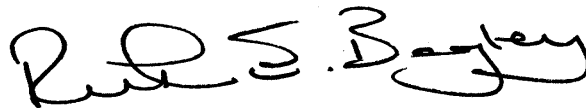


Date of issue: 30th March, 2012

MEETING	LICENSING SUB-COMMITTEE (Councillors Long (Chair), Davis and Rasib)
DATE AND TIME:	WEDNESDAY, 11TH APRIL, 2012 AT 10.00 AM
VENUE:	RUBY SUITE 4, THE CENTRE, FARNHAM ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (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</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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Apologies for absence.

CONSTITUTIONAL MATTERS

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)



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Minutes of the Meeting held on 20 February 2012	1 - 8	
LICENSING ISSUES			
3.	Review of Premises Licence - Alexandra Wines, Unit 4 Alexandra Plaza, Chalvey Road West, Slough	9 - 26	Chalvey
4.	Review of Premises Licence - Drinks Direct Supermarket Limited, 256 High Street Langley, Slough	27 - 52	Foxborough
5.	Application for Street Trading Consent - Chris 'Anthimums' High Street, Slough	53 - 86	Upton
6.	Exclusion of the Press and Public		

It is recommended 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 Paragraphs 1 and 2 of Part I of Schedule 12A to the Local Government Act 1972.

PART II

- | | | | |
|----|---|----------|--|
| 7. | Application for Combined Hackney Carriage/Private Hire Driver Licence (Reference 10-11) | 87 - 94 | |
| 8. | Private Hire Driver Conduct Hearing (Reference 11-11) | 95 - 102 | |

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 Monday, 20th February, 2012.

Present:- Councillors Long (Chair), Rasib and Plenty

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

PART 1

1. Declarations of Interest

None were received.

2. Review of the Premises Licence - Cippenham Food and Wine, 104 Cippenham Lane, Slough

The Chair welcomed all parties to the meeting and explained the procedure for the hearing. It was noted that the premises licence holder and designated premises supervisor, Mr Dhawan had not received a copy of the paperwork prior to the Sub-Committee hearing. However, Mr Dhawan had had an opportunity prior to the meeting to read through the paperwork and confirm that he was happy to proceed with the hearing.

Introduction by the Licensing Officer

Mr Idowu stated that on 4th January 2012 Thames Valley Police submitted an application for the review of the premises licence on the grounds of the protection of the children from harm. Members were informed that the premises licence was held by Mr Dhawan who is also the designated premises supervisor for the venue. The terminal hour for licensable activity namely the sale of alcohol for consumption of the premises was 11pm. Members were informed that no other representations had been made by any of the responsible authorities. A number of conditions were being requested by Thames Valley Police including that the Sub-Committee issue a yellow card warning to the licensed premises.

Options available were outlined to members including the relevant guidance and policies.

Questions to the Licensing Officer

A member requested clarification regarding whether cigarettes had been sold to an underage person and whether this was part of the test operation. The Licensing Officer stated that the sale of cigarettes to a 12 year old was based on intelligence received by Thames Valley Police relating to the premises and had not been part of the test operation at the premises on 9th December 2011.

Licensing Sub-Committee - 20.02.12

Representations by the Thames Valley Police Licensing Officer

Mrs Debbie Pearman stated that a premises licence review had been requested on the grounds of the protection of children from harm. On 9th December 2011 a test purchase operation was carried out at the premises. Mr Dhawan sold a bottle of wine to a 15 year old girl and did not ask for any proof of age or ID. It was stated that the number of conditions requested by Thames Valley Police were considered to be necessary in order to promote the licensing objectives relating to the protection of children from harm.

Questions to Thames Valley Police

A member asked for an explanation with regard to Challenge 25 policy and Bottletwatch scheme. It was explained that Challenge 25 policy had been introduced in order to make sure that there was no doubt in an individual's mind whether an individual was 21 or over. With regard to the Bottletwatch scheme a UV marking system was used to identify the alcoholic drinks sold at the premises and this would ensure should any alcohol be confiscated from underage children where the alcohol had been purchased.

Representations by the Premises Licence Holder

In addressing the Sub-Committee Mr Dhawan stated that he was very remorseful for the error of judgement that he had made on the 9th December 2011 and that he would ensure that this did not happen again.

Questions to the Premises Licence Holder

Mr Dhawan confirmed that he had sold alcohol during the test operation to a minor and that he had not asked for any ID. Mr Dhawan also confirmed that the opening hours of the premises were 6.30hrs to 21.30hrs. Mr Dhawan also indicated that he was happy to accept the conditions being proposed by Thames Valley Police.

Summing Up

All parties were provided with an opportunity to provide a brief summary following which they were asked to leave the room whilst the sub-committee deliberated.

Decision

All parties were asked to join the meeting. Having considered all the available information the sub-committee decided that the following conditions be added to the premises licence:

- (1) CCTV footage to be kept for 31 days.
- (2) Designated Premises Supervisor or nominated person to be trained on how to work with CCTV system to the standard where the

Licensing Sub-Committee - 20.02.12

nominated person can download any potential evidence required by Thames Valley Police or relevant agencies.

- (3) Challenge 25 policy to be in place.
- (4) All persons trained to sell alcohol shall be trained to the BIIAB level 1 award in response for alcohol retailing.
- (5) Designated Premises Supervisor to attend an appropriate licensing course and pass the course and to inform Thames Valley Police Licensing and Slough Borough Council Licensing officers when this had been done.
- (6) The Premises Licence Holder or Designated Premises Supervisor shall ensure staff receive training on a regular basis in relation to the 4 licensing objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of training shall be recorded and maintained and made available upon request of Police, Trading Standards or Slough Borough Council licensing officers.
- (7) Two members of staff to be on the premises from 6.00 pm until close.
- (8) 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.
- (9) To participate in Bottle Watch if requested by Police or Trading Standards. The Sub-Committee also decided to issue a 'Yellow Card' to the licensed premises as a warning that if a further review was necessary and matters had 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 had been given.

3. 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).

4. Private Hire Driver Application Hearing (Reference 04-11)

The Chair welcomed all parties to the hearing and confirmed that all had received a copy of the paperwork. The procedure for the hearing was outlined. It was noted that consideration of the matter had been adjourned from the meeting of the Sub-Committee in December 2011 due to the non attendance of the Appellant.

Mr Idowu, Licensing Officer, reminded Members that the purpose of the hearing was to consider whether Appellant 04-11 was a fit and proper person to hold a private hire driver's licence. The matter had been referred to the Licensing Sub-Committee in view of the convictions detailed on the

Licensing Sub-Committee - 20.02.12

application form submitted by the Appellant. A copy of the Criminal Record Bureau disclosure was submitted to Members for their information. Options available to the Sub-Committee were outlined.

Appellant 04-11 stated that although he had a number of convictions, these were from a number of years ago. The Appellant submitted details regarding his personal circumstances and as to why he should be licensed as a private hire driver. It was also brought to Members attention that the Appellant was currently licensed as a private hire driver with a neighbouring local authority.

Resolved – That Appellant 04-11 be granted a Private Hire Driver Licence subject to a Criminal Record Bureau Check being carried out every three months.

5. Private Hire Driver Application Hearing (Reference 06-11)

Following introductions, the procedure for the hearing was outlined. The Democratic Services Officer explained that although paperwork was sent to the Appellant recorded delivery, the Appellant had failed to collect this from the post office. The Appellant was given the opportunity to have the hearing adjourned to an alternative date. The Appellant confirmed that he had had an opportunity to read the paperwork prior to the commencement of the hearing and was happy to proceed.

The Licensing Officer informed Members that Appellant 06-11's Criminal Record Bureau (CRB) disclosure detailed a number of convictions and cautions between April 1996 and July 2003. A copy of the CRB disclosure was circulated to Sub-Committee Members for their information.

Members were reminded that the Council's Policy and Guidance on Convictions and Cautions stated that *"in general, a period of at least five years free from conviction should be required before entertaining an application."* The options available to the Sub-Committee were highlighted for their consideration.

The Appellant explained to Members the mitigating circumstances relating to his convictions and highlighted that the most recent conviction had been in July 2003 . It was noted that the Appellant had previously worked as a courier. In providing details regarding his current employment, the Appellant stated that this position required a degree of responsibility.

Having taken all available information into consideration, the Sub Committee

Resolved – That Appellant 06-11 be granted a Private Hire Driver Licence subject to a Criminal Record Bureau Check being carried out every six months.

Licensing Sub-Committee - 20.02.12

6. Private Hire Driver Application Hearing (Reference 07-11)

All parties were welcomed to the meeting and the procedure for the hearing was outlined. The Appellant confirmed that he had received a copy of the paperwork.

The Licensing Officer stated that the matter had been referred to the Sub-Committee for consideration due to the Appellant's conviction in June 2009. It was noted that the conviction related to the offence of theft from employee and that the Council's policy regarding convictions and cautions stated that "a serious view should be taken of any conviction involving dishonesty" and accordingly a period of three to five years free of conviction should be required before entertaining an application. It was also brought to Members attention that the Appellant had failed to declare his conviction on his private hire driver application form. Options available to the Sub-Committee were highlighted.

In response to a Member query, the Licensing Officer confirmed that apart from the conviction of June 2009 there were no other convictions on the Appellant's CRB disclosure.

In addressing the Sub-Committee, the Appellant placed on record his remorse for his actions which had led to his conviction. Previous employment details were outlined for the Sub-Committee. The Appellant stated that working as a private hire driver would provide flexibility to allow him to work hours that suited him. The Appellant confirmed that although he had signed the application form, it had in fact been completed on his behalf by his sister who had omitted details of his conviction from the form.

Following a summary from the Licensing Officer and Appellant, they were asked to leave the room whilst the Sub-Committee deliberated.

Having taken into account all the information, Members

Resolved – That Appellant 07-11 not be issued with a Private Hire Driver's Licence.

7. Private Hire Driver Conduct Hearing (Reference 08-11)

The Licensing Officer submitted that the matter had been referred to the Sub-Committee to consider whether Appellant 08-11 was a fit and proper person to continue to hold a private hire driver's licence. Members were informed that the final bullet point in the report regarding to why the PHD licence should be suspended was not relevant to this case and that it should be disregarded as this was an administrative error.

It was noted that the Appellant had received a caution for the offence of common assault in September 2011. Members were reminded that for a caution to be administered the offender had to admit to the offence. It was also brought to Members attention that the Licensing Office had received two

Licensing Sub-Committee - 20.02.12

complaints regarding the Appellant's standard of driving, details of which were outlined to Members. Options available to the Sub-Committee were highlighted.

In addressing the Sub-Committee, the Appellant provided details relating to the caution he had received. He explained that working as a taxi driver was his livelihood. The Appellant expressed remorse with regard to the incidents that had been raised relating to his standard of driving. Members were provided with a character reference letter by the Appellant from his current employer.

In summing up, the Licensing Officer reiterated the options available to Members. The Appellant stated that he would ensure that in future no cause for concern was raised in relation to his standard of driving.

Resolved - That Appellant 08-11's Private Hire Driver Licence be suspended for a period of four weeks and that he be issued with a strict warning regarding his future behaviour and compliance with the conditions of his private hire driver's licence.

8. Private Hire Driver Application Hearing (Reference 09-11)

All parties were welcomed to the meeting and the procedure for the hearing was outlined. The Appellant confirmed that he had received a copy of the paperwork.

The Licensing Officer stated an application for a private hire driver's licence had been submitted in August 2011. Following the receipt of the Criminal Record Bureau (CRB) disclosure in December 2011, it was noted that the Appellant had 18 convictions relating to a range of offences between July 1995 and June 2008.

Members attention was drawn to the Council's policy regarding convictions and cautions which stated "*more than one conviction for any combination of offences should raise serious concerns.... in general, a period of at least five years free from conviction should be required before entertaining an application.*"

The Appellant whilst acknowledging that he had made a number of mistakes in the past, provided mitigating circumstances relating to his behaviour during that period. It was noted that he had recently become engaged and had struggled to find employment in the current economic climate. The Appellant submitted that he be given an opportunity to prove himself and suggested that a licence to be issued for a period of three or six months and his behaviour be monitored throughout this period.

In response to a Member question, the Appellant stated that his understanding was that only offences within the last five years needed to be declared on the application form.

Licensing Sub-Committee - 20.02.12

Both parties were given an opportunity to provide a summary, following which they left the meeting to allow the Sub-Committee to deliberate.

Having carefully considered all the written information and submissions made at the hearing, the Sub-Committee

Resolved – That Appellant 09-11 not be issued with a Private Hire Driver's Licence.

Chair

(Note: The Meeting opened at 10.00 am and closed at 2.30 pm)

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LICENSING SUB-COMMITTEE
11 APRIL 2012

LICENSING ACT 2003

Alexandra Wines
Unit 4 Alexandra Plaza, Chalvey Road West,
Slough, SL1 2NJ

Review of Premises Licence – **Number PL006267**
Application made by Slough Borough Council
Trading Standards Service

1. **CURRENT POSITION**

- 1.1 Alexandra Wines operates under a Premises Licence number **PL006267** which is held by Avtar Singh.
- 1.2 The Designated Premises Supervisor (DPS) at the time of this Review Application being made by Slough Borough Council Trading Standards Service is Mr Avtar Singh who holds a Personal Licence number **PA004726** with Slough Borough Council.
- 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 Activities as follows:
 - M The sale by retail of alcohol for consumption Off the premises only
- 1.5 The times the licence authorises the Licensable Activities are
 - 08:00 to 23:00 Monday to Saturday
 - 10:00 to 22:30 Sunday
 - 08:00 to 22:30 Good Friday
 - 12:00 to 22:30 Christmas Day
 - 09:00 to 22:30 Christmas Day.

A copy of the current Premises Licence is attached at **APPENDIX 1.**

2. **BACKGROUND INFORMATION**

- 2.1 On 15th February 2012 Slough Borough Council Trading Standards Service 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 and supporting evidence are contained at **APPENDIX 2.**

2.2 The grounds for the Review Application although contained fully within the application itself can be summarised as follows;

- Selling alcohol to an underage person
- Found in possession for sale of counterfeit alcohol on two separate occasions

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 due to the catalogue of incidents and non-compliance at the premises, the Premises Licence should be **revoked**.

4. **REPRESENTATIONS RECEIVED**

4.1 Responses to the Review Application from relevant Responsible Authorities have been received.

4.2 Response from John Ellis – Royal Berkshire Fire and Rescue Service attached at **APPENDIX 3**.

4.3 No further responses were received from any other Responsible Authorities.

4.4 On 28th February 2012 Jaspal Singh, Senior Technical Enforcement Officer, Slough Borough Council Trading Standards Service received a letter from Charsley Harrison LLP Solicitors stating Mr Avtar Singh 'is taking urgent steps to dispose of the business Alexandra Wines on an arms length basis'. This letter was passed to the Licensing Department on 29th February 2012 and a copy of this is attached at **APPENDIX 4**.

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 PL006267.

Appendix 2 - Review Application of Premises Licence by Jaspal Singh – Senior Technical Enforcement Officer, Trading Standards Service

Appendix 3 - Responsible Authority response from John Ellis – Royal Berkshire
Fire and Rescue Service

Appendix 4 - Letter from Charsley Harrison LLP Solicitors

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 2010
- DCMS Guidance – Red and Yellow Cards System

Contact Officer

Melanie Sagar
Licensing Officer
01753 875110

Premises Licence

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

Alexandra Wine

Unit 4, Alexandra Plaza, Chalvey Road West, Slough, Berkshire, SL1 2NS.

Telephone 01753 770027

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	3:00pm
	Christmas Day	7:00pm	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

Avtar Singh



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 AUTHORIZES THE SUPPLY OF ALCOHOL

Avtar SINGH

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

Licence No. PA004726

Issued by Slough

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 1st 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

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.



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

Alexandra Wine

Unit 4, Alexandra Plaza, Chalvey Road West, Slough, Berkshire, SL1 2NS.

Telephone 01753 770027

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
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	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	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

Avtar Singh

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



Premises Licence Summary

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

Avtar SINGH

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

No restrictions on children.



**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 Jaspal Singh 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	
Avtar Singh trading as; Alexandra Wines, Unit 4, Alexandra Plaza, Chalvey Road West, Slough SL1 2NJ	
Post town Slough	Post code (if known) SL1 2NJ

Name of premises licence holder or club holding club premises certificate (if known)
Mr Avtar Singh

Number of premises licence or club premises certificate (if known)
PL006267

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 he 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 Jaspal Singh Slough Borough Council Trading Standards Service St Martins Place 51 Bath Road Slough SL1 3UF
Telephone number (if any) 01753 477397
E-mail (optional) Jaspal.singh@slough.gov.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 | <input type="checkbox"/> |
| (4) the protection of children from harm | ✓ |

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

The grounds for the review are;

- a) The trader has breached the licence conditions by selling alcohol to an underage person,
and
- b) Has been found to have in possession for sale counterfeit alcohol on 2 separate occasions.

Prosecutions are currently being taken out against the business for the underage sale as well as for possession of counterfeit alcohol.

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

Having looked through the history of this business, it seems that the owner of Alexandra Wines, Mr Avtar Singh, has not taken the advice given to him by both the Police and Trading Standards with respect to underage sales and the sale of counterfeit alcohol very seriously.

A joint visit by Police and Trading Standards was made to the business on 14th January 2004, following a complaint from a member of the public that he had sold alcohol to an underage girl. A retailer pack, which contained advice on underage sales, was given to the Premises Licence holder and Designated Premises Supervisor (DPS) Mr Avtar Singh. A letter of advice on underage sales was also sent to Mr Singh on 15th January 2004.

Since then, Trading Standards has received numerous complaints from members of the public that the trader is selling alcohol and cigarettes to minors as well as selling counterfeit alcohol and duty free cigarettes.

The business was given further advice by way of a trader pack, which contains advice on underage sales, on 4 October 2005 which was again given to Mr Avtar Singh.

On 19th November 2007, following an inspection of the traders' premises, 5 bottles of counterfeit Glens Vodka were found and seized. These were examined by the Trade Mark Holders and confirmed as being counterfeit.

The contents of the bottles were not as stated on the label and no duty would have been paid on these bottles either. 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 trader received a caution for this because of the relatively small number of bottles seized.

The business was again given advice on underage sales, again by way of a trader pack, on 24 January 2008 and was given to Mrs K Kaur.

On 27th April 2011, following another inspection, 15 bottles of counterfeit Jacob's Creek wine were found on the traders premises. These were seized and examined by the trade mark holders and again confirmed to be counterfeit. 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. Again there are possibilities of the contents causing public harm, both fiscal and with respect to health and again there are revenue issues such as non payment of excise duty, tax or VAT.

A prosecution report is being compiled for these offences.

Furthermore, on 16 November 2011, during an underage test purchase exercise by Trading standards, alcohol was sold to an underage volunteer by the trader.

A prosecution report is being compiled for this offence.

It is clear from the history of this business that the operators do not adhere to or take notice of any or all advice it receives from the Trading Standards of Licensing Team and continues to carry on the operation of the business with total disregard for their legal obligations and of the Mandatory Conditions and of other conditions imposed on the Premises Licence.

I recommend that there is no alternative other than revocation of the licence.

Please tick ✓ **Yes**

Have you made an application for review relating to these 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

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:

Date: 14/2/2022

Capacity: Senior Technical Enforcement 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.

**ROYAL BERKSHIRE
FIRE AND RESCUE SERVICE**



My reference: JE/ALL/013159
Your reference:

When dialling ask for: John Ellis
Direct telephone line: 01753 547997
Email address: ellisjm@rbfrs.co.uk

**Royal Berkshire
Fire and Rescue Service**
Slough Fire Safety Office
The Fire Station
124 London Road
Langley
Berks
SL3 7HS

Telephone: 01753 547997
Web www.rbfrs.co.uk

Mr M Simms
Licensing Officer
My Council
Landmark Place
High Street
Slough
Berkshire
SL1 1JL

Chief Fire Officer
Iain Cox QFSM MA
BSc(Hons) MCIPD

Monday 20th February 2012

**LICENSING ACT 2003
REVIEW OF PREMISES LICENCE
ALEXANDRA WINES UNIT 4 ALEXANDRA PLAZA SLOUGH BERKSHIRE**

Dear Sir

I acknowledge safe receipt of your copy application dated 14th February 2012 in respect of a Premises Licence for the above premises. I confirm that the Fire Authority **does not propose to make any representation** to the Fire Authority.

This letter is without prejudice to the powers of the Licensing Authority and to any requirements or recommendations which may be made by enforcing Authorities under other legislation.

Any queries regarding this letter should be addressed to the person named above. If you are dissatisfied in any way with the response given, please ask to speak to the Office Manager quoting our reference.

Yours faithfully

J Ellis
Fire Safety Inspecting Officer

On behalf of Royal Berkshire Fire Authority

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Charsley Harrison LLP
Solicitors

Windsor House
Victoria Street
WINDSOR
Berkshire
SL4 1EN

Tel: (01753) 851591
International Tel: +44 1753 851591

Fax: (01753) 832550
DX 3800-Windsor

www.charsleyharrison.com

Our ref PJ.2.gt.Alexandra Wines

Your ref Jaspal Singh

Senior Enforcement Officer
Slough Borough Council
Trading Standards Service
St Martins Place
51 Bath Road
Slough
Berks
SL1 3UF

20 February 2012

Dear Sirs

Re: Licensing Act 2003
Alexandra Wines

Your letter of the 15 February 2012 addressed to Avtar Singh has been referred to us.

Mr Singh has asked us to inform you that he is taking urgent steps to dispose of the business Alexandra Wines on an arms' length basis. Such action should resolve the issues that you have relating to these premises.

In the circumstances we ask that you consider deferring any action pending the sale.

Yours faithfully

CHARSLEY HARRISON LLP

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Partners: Phillip H Jones (Notary Public), Paul A Spooner, Steven J Barr, Bart Leach, Paul Owen, Victoria Ives.
Associates: Samantha Jolliffe, Ash Hussain, Amy Burgess, Graeme Toms, Sumeet Shangari. Conveyancers: Caroline Mangan, Gaynor Scott. Partnership Secretary: Allan K Hodge FCA.

We do not accept service of proceedings by e-mail

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LICENSING SUB-COMMITTEE

11 April 2012

LICENSING ACT 2003

DRINKS DIRECT SUPERMARKET LTD
256 High Street, Langley, Slough, SL3 8HA

Review of Premises Licence – **Number PL004630**
Application made by Slough Borough Council
Trading Standards Service

1. CURRENT POSITION

- 1.1 Drinks Direct Supermarket Ltd operates under a Premises Licence number **PL004630** which is held by Ravinder Singh Grover and Charanjit Singh Aurura.
- 1.2 The Designated Premises Supervisor (DPS) at the time of this Review Application being made by Slough Borough Council Trading Standards Service is Mr Charanjit Singh Aurura who holds a Personal Licence number **LBHIL0918** with Hillingdon Council.
- 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 Activities as follows:
 - M The sale by retail of alcohol for consumption Off the premises only
- 1.5 The times the licence authorises the Licensable Activities are
 - 08:00 to 23:00 Monday to Saturday
 - 10:00 to 22:30 Sunday
 - 08:00 to 22:30 Good Friday
 - 12:00 to 22:30 Christmas Day

A copy of the current Premises Licence is attached at **APPENDIX 1.**

2. BACKGROUND INFORMATION

- 2.1 On 15th February 2012 Slough Borough Council Trading Standards Service 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 and supporting evidence are contained at **APPENDIX 2.**
- 2.2 The grounds for the Review Application although contained fully within the application itself can be summarised as follows;
 - Selling alcohol to an underage person
 - Selling cigarettes to an underage person
 - Selling fireworks in breach of the firework licence conditions
 - Found in possession for sale of counterfeit alcohol, condoms and batteries

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 due to the catalogue of incidents and non-compliance at the premises, the Premises Licence should be **revoked**.
- 3.3 However the Slough Borough Council Neighbourhood Enforcement Team have also asked that, if Members are of the opinion that the Premises Licence should not be revoked, the following condition to be imposed on the Premises Licence.
 1. The Premises Licence Holder is required to undertake the requirements of the Council's can marking scheme to enable alcohol cans and bottles to be linked to the premises and provide "prima-facie" evidence to enable further investigation by the Police and Council to establish whether appropriate responsibility is being taken by the licensee to refuse sales to underage or intoxicated individuals.

4. **REPRESENTATIONS RECEIVED**

- 4.1 Responses to the Review Application from relevant Responsible Authorities have been received.
- 4.2 Response from John Ellis – Royal Berkshire Fire and Rescue Service is attached at **Appendix 3**.
- 4.3 Response from Richard Palacio – Team Leader Neighbourhood Enforcement is attached at **Appendix 4**.
- 4.4 Response from Ian Hann – Senior Planning Officer is attached at **Appendix 5**.
- 4.5 No further responses were received from any other Responsible Authorities.

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 PL004630.

Appendix 2 - Review Application of Premises Licence by Jaspal Singh – Senior Technical Enforcement Officer, Trading Standards Service

Appendix 3 - Responsible Authority response from John Ellis – Royal Berkshire Fire and Rescue Service

Appendix 4 - Responsible Authority response from Richard Palacio – Team Leader Neighbourhood Enforcement

Appendix 5 - Responsible Authority response from Ian Hann – Senior Planning 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 2010
- DCMS Guidance – Red and Yellow Cards System

Contact Officer

Melanie Sagar
Licensing Officer
01753 875110

Licensing Act 2003
Premises Licence

PL004630

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

Drinks Direct

256 High Street, Langley, Slough, Berkshire, SL3 8HA.

Telephone 01753 542465

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 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 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

Charanjit Singh Arura



Premises Licence

PL004630

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 AUTHORIZES THE SUPPLY OF ALCOHOL

Charanjit Singh ARURA

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

Licence No. LBHIL0918

Issued by Hillingdon



Premises Licence

ANNEXES

Annex 1 - Mandatory conditionsPREMISES LICENSESAUTHORISATION 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 1st 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 ScheduleOFF- LICENCES

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



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

Drinks Direct

256 High Street, Langley, Slough, Berkshire, SL3 8HA.

Telephone 01753 542465

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

Charanjit Singh Arura

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



Licensing Act 2003

Premises Licence Summary

PL004630

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

Charanjit Singh ARURA

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

no restriction 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.

I Jaspal Singh 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	
Drinks Direct Supermarket Ltd 256 High Street, Langley Slough SL3 8HA	
Post town Slough	Post code (if known) SL1 2NJ

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

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

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 he 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
Jaspal Singh
Slough Borough Council Trading Standards Service
St Martins Place
51 Bath Road
Slough Borough Council SL1 3UF

Telephone number (if any) 01753 477397

E-mail (optional) Jaspal.singh@slough.gov.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 | <input checked="" type="checkbox"/> |
| (2) public safety | <input checked="" type="checkbox"/> |
| (3) the prevention of public nuisance | <input type="checkbox"/> |
| (4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

The grounds for the review are;

- a) The trader has breached the licence conditions by selling both alcohol and cigarettes to an underage person,
and
- b) The trader has also breached conditions of his fireworks licence by selling fireworks outside the permitted time periods.
- c) The trader has previously received a written warning for the possession for sale of counterfeit and illicit goods such as alcohol, cigarettes, condoms and Duracell batteries.

Prosecutions are currently being undertaken against the business for the sale of alcohol & cigarettes to an underage person as well as for the selling of fireworks outside the permitted time periods.

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

Having looked through the history of this business, it seems that that Drinks Direct has not taken the advice given to it by Trading Standards with respect to underage sales and the sale of fireworks very seriously.

With regards to underage sales, the business has been advised on numerous occasions;

On 15 September 2004 – a trader guide was given to the business with advice on underage sales

On 28 October 2005 – a trader pack with advice on underage sales was given to the business following a complaint from a member of the public that the trader was selling alcohol to minors. A retailer pack, which contained advice on underage sales, was given to Mr Ravinder Singh Grover.

Trader packs were again given to the business on 17 January 2008 as well as on 28 July 2009. These were given to Ravinder Singh Grover and Balbir Singh respectively.

Despite all these advisory visits to the business sales of both alcohol and cigarettes were made to an underage volunteer on 16 November 2011 during a trading standards test purchase exercise.

It was also noted during this exercise that the business was exposing for sale fireworks which could only be sold up to the 10th November 2011. A subsequent test purchase of fireworks was carried out on 17 November 2011 and fireworks were successfully purchased.

Even though this is the first occasion that the business has been licensed to sell fireworks, the director of the business did not bother to read the licence conditions despite these being explained to him in detail by an Officer and also delivered to him by hand at the business premises.

The business is being prosecuted for all these offences under the; **Children & Young Persons (Protection from Tobacco) Act 1991, the Licensing Act 2003, the Fireworks Act 2003 and the Fireworks Regulations 2004.**

Drinks Direct was also been given a written warning in 2008 for having in possession for sale both counterfeit and illicit goods.

On 16 November 2007, during a counterfeit sweep of retailers in Slough, counterfeit Glens vodka, Durex condoms and Duracell batteries as well as illicit Christoff vodka and imported cigarettes were seized from the premises.

The contents of the Glens vodka bottles were not as stated on the label and no duty would have been paid on these bottles either. 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.

It is clear from the history of this business that the operators do not adhere to or take notice of any or all advice it receives from the Trading Standards or Licensing Team and continues to carry on the operation of the business with total disregard for their legal obligations and of the Mandatory Conditions of other conditions imposed on the Premises Licence.

I recommend that there is no alternative other than revocation of the licence.

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

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: _____

Date: 14/02/2012

Capacity: SENIOR TECHNICAL ENFORCEMENT 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.

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**ROYAL BERKSHIRE
FIRE AND RESCUE SERVICE**



My reference: JE/ALL/304286
Your reference:

When dialling ask for: John Ellis
Direct telephone line: 01753 547997
Email address: ellisjm@rbfrs.co.uk

**Royal Berkshire
Fire and Rescue Service**
Slough Fire Safety Office
The Fire Station
124 London Road
Langley
Berks
SL3 7HS

Telephone: 01753 547997
Web www.rbfrs.co.uk

Mr M Simms
Licensing Officer
My Council
Landmark Place
High Street
Slough
Berkshire
SL1 1JL

Chief Fire Officer
Iain Cox QFSM MA
BSc(Hons) MCIPD

Monday 20th February 2012

**LICENSING ACT 2003
REVIEW OF PREMISES LICENCE
DRINKS DIRECT 256 HIGH STREET LANGLEY BERKSHIRE**

Dear Sir

I acknowledge safe receipt of your copy application dated 14th February 2012 in respect of a Premises Licence for the above premises. I confirm that the Fire Authority **does not propose to make any representation** to the Fire Authority.

This letter is without prejudice to the powers of the Licensing Authority and to any requirements or recommendations which may be made by enforcing Authorities under other legislation.

Any queries regarding this letter should be addressed to the person named above. If you are dissatisfied in any way with the response given, please ask to speak to the Office Manager quoting our reference.

Yours faithfully


J Ellis
Fire Safety Inspecting Officer

On behalf of Royal Berkshire Fire Authority

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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

Name of Premises	Direct Supermarket Ltd,
Address of Premises & Tel: No.	256 High Street, Langley, Slough, SL1 2NJ
Applicant Details (Name, address, Tel: No.) if different from above	
Company Name (if different from Applicant)	
Application type (state fully)	Application to Review the Premises Licence.
Date Application received	

REPRESENTATION SUBMISSION

There are no representations to the granting of this licence	Please tick <input 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	Please tick x	
Public Safety	<input type="checkbox"/>	
Prevention of Public Nuisance	x	
Protection of Children from Harm	x	

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 Council's Community Wardens have been monitoring the vicinity of Drinks Direct Supermarket Ltd since the 13th January 2012 and have identified a large number of alcohol bottles thrown in the bushes and smashed in the play area in the Langley Memorial Gardens opposite the premises which match the ones sold in the off licence. We have also found a trail of bottle tops which lead back to the shop. The licensee has acknowledged that the bottles we have shown him are the same as ones that he sells which at the time were on a special promotion.

We have discussed the Council's can marking scheme and confirmed that it requires the marking of specific brands on the base with a permanent UV property marker pen to enable a link to be established to the point of purchase. Whilst the presence of a marked bottle in the hands of an underage drinker would not prove that an offence had been committed by the shop, it would be sufficient to require further checks at the shop, such as examination of the CCTV records or that procedures at the shop may be failing. The proprietor has agreed that the requirements of the scheme are not onerous and has voluntarily agreed to undertake the marking of the bottles/cans as directed by us in exchange that we provide information where possible on the individuals found drinking in the park and provide a notice to display in the shop that will indicate the scheme is in operation as a requirement of the Police/Council.

In the event that the license is not revoked, we would seek that this Can Marking scheme be made a formal requirement by imposing the following condition on the license :-

"The Premises License Holder is required to undertake the requirements of the Council's can marking scheme to enable alcohol cans and bottles to be linked to the premises and provide "prima-facie" evidence to enable further investigation by the Police and Council to establish whether appropriate responsibility is being taken by the licensee to refuse sales to underage or intoxicated individuals.

In addition to issues of responsible selling of alcohol, the linking of bottles/cans to the point of sale will enable action under the Clean Neighbourhoods and Environment Act 2005 to require the business proprietor to clear the litter generated by their customers. "

Name of Officer completing Representation	Richard Palacio,
Job Title	Team Leader Neighbourhood Enforcement
Name of Responsible Authority	Slough Borough Council
E-mail address:	richard.palacio@slough.gov.uk
Tel: No.	

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

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From: Sims Michael
Sent: 20 February 2012 15:15
To: Hann Ian
Cc: Sagar Melanie
Subject: RE: Review Application - Drinks Direct Supermarket Ltd

Ian

Many thanks for the response.

Regards

Mick Sims
Licensing Manager
Slough Borough Council
Tel: 01753 477387
Fax: 01753 875890
www.slough.gov.uk
Please don't print this email unless you really need to - think of the environment.

From: Hann Ian
Sent: 20 February 2012 15:13
To: Sims Michael; Sagar Melanie
Subject: FW: Review Application - Drinks Direct Supermarket Ltd
Importance: High

There is no relevant planning history with regards to this site and no further comments are made with regards to this application.

Regards
Ian Hann,
Senior Planning Officer
Slough Borough Council
St Martins Place,
51 Bath Road, Slough, Berkshire, SL1 3UF
Tel: 01753 875839
Fax: 01753 875869
www.slough.gov.uk

From: Sims Michael
Sent: 15 February 2012 08:10
To: _Planning
Subject: Review Application - Drinks Direct Supermarket Ltd
Importance: High

Dear All

Attached is a Review Application made by SBC Trading Standards for Drinks Direct Supermarket Ltd, 256 High Street, Langley, Slough, SL1 2NJ. The grounds and evidence are contained within the application.

The effective date for any formal representations to be made by any Responsible Authority commences today 15th February 2012 and must be made no later than 13th March 2012.

To make representations please use the attached form and forward direct to Melanie Sagar, copying me in.

Russ

As this has been made by TS there will not be any need for you to respond.

Regards

Mick Sims
Licensing Manager
Slough Borough Council
Tel: 01753 477387
Fax: 01753 875890
www.slough.gov.uk

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

SLOUGH BOROUGH COUNCIL

REPORT TO LICENSING SUB-COMMITTEE – 11 APRIL 2012
LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

APPLICATION FOR A NEW STREET TRADING APPLICATION FOR
CHRIS' ANTHIMUMS', HIGH STREET, SLOUGH

1. The Application

The application is being made by Mr Christopher Michael Sims for Street Trading Consent for Chris 'anthimums' on Slough High Street.

The application is for Street Trading Consent at the specified pitch between the hours of 08.45am and 17.30pm Monday to Saturday.

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

A copy of the map of the location is attached at **Appendix 'B'**.

A copy of Slough Borough Council Street Trading standard conditions is attached at **Appendix 'C'**.

A copy of Slough Borough Council Street Trading guidance is attached at **Appendix 'D'**.

2. Background

Slough High Street is limited to five trading sites, and earlier this year; the consent holder for The Flower Stall did not renew their Street Trading Consent therefore the site is now vacant. The vacant site is situated next to "Richards Fruit & Veg" stall which is indicated on the map at **Appendix 'B'**.

As this is a prime location for a Street Trading Consent it is felt necessary for Members to make a decision as to whether the type of trading detailed in the application is suitable.

The current Street Trading Consent holders located on Slough High Street have been consulted with and no representations have been made.

The current occupied sites and what they are selling is as follows (the numbers correspond with the map at **Appendix 'B'**):

1. Richard's Fruit & Veg – Fruit and vegetables
2. Hugh's Spuds – Jacket potatoes
3. Vella's Burger Van – Burgers and ice cream

4. Cedar Kebabs – Kebabs
5. Current Vacant Pitch

3. **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.

4. **Grounds for Refusal**

4.1 Section 7 sub-paragraph (2) of the LGMP Act 1982 details – Subject to sub-paragraph (3) (*Mandatory grounds for refusal*) the Council may grant a Consent if they think fit.

4.2 In essence the Council is not under any duty to grant a Street Trading Consent and need not specify statutory grounds for refusal. Therefore the matter to grant or refuse an application for a Street Trading Consent is at the total discretion of the Council.

5. **Appeals**

5.1 There is no right of appeal against the Council's decision to refuse, to grant or renew a Consent or against the revocation or variation of a Consent.

6. **Standard Conditions**

6.1 The Council has already approved a set on Standard Conditions which are attached at **Appendix C** and which will apply to and will be imposed on any Street Trading Consent that is granted.

6.2 The Council may also attach such other conditions they consider reasonably necessary.

7. **Options Available**

The Sub-Committee may;

1. Grant the application with standard conditions
2. Grant the application with standard conditions and any other conditions members feel necessary which are reasonable and proportionate.
3. Refuse the application.

8. The Sub-Committee must have regard to:

- The Local Government Miscellaneous Provisions Act 1982
- Slough Borough Council Street Trading Consent Policy
- Slough Borough Council Street Trading Consent Standard Conditions.
- The nature of the business e.g. product sold
- The appearance and suitability of the trading unit.
- Any other condition the members may feel necessary
- The overriding principle is that each application will be determined on its own merits.

9. Appendices

- A. Application
- B. Map of location
- C. Slough Borough Council Street Trading Consent standard conditions
- D. Slough Borough Council Street Trading Consent guidance

10. Background Papers

1. The Local Government Miscellaneous Provisions Act 1982.

Contacts for further information

Nicola Keegan, Assistant Licensing Officer

01753 875067

rachael.rumney@slough.gov.uk

Rachael Rumney, Senior Licensing Officer

01753 477338

michael.sims@slough.gov.uk

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APPLICATION FOR A STREET TRADING CONSENT
 (LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982)

Grant / Renewal

**RETURN TO: LICENSING
 LANDMARK PLACE
 HIGH STREET
 SLOUGH
 SL1 1JL**

I / WE apply under the provisions of the above Act for a street trading consent and submit the following particulars. **I / WE** undertake to comply in full with the Council's general conditions applying to street trading consents and with any special conditions which may be specified in the consent.

APPLICANT (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname: SIMS			First names: CHRISTOPHER MICHAEL		
Date of birth:					
Current address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)	None				
National Insurance Number					

SECOND APPLICANT (if applicable) **NONE**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname				First names	

Date of birth			
Current address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
National Insurance Number			

Is the application being made on behalf of a partnership?
 If 'yes' please complete the following section;

Yes No

PARTNER (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth					
Current address					
Post Town		Postcode			
National Insurance Number					

SECOND PARTNER (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth					
Current address					
Post Town		Postcode			
National Insurance Number					

PROOF OF IDENTITY & RIGHT TO WORK

Photographic identification and proof of right to work is required for all applicants & partners. A passport (and appropriate visa where necessary) **MUST** be produced along with 2 of the following:

- Driving Licence
- Birth Certificate / Marriage Certificate
- Utility Bill / Bank statement
- National Insurance Number or any other form of identification the Council deems fit

ALL THE ABOVE DOCUMENT CAN BE PRODUCED IF THE APPLICATION IS GRANTED.

Sole Trader <input checked="" type="checkbox"/>	Limited Company <input type="checkbox"/>	Partnership <input type="checkbox"/>	Other (please specify)
Business Name		'Chris'anthimums'	
Business Address			

DURATION OF CONSENT BEING APPLIED FOR:

Annual 6 months 3 months 1 month Weekly Daily

Is the applicant trading at present? Yes No

How long has the applicant been trading? N/A.

PROPOSED TRADING SITES(s) - precise location(s) to be specified along with an acceptably prepared plan.

Address of trading location	Vacant Street Trading pitch in Slough High Street, previously held by a florist
------------------------------------	--

Plan attached: Yes No

Is trading taking place on private land? Yes No

Has the owner's permission been given? (Please submit written consent) Yes No

LAND OWNERS DETAILS (to be completed if trading is taking place on private land)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Current address					
Post Town				Postcode	
Contact telephone number					
E-mail address					

PROOF OF IDENTITY & RIGHT TO WORK

Photographic identification and proof of right to work is required for all nominated assistants. A passport (and appropriate visa where necessary) **MUST** be produced along with 2 of the following:

- Driving Licence
- Birth Certificate / Marriage Certificate
- Utility Bill / Bank statement
- National Insurance Number or any other form of identification the Council deems fit.

FIRST NOMINATED ASSISTANT

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname: SIMS			First names: LYNDSAY		
Date of birth:					
Current address					
Post Town				Postcode	
National Insurance Number					

SECOND NOMINATED ASSISTANT

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		

Date of birth			
Current address			
Post Town		Postcode	
National Insurance Number			

THIRD NOMINATED ASSISTANT

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth					
Current address					
Post Town		Postcode			
National Insurance Number					

FOURTH NOMINATED ASSISTANT

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth					
Current address					
Post Town		Postcode			
National Insurance Number					

FIFTH NOMINATED ASSISTANT

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth					
Current address					

Post Town		Postcode	
National Insurance Number			

Do the applicant(s) or nominated assistants have the necessary food safety training to meet current legal requirements? - Evidence **MUST** be produced at time of application.

Yes

No

REQUESTED TRADING TIMES (please use 24 hour clock).

	Start time	Finish time
Monday	08.45	17.30
Tuesday	08.45	17.30
Wednesday	08.45	17.30
Thursday	08.45	17.30
Friday	08.45	17.30
Saturday	08.45	17.30
Sunday		
Seasonal Variations:		

Has the applicant been licensed with another local authority?

Yes

No

If 'yes', please specify: _____

Has the applicant ever had a Street Trading Consent/Licence suspended or refused?

Yes

No

If 'yes', please specify the Licensing Authority: _____

Does the applicant have the required Public Liability Insurance (£5m)? - Evidence **MUST** be produced at time of application. **TO BE PRODUCED IF THE APPLICATION IS GRANTED**

Yes

No

<p>Full details of any vehicles, stall, trolley stand etc to be used in the course of trading.</p> <p>(Include registration/fleet number, height, width, length, colour)</p>	<p>Professional florist flower stands and displays with a concertino gazebo measuring 3 meters by 3 meters</p>
<p>Description of goods / articles to be sold.</p> <p>(E.g. hot / cold food, fruit and vegetables etc).</p>	<p>Variety of selected fresh flowers, small pot plants, and garden sundries including small garden ornaments and baskets.</p>
<p>Address of premises or location where vehicle, stall, trolley, stand and any food will be stored when not in use.</p>	<p>Home Address</p>

INSPECTION

The vehicle / stand / stall / trolley where trading is taking place must be inspected by a Licensing Officer prior to a Street Trading Consent being issued. Please contact the Licensing Office to arrange an inspection.

Please specify your preferred inspection location: **Address as above** _____

Application Check List

- I have enclosed the completed application form.
(New applicants will be required to submit 9 copies)
- I have enclosed a plan of the site / location.
(New applicants will be required to submit 9 copies)
- I have enclosed the completed declaration of convictions & cautions for applicant(s) & nominated persons.
- I have enclosed payment of fee.
- I have enclosed the basic Criminal Record Bureau disclosure (if applicable) for applicant(s) and nominated persons.
- I have enclosed a passport size photograph of applicant(s) and nominated persons.
(A digital image can be emailed to licensing@slough.gov.uk)
- I have enclosed proof of right to work for all applicant(s) and nominated persons.
- I have enclosed 2 additional forms of identification for each applicant & nominated persons.
- I have enclosed a copy of the Public Liability Insurance.
- I have enclosed Food Safety / Hygiene certificates for all nominated persons.
- I have enclosed a colour photograph of any vehicles, stall, trolley, stand etc.

(A digital image can be emailed to licensing@slough.gov.uk)

I understand that if I do not comply with the above requirements my application will be rejected.

Please note that digital images of the applicant, nominated persons and vehicle etc may be emailed to licensing@slough.gov.uk. Images should be named and referenced to your application.

TO BE COMPLETED BY ALL APPLICANTS

Please ensure that you have checked the application form fully before submission AND that you have read the revised – Street Trading Consents – General Conditions.

DECLARATION

The information contained in this form is correct to the best of my knowledge and belief. (It is an offence knowingly or recklessly to make a false statement. A person is to be treated as making a false statement if he/she produces, furnishes, signs or otherwise makes use of a document that contains a false statement)

Applicant Name:.....CHRISTOPHER SIMS.....

Signed: **Dated:** 27th FEBRUARY 2012

Applicant Name:.....

Signed:..... **Dated:**.....

Applicant Name:.....

Signed:..... **Dated:**.....

ADDITIONAL INFORMATION

This application is for a florists stall at the vacant existing Street Trading pitch in the High Street previously held also by flower trader.

I believe that this new application would be suitable for the High Street as there are no other street traders or retail outlets providing this service in the immediate area.

I feel that a florist would compliment the other traders in the High Street area, such as the fruit and vegetable trader and the hot potato seller as the previous flower trader did.

I want this venture to be a professional outlet with professional displays and florists stand with fresh flowers to be sold a on a daily basis.

I have attached examples of types of stands that I would want to use together with an example of a concertino gazebo to be used when the weather is cold, raining or very hot weather.

If this application is granted I would be in a position to commence trading with two months once I have purchased all the relevant equipment and complied fully with the all requirements needed as part of this application.

I have been provided with and have read the Standard Conditions of a Street trading Consent and will adhere to them fully if the application is granted.

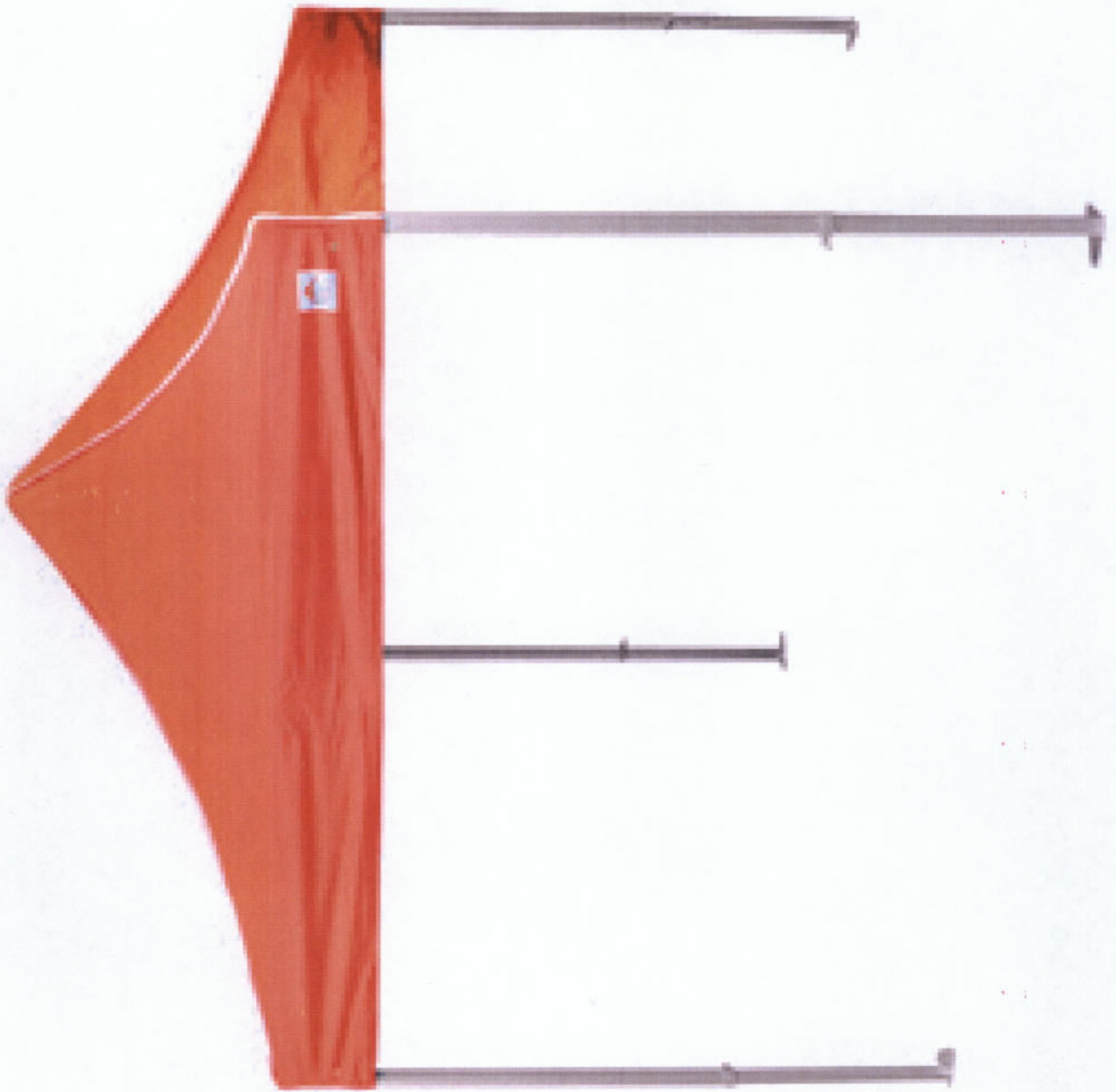
I will ensure that the area will be cleaned fully at the end of each day and all water used for the displays will be decanted into a container and taken way.



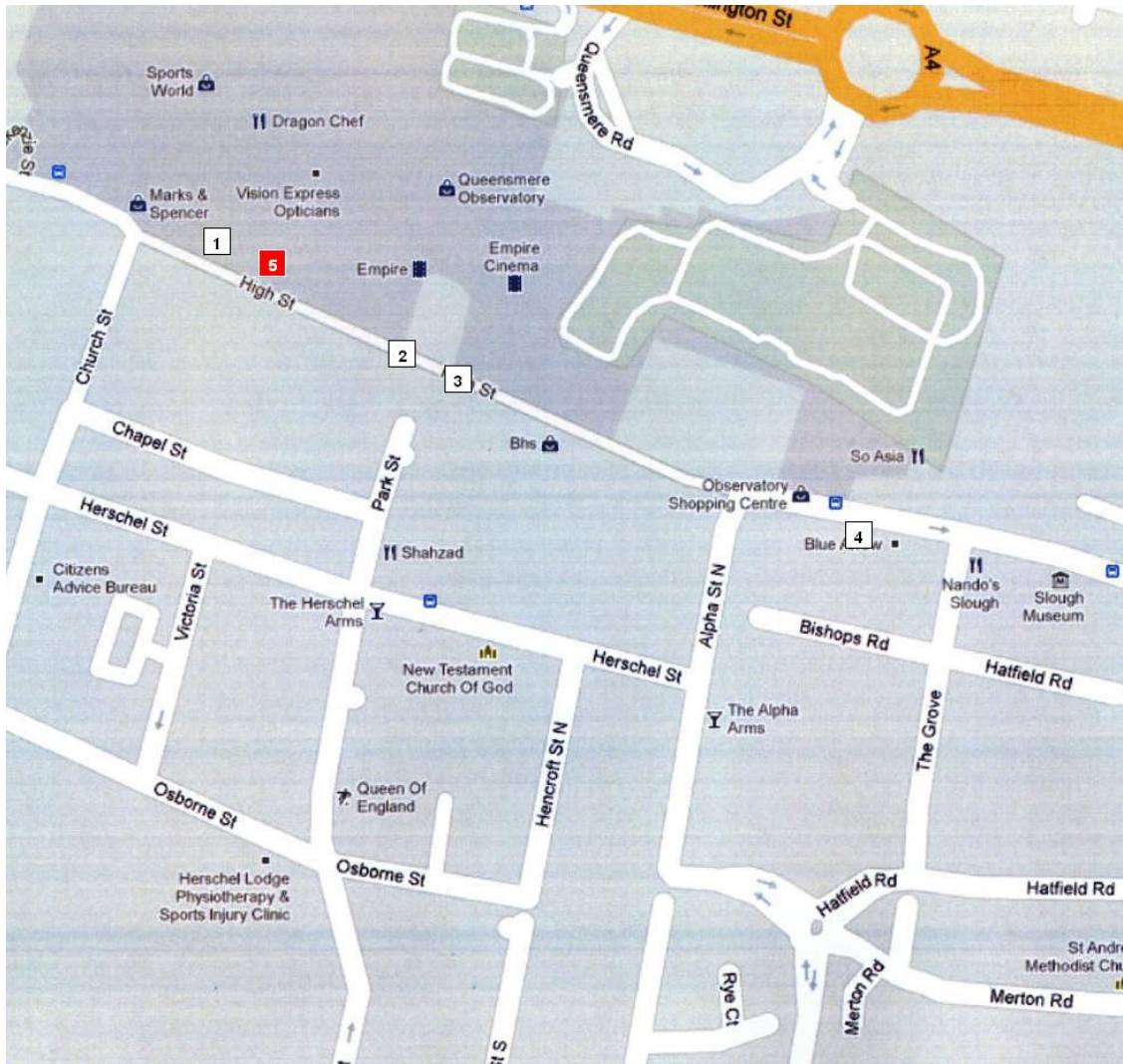








Locations of Current Street Trading Consent Holders



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Slough Borough Council
STREET TRADING CONSENTS – GENERAL CONDITIONS
(Revised – January 2006)

1. **PERMITTED HOURS**

No street trading shall take place at any location except between the hours of 6.00 p.m. and the permitted terminal hour stated on the consent on any evening.

Or

Between 7.00 a.m. and 5.00 p.m. on any day.

Except with the prior permission of the Council

2. **COMPLIANCE WITH REGULATIONS**

The Consent Holder shall at all times comply with all current and future Statutes, Statutory Instruments, Traffic Regulation Orders, Byelaws and other regulations currently in force.

In particular, the Consent Holder shall comply with the requirements of the Management of Health and Safety at Work Regulations 1992, the Food Safety (General Food Hygiene) Regulations 1995, the Motor Vehicle Construction and Use Regulations. For Advice on these requirements contact – foodsafety@slough.gov.uk or tradingstandards@slough.gov.uk or telephone 01753 875255.

Such compliance shall not only be in respect of his or her, vehicle stall, trolley, stand, but also at or near the location or site used for the trading.

3. **NUISANCE**

The Consent Holder or his or her business shall not be the cause of any nuisance or annoyance to any other user of the highway, the occupier of any land or building. In particular the Consent Holder and or his or her assistant shall on all occasions when carrying on the business, be strictly sober and conduct him or herself in a proper, civil and decorous manner and the business will not be conducted in such a way as to cause annoyance to the occupier or person in charge of any shop or business premises or dwelling.

4. **DISCHARGES**

No water or waste materials, grease, debris of any type shall be discharged onto the highway or onto any adjacent property and must not be disposed of by use of public drains. Should any blockages take place and cleaning be required the Consent Holder will be liable for any cost incurred.

5. **STORAGE OF STOCK**

All stock and other miscellaneous articles shall be stored at all times on the stall, vehicle, stand or trolley and not on the surrounding footway.

6. **MAINTENANCE**

The Consent Holder's vehicle/stall, stand or trolley shall be kept in a clean, hygienic, safe and well maintained condition. (The Consent Holder's vehicle shall be maintained in a roadworthy condition, taxed, insured and with a current M.O.T. Certificate).

7. **REFUSE CONTAINERS**

At least one refuse container shall be provided by the Consent Holder and placed immediately adjacent to his/her stall vehicle/stall etc and be available at all times of trading for use by his/her customers. A notice shall also be displayed requesting customers to deposit litter in a waste container.

8. **CLEANSING**

The Consent Holder shall ensure that the area in the vicinity of his/her vehicle/stall etc is kept clear at all times of all refuse originating from his/her trade and from customers. The Consent Holder shall in particular, leave the site clear of all such refuse at the completion of trading. Should the area require cleaning the Consent Holder will be liable for the cost incurred.

9. **POSITION OF STALL ETC**

The Consent Holder shall ensure that his/her vehicle/stall etc is positioned only in the allocated area of the Consent Street for which he/she holds a Street Trading Consent and as specified in that Consent such a vehicle/stall etc shall be removed from the site after the close of the Trading day, except where permission has been granted by Slough Borough Council.

10. **DISPLAY OF CONSENT**

The Consent Holder shall display conspicuously on his/ vehicle/stall etc, a copy of the consent and or the badge issued with the consent and the person who is in charge and operating the vehicle/stall, stand or trolley when trading must produce the badge and or consent when requested by an Officer of the Council or a Police Officer.

11. **MOVING STALL ETC**

If a Consent Holder (duty holder / employer) or his/her employee is requested to move his/her vehicle/stall and or cease trading etc by an Officer of the Council or a Police Officer he/she shall immediately comply with that request.

12. **DISABLED PERSONS**

Each Consent Holder shall ensure that disabled persons and wheelchair users can be adequately served. This may involve such customers being served from outside the

vehicle/stall etc. The Consent Holder's stall shall be of a size, type and design approved by the Council.

13. **STALLS ETC**

The type, colour and dimensions of any vehicle or trailer or cart or similar to be used under the Consent will be subject to approval by Slough Borough Council. No change of any approved such vehicle or similar is permitted without prior consent, in writing from Slough Borough Council. Photographs of the vehicle, stall, stand, trolley etc must be provided to Slough Borough Council.

14. **PARKING ON FOOTWAY**

The Consent Holder shall not park or position his/her vehicle, stall, stand, trolley etc on any part of a footway (except with the prior permission of Slough Borough Council).

15. **INSURANCE**

All Consent Holders as employer / proprietor shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £5,000,000 and shall cover the operator's vehicle, or stall, stand, trolley, and any additional equipment under his/her control such as generators, gas containers, etc. If food is sold the insurance shall specifically include cover against food poisoning to the same amount. The insurance certificate or cover note shall be produced to the Council before the Street Trading Consent is issued and on renewal of the Consent. A copy shall also be displayed at all times when trading for inspection by an officer of the council or police officer.

16. **FIRE PRECAUTIONS**

Adequate precautions shall be taken by the Consent Holder to prevent the risk of an outbreak of fire at his/her stall or vehicle etc. Where a power source or heating appliance is present, e.g. a generator or bottled gas container, then a suitable fire extinguisher shall be provided. In addition, a fire blanket shall be provided in vehicles selling hot food.

17. **STORAGE OF EQUIPMENT**

The Consent Holder is responsible for the storage of all equipment associated with his/her trading and is not permitted to leave any vehicle, stall, ancillary equipment etc. on the site of trading at any time when trading is not taking place. (Also **condition 9** – position of stall etc).

18. **SETTING UP AND CLOSING DOWN**

The Consent Holder shall not enter the site of trading other than during the times specified except for the periods of 30 minutes before trading starts and after trading finishes for the purposes of setting up and dismantling the trading operation.

19. **SURRENDER OR REVOCATION OF CONSENT**

Where a street trading consent is surrendered or revoked the Council **may** remit the whole or part of any fee paid. The council shall be entitled to retain at minimum £100 of any fee paid.

In accordance with the above legislation, there is NO right of appeal in respect of the refusal, revocation or variation of a street trading consent. The Council has a discretion in these matters which is subject only to the principles exercised by the courts in judicial review proceedings

20. **TRANSFER OF CONSENT**

At the discretion of the Council, one assignment only of a consent may be allowed to an immediate next of kin, subject to satisfactory evidence of proof of identity. Where such a transfer of a consent is allowed, a new food registration form **MUST** be completed **AND** details of the employer reconfirmed. The sub-letting / renting out or sale of the consent is **not permitted**.

21. **BREACH OF HYGIENE AND SAFETY REGULATIONS**

The Council may remove the Consent at any time. Breach of any one or more of the Conditions OR breaches of Food Safety and or Health and Safety Regulations relating to the consent holders trade may make the consent holder liable to enforcement action in line with the Council's enforcement which may result in the street trading consent being revoked and or prosecution.

22. **FOOD HYGIENE TRAINING**

The Consent Holder and all food handlers working on the stall or vehicle must possess the current Food Hygiene Certificate (or equivalent). The Consent Holder and food handlers must attend the relevant course and obtain their certificate prior to the grant or renewal of a street trading consent.

23. **ELECTRICITY SUPPLY**

Consent Holders wishing to install an electricity supply point on the highway or other Council land shall do so only after obtaining the necessary licence from the Council. Contact 01753 875626 for further details.

24. **MOBILE GENERATORS**

Mobile generators will be used only with the permission of the Council and will be specified and sited in such a way as not to cause noise nuisance or other annoyance to the occupier of any other premises or any user of the highway.

25. **ELECTRICAL EQUIPMENT**

All electrical equipment used in connection with the trading consent shall be constructed to a recognised standard, ideally to British Standard, and comply with all of

the requirements of the latest edition of the IEE Regulations. In any case, electrical cables trailing across the highway or any part of the footway are **not permitted**.

26. **APPLICATIONS**

All applications for a Street Trading Consent (where applicable) shall be accompanied by a certificate signed by a CORGI registered gas installer to the effect that all gas appliances installed in or on the vehicle or trailer, and all cylinders, pipes and other fittings used for supplying gas to that appliance have been examined and found to be fitted in a safe and satisfactory manner and are suitable for their intended use.

27. **CHAIRS AND TABLES**

The Consent Holder may not, at any time, place tables, chairs, benches or similar articles on the footway, highway or any other land for the use of customers or staff of the trading consent for the consumption of food or drink sold by the Consent Holder.

28. **SIGNS ON PAVEMENT/HIGHWAY**

The Consent Holder shall not place any signs or any object upon the pavement or any other part of the highway or other public place, except within the allocated area of the Consent Street for which the Consent Holder holds a Street Trading Consent (except with the permission of Slough Borough Council). A definitive plan of the allocated area of the consent shall be submitted to the Council before issue of the consent.

29. **BOTTLED GAS**

The use of LPG or bottled gas for cooking or heating purposes in a mobile catering unit can be extremely dangerous unless certain basic safety codes of practice are followed. Under the terms of the Health and Safety at Work etc. Act 1974, the Consent Holder has a responsibility to ensure that all gas appliances and storage arrangements and installations are as safe as is reasonably possible, to protect the health, safety and welfare of staff, customers and any other individual. For copies of guidance notes or for specific advice in this respect, you should contact the L P Gas Association.

30. **DAMAGE TO PAVEMENT/HIGHWAY**

The Consent Holder will be responsible for any damage caused to the pavement, highway, including marks on the surface area where his/her vehicle, stall, etc has been positioned and will be liable for any cost incurred for such repairs.

31. **PLANT AND EQUIPMENT**

All plant and equipment used in connection with this trading consent shall be constructed to comply with a recognised standard, and ideally the relevant British Standard.

32. **SALE OF GOODS OR ARTICLES**

The Consent Holder and/or his/her assistants shall not sell or offer for sale any goods or articles other than those described within the Principle Terms of the Consent. In addition, only the consent holder may carry on a business or trade at the consent location and will be restricted to the sale of goods. **Receipt or exchange of any other goods is totally prohibited.**

33. **PRICE LISTS**

The Consent Holder shall, whilst trading, display an accurate and comprehensive price list of all items for sale from the stall or vehicle.

34. **EMPLOYMENT**

The consent holder shall be the sole employer of any persons employed or working at the vehicle / stall / stand etc. Such employees must be a 'nominated person or assistant' listed on the application form. The council must be notified of any changes of 'nominated persons or assistants'.

35. **SPECIAL CONDITIONS**

The Council may at any time vary or add to the General Conditions with further Special Conditions on the Consent Certificate.

36. **CRIMINAL RECORDS CHECKS**

All consent holders, nominated persons or assistants must produce annually a **Basic Criminal Records Bureau check.**

37. **PREMISES LICENCE**

Where the business of a street trading consent involves the Provision of Late Night Refreshment i.e. the sale or supply of hot food or drink to members of the public between the hours of 23-00 hours and 05-00 hours, a **PREMISES LICENCE** will also be required in accordance with the **Licensing Act 2003.**

38. **MOBILE TRADERS**

All mobile trading (including ice cream vendors) to be restricted to a maximum of **20 minutes time period** in any one particular location.

STREET TRADING CONSENT (2011)

1. INTRODUCTION

- 1.1 Slough Borough Council issues Street Trading Consents in accordance with Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 1.2 All streets within the boundaries of Slough Borough Council are Consent Streets.
- 1.3 All persons wishing to sell any goods to the public within the Borough must apply for and be in possession of a Street Trading Consent before any such trading takes place.
- 1.4 If you intend to operate the supply of hot food or drink to members of the public between the hours of 23-00 hours and 05-00 hours you will also need to apply for a Premises Licence issued under the Licensing Act 2003. Full details and application packs can be requested from the Licensing Team.
- 1.5 Slough High Street has a specific number of pitches where Street Trading can take place. New applications for the High Street where there is no vacant pitch will not be accepted.

2. DEFINITIONS

- 2.1 Within the terms of the Slough Borough Council Street Trading Consent Protocol and Guidance the following definitions apply.
 - **The Council** – Means Slough Borough Council
 - **Street Trading** – Means the selling or exposing or offering for sale of any article (including a living thing) in any street.
 - **Street** – Includes:
 - (a) any road, footway, beach or other area to which the public have access without payment.
 - (b) A service area as defined in section 329 of the Highways Act 1980,
and also includes any part of a street
 - **Consent Street** – Means a street in which street trading is prohibited without the consent of Slough Borough Council.
 - **Consent** – Means a consent to trade on a street granted by Slough Borough Council.
 - **Consent Holder** – Means the person or company to whom the consent to trade has been granted by Slough Borough Council.
 - **Nominated Person** – Means the person or persons nominated by the Consent Holder to assist or carry on the business on his or her behalf.
 - **Static Trader** – Means a trader granted permission by Slough Borough Council to trade from a specific and approved location.

- **Mobile Trader** – Means a trader who moves from street to street. All mobile trading (including ice cream vendors) is restricted to a maximum of 20 minutes static trading time period in any one particular location.
- **Authorised Officer** – means an officer employed by Slough Borough Council and authorised by the Council to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.

2.2 Exempted Street Activities

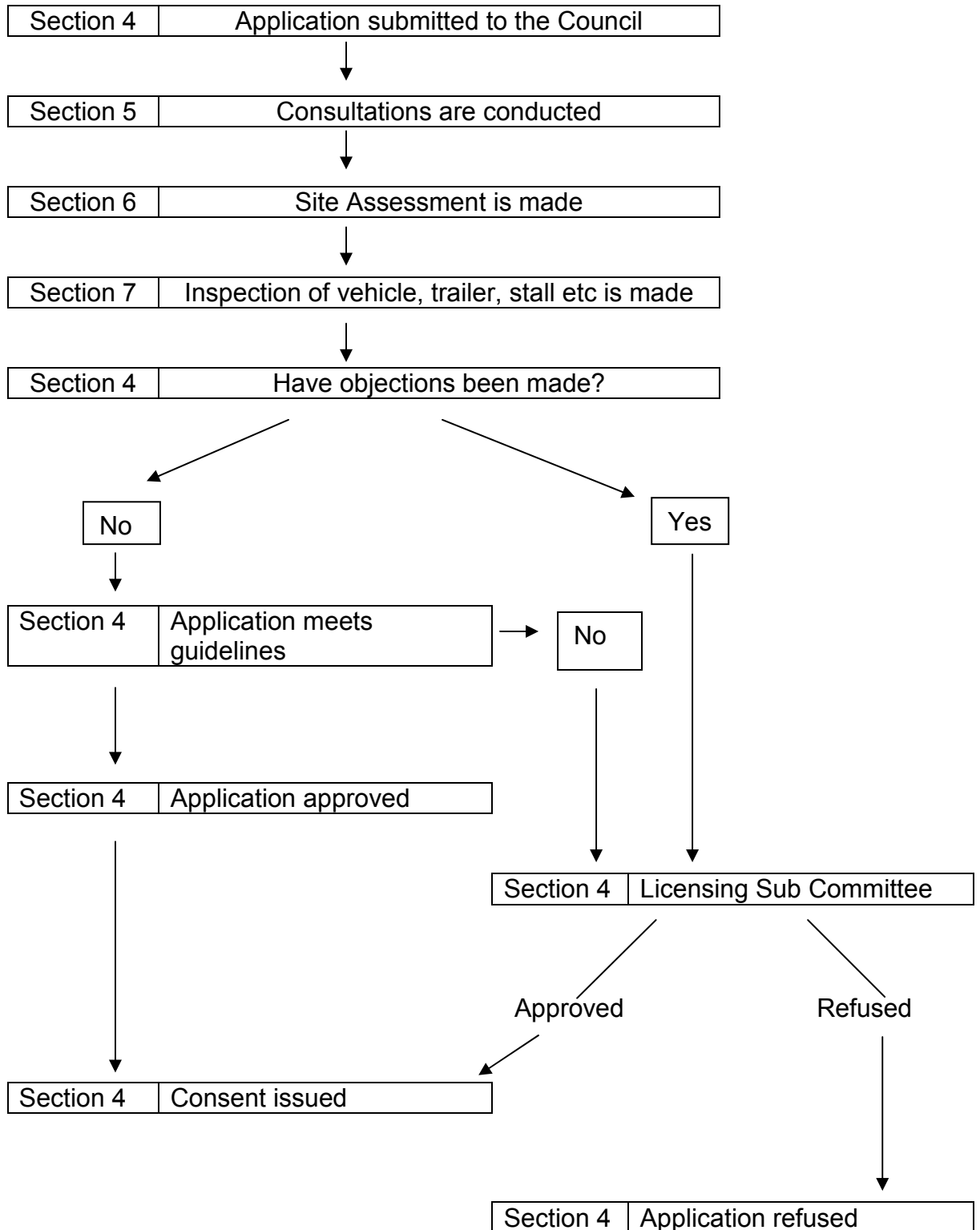
The following street trading activities are legally exempt from the requirement to obtain a prior consent from the Council:

- (a) trading by a person acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871.
- (b) anything done in a market or fair the right to hold which was acquired by virtue of a grant (including presumed grant) or acquired or established by an enactment or order.
- (c) trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980.
- (d) trading as a news vendor.
- (e) trading which:
 - (i) is carried on at premises used as a petrol filling station; or
 - (ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business or shop.
- (f) selling things, or offering or exposing them for sale, as a roundsman.
- (g) the use for trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, or in or over a highway.
- (h) the operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980.
 - (i) the doing of anything authorised by regulations made under section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916.

With regard to point (f) above it has been established in law that mobile ice cream sales normally will not be deemed to be exempt from street trading controls on the grounds that they are not roundsmen.

3. PROCEDURE FOR DETERMINING STREET TRADING APPLICATIONS

The application and approval procedure comprises of the following stages. The descriptions on the side of the boxes refer to the explanatory notes in the subsequent sections of this guide:



4. APPLICATION PROCEDURE

- 4.1 An application for a Street Trading Consent must be made to Slough Borough Council in writing. The application forms are included in this guidance at Appendix 1 (Application for Grant and Renewal) and Appendix 2 (Short Term / Temporary Consent) together with a copy of the General Terms and Conditions at Appendix 3. The application forms must be completed in full.
- 4.2 Applications can be made for Short Term / Temporary Consents on a daily, weekly, monthly, quarterly and six monthly basis. In all cases the full application for the Grant of a Street Trading Consent must be submitted in full. Thereafter the application form for a Short Term / Temporary Consent must be submitted at least 4 weeks prior to the first date the Consent is due to commence together with the appropriate fee for that period.
- 4.3 In keeping with the Council's policy on the introduction of e-Government, the Council consents to applications and other notices being given electronically in certain circumstances.
- 4.4 Incomplete applications will not be accepted.
- 4.5 A deposit of £250 will be required with the submission of the application. If the application is granted this sum will be deducted from the outstanding full payment, which must be paid in full as well as the criteria set out in the site assessment and inspection of the street trading unit being completed, prior to the Consent being issued. If the application is refused the sum will be used to cover the costs of administration and the consultation and therefore is non-refundable.
- 4.6 All applicants must provide proof of the right to work and reside in the UK. This can be done by providing a valid UK or European Union passport. Holders of other passports must show a valid visa that has at least six months remaining before its expiry at the time of application. A licence will only be granted until the expiry of the visa, and will only be renewed or extended on the production of a valid visa issued by the Home Office. Under no circumstances will letters from any source be accepted as proof of right to work. Applicants without a passport wishing to be able to work must have a valid ARC card or ISD document issued by the Home Office.
- 4.7 You will need to submit the following documents with the application.
- (a) Valid Passport and appropriate visa where necessary.
 - (b) 2 additional forms of identification (please see page 3 of application form).
 - (c) 1 (one) Passport size photographs of all applicants and nominated persons.
 - (d) 9 copies of plans of the preferred trading site to a scale of 1:1250
 - (e) Written consent from the owner of any private land where trading is to take place.
 - (f) 1 (one) colour photograph of any vehicle, stall, stand, trolley etc.
 - (g) Evidence of Public Liability Insurance (£5m)
 - (h) Copies of any certificate or accreditation for food safety, hygiene, health and safety etc. (*We will normally only accept certificates or accreditations obtained within the last 3 years*)
 - (i) Basic Criminal Records Bureau disclosure for **all applicants and nominated assistants**.
- 4.8 An applicant for first time Street Trading Consent should give a minimum of 28 days notice of the application to the Licensing Team.

- 4.9 Where the application is for the **renewal** of a Street Trading Consent, the application must be received in full **no later than 1 MONTH** before the renewal date.
- 4.10 When an application form is sent to you, please ensure that you are provided with a copy of the General Conditions for Street Trading Consents. You should make your self fully familiar with these conditions before submitting your application.
- 4.11 The address at which the Council will accept applications and notices is:-
- (a) By post/personal service to The Licensing Team, MyCouncil, Landmark Place, High Street, Slough, SL1 1JL;
 - (b) By e-mail to licensing@slough.gov.uk;
 - (c) By fax to 01753 875809
 - (d) On-line (when the facility become available)
- For all enquiries please contact the Licensing team on 01753 875664

5. CONSULTATIONS ON APPLICATIONS

5.1 Before a **new** application for a Street Trading Consent is determined the Council will carry out a consultation process with various persons and groups. In particular we will consult with:

- Thames Valley Police
- Royal Berkshire Fire and Rescue Service
- Ward Members
- Slough Borough Council – Planning
- Slough Borough Council – Highways
- Slough Borough Council – Transport
- Slough Borough Council – Trading Standards
- Slough Borough Council – Parking and Development
- Slough Borough Council – Trading Standards
- Slough Borough Council – Food and Safety Team
- Slough Borough Council – Neighbourhood Enforcement Team
- Slough Borough Council – Environmental Services and Quality
- The owner or occupiers of any property within 100 meters of the proposed site. This consultation will be by way of sending a copy of the Notice of Application to the relevant property owners

Please note a consultation process will not be conducted for renewal applications, unless there has been issues raised by any of the above listed consultees during the term of the previous Consent.

- 5.2 The consultation will normally take 28 days in order that any objections to the application can be made in writing.
- 5.3 If no objections are received the application will be granted and the Street Trading Consent issued (subject to full payment being received)
- 5.4 The time scale for determination of a licence application where no objections have been received will normally take about 4 weeks as long as the full application criteria has been met.

- 5.5 If objections are received the application will be put before a Licensing Sub Committee for determination.
- 5.6 The time scale for determination of a licence application where objections have been received may take between 6 to 8 weeks dependant upon the date of the sitting of the Licensing Sub Committee.
- 5.7 The Licensing Sub Committee is made up of local Councillors who will determine each application on its own individual merits. At the committee hearing the applicant(s) and objectors will be given the opportunity to put their case forward. The Committee are empowered to grant, refuse or apply any relevant conditions in addition to the General Conditions to any licence application put before them.

6. SITE ASSESSMENT

- 6.1 Street Trading Consents from static locations will not normally be granted where:
1. A significant effect on road safety would arise either from the siting of the trading activity itself, or from customers visiting or leaving the site, or
 2. Where there are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited, or
 3. There would be a significant loss of amenity caused by traffic, noise, odour or fumes, or
 4. There is already adequate like provision in the immediate vicinity of the site to be used for street trading purposes, or
 5. There is a conflict with Traffic Orders such as waiting restrictions, or
 6. The site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes, or
 7. The trading unit obstructs the safe passage of users of the footway or carriageway, or
 8. The pitch interferes with sight lines for any road users such as at road junctions, or pedestrian crossing facilities, or
 9. The site does not allow the Consent Holder, staff and customers to park in a safe manner
 10. The street trading activity is carried out after dusk and the site is not adequately lit to allow safe access and egress from the site for both customers and staff.

7. INSPECTION OF STREET TRADING UNIT

7.1 The vehicle, van, trailer, stall or other device to be used for the proposed street trading activity will be inspected by an Authorised Officer of the Council, prior to the issue of any Street Trading Consents, where this is reasonably practicable. The unit to be used for the street trading activity shall comply in all respects to the legal requirements relating to the type of street trading activity proposed. In particular the unit to be used shall comply with the following legislation:

- Food Premises (Registration) Regulations 1991
- Food Safety Act 1990
- Food Safety (General Food Hygiene) Regulations 1995
- Health and Safety at Work etc. Act 1974 and any Regulations made under this Act
- Environmental Protection Act 1990.
- The Road Vehicles (Construction and Use Regulations) 1986

Further advice on any of the above requirements can be obtained by telephoning: 01753 875664

8. ISSUE OF STREET TRADING CONSENTS

8.1 Street Trading Consents are issued for a maximum of 12 months.

8.2 Shorter Term consents may be applied for and issued

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AGENDA ITEM 7

By virtue of paragraph(s) 1, ~~2 of Part 1 of Schedule 12A~~
of the Local Government Act 1972.

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AGENDA ITEM 8

By virtue of paragraph(s) 1, ~~2 of Part I of Schedule 12A~~
of the Local Government Act 1972.

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