcohol is sold on the premises and your assurance that the CCTV system and the refusal register will both be properly maintained in the future.

Having carefully considered all the information submitted, the Sub-Committee decided that the following 11 additional conditions requested by the Police should be included on the premises licence:-

- (1) A CCTV system to be installed and working to the satisfaction of Thames Valley Police and the Licensing Authority.
- (2) Recordings will be maintained for an appropriate period of time to be agreed with Thames Valley Police and the Licensing Authority i.e.31 days.
- (3) If the CCTV equipment fails, Thames Valley Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.

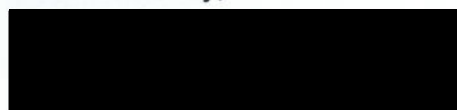
- (4) A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
- (5) At least one CCTV Camera will be in operation at the front of the premises at all times when the premise is in use.
- (6) The CCTV system will be time & date stamped at all times.
- (7) A suitable written age verification policy document be prepared and supplied to the Police and the Licensing Authority for inclusion on the licence and be displayed and made readily available at the premises.
- (8) A personal licence holder must be in attendance at all times when a licensable activity is taking place.
- (9) All persons authorised to sell alcohol shall be trained to the BIIAB Level Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation.
- (10) The premises Licence holder or Designated Premises Licence holder shall ensure staff receive training on a regular basis in relation to the four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.
- (11) The Premises Licence holder shall provide written training schedules and written confirmation from members of staff to the effect that such training has been given.

In accordance with Central Government guidance and due to the seriousness of the incident highlighted the Sub-Committee also decided to issue the premises with a "Yellow Card". Please let this serve as a warning that if a further review is necessary and matters have not improved, the premises licence may be revoked.

The Sub Committee considered the conditions imposed to be necessary, reasonable and proportionate to address concerns relating to the prevention of crime and disorder and protection of children from harm.

You have the right of appeal against the decision of the Sub-Committee. Any appeal should be made to the East Berkshire Magistrates' Court (a Court of summary jurisdiction) and must be lodged within 21 days of service of this letter on you giving notice of the Sub-Committee's decision.

Yours sincerely,



June Cook  
**Clerk to the Sub-Committee**

cc: Rachael Rumney, Licensing Office  
Jim Ferguson, Thames Valley Police



## **YELLOW CARD**

### **Harshini Food and Wine – Belgrave Parade, 9 Bradley Road, SLOUGH, SL1 3PR**

These premises have been subject of an application to Review the Premises Licence made by Thames Valley Police under Section 51 Licensing Act 2003 as the operators have failed to meet the Licensing Objectives under the Act.

The Review application was heard by the Slough Borough Council Licensing Sub Committee on 20<sup>th</sup> January 2011 who have imposed tough new conditions on the licence as well as to issue the premises with a Yellow Card in accordance with Central Government Guidance, due to the seriousness of the incidents highlighted as a warning that if a further review is necessary and matters have not improved, the premises licence may be revoked.

The new conditions imposed are as follows:

- (1) A CCTV system to be installed and working to the satisfaction of Thames Valley Police and the Licensing Authority.
- (2) Recordings will be maintained for an appropriate period of time to be agreed with Thames Valley Police and the Licensing Authority i.e. 31 days.
- (3) If the CCTV equipment fails, Thames Valley Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.
- (4) A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
- (5) At least one CCTV Camera will be in operation at the front of the premises at all times when the premise is in use.
- (6) The CCTV system will be time & date stamped at all times.
- (7) A suitable written age verification policy document be prepared and supplied to the Police and the Licensing Authority for inclusion on the licence and be displayed and made readily available at the premises.
- (8) A personal licence holder must be in attendance at all times when a licensable activity is taking place.
- (9) All persons authorised to sell alcohol shall be trained to the BIIAB Level Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation.
- (10) The premises Licence holder or Designated Premises Licence holder shall ensure staff receive training on a regular basis in relation to the four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of all training shall be recorded and maintained.
- (11) The Premises Licence holder shall provide written training schedules and written confirmation from members of staff to the effect that such training has been given.

In accordance with Central Government guidance and due to the seriousness of the incident highlighted the Sub-Committee also decided to issue the premises with a "Yellow Card". Please let this serve as a warning that if a further review is necessary and matters have not improved, the premises licence may be revoked.

**This notice is to be clearly and visibly displayed at the premises for a period of 12 months.**



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