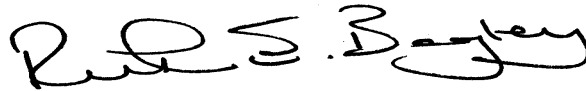


Date of issue: 18th April 2012

MEETING	LICENSING SUB-COMMITTEE (Councillors Dodds (Chair), Long and Rasib)
DATE AND TIME:	THURSDAY, 26TH 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 ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	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 8 March 2012	1 - 6	
LICENSING ISSUES			
3.	Application to Vary Premises Licence - Co-Operative, 238-240 Trelawney Avenue, Slough	7 - 30	Kedermister
4.	Review of Premises Licence - Alexandra Wines, Unit 4 Alexandra Plaza, Chalvey Road West, Slough	31 - 48	Chalvey
5.	Review of Premises Licence - Drinks Direct Supermarket Limited, 256 High Street Langley, Slough	49 - 74	Foxborough

Press and Public

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

Licensing Sub-Committee – Meeting held on Thursday, 8th March, 2012.

Present:- Councillors Dodds (Chair) Long and Rasib

Officers:- Mrs Clark (Democratic Services), Mr Fullwood (Democratic Services) and Miss Osborne (Legal Services)

PART 1

9. Declarations of Interest

No declarations of interest were received.

10. Minutes of the Meeting held on 24 January 2012

The minutes of the Meeting held on 24th January 2012 were approved as a correct record.

11. Application for a Premises Licence - 'Godari' 54 Park Street, Slough.

The Chair welcomed all parties to the meeting and explained the procedure for the hearing. It was confirmed that all parties had received a copy of the relevant paperwork.

Introduction by the Licensing Officer

The Licensing Officer reported that an application had been made by Mr Cambampaty for a Premises Licence for 'Godari' at 54 Park Street, Slough with the premises to be run as a restaurant serving freshly cooked food and alcohol. The application was made for a range of licensable activities as detailed in the report.

Following the application being made, a total of ten written objections had been received from local residents. These were made on the basis that the premises licence outlined in the application could lead to an increase in noise levels and noise pollution, an increase in parking problems, unacceptable extended hours of operation, possible increase in violent and drunken behaviour resulting in crime and disorder, and an increase in disposal of cooking waste causing further drainage problems. Members were informed that the matter had been referred to the Licensing Sub Committee due to these objections.

Members also noted that objections had also been raised by Thames Valley Police who had requested that a number of alternative timings and conditions be imposed on the licence. Members were informed that following concerns raised by Thames Valley Police, a mediation meeting had taken place between the applicant and Thames Valley Police, following which the applicant responded with alternative timings. Mr Cambampaty had also agreed with the recommendations made by Thames Valley Police and written confirmation was forwarded to relevant parties stating that he was in

Licensing Sub-Committee - 08.03.12

agreement with all the recommendations. Following this confirmation, Thames Valley Police had raised no further objections.

The options available to the Sub-Committee were outlined and Members reminded that they must have regard to the relevant legislation and the Council's Statement of Licensing Policy. However the overriding principle was that each application should be determined on its own merits.

Questions to Licensing Officer

None.

Representations from the Environmental Health Officer

The Environmental Health Officer presented a short summary of his findings. It was highlighted that there were no adverse comments on the grounds that granting the premises a licence to play recorded music would lead to increased noise pollution. However, it was noted that there was a potential for an overspill of customers into the garden area, particularly in the summer months.

Representations made by the Applicant

Mr Cambampaty, outlined the reasons as to why the application had been made. The Applicant stated that the restaurant would be aimed at families and was not likely to cause disturbance to the local area. He explained that the proposal for extended opening hours had caused a misunderstanding and the terminal hour for opening hours of the premises was until 1.00am. Regarding complaints about playing recorded music, the Applicant stated that this would be intended as background music inside the restaurant and would not cause noise pollution. It was however noted that part of the agreement between the Licensing Officer and Thames Valley Police was that the premises would be able to extend certain licensable activities until 1.00am for holidays or international sporting events, subject to 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department.

Questions to the Applicant

Members requested clarification on a number of points raised by the objectors. These regarded extended opening hours, whether alcohol would be served in the outside area and concerns about the noise levels that this may create. The applicant answered the queries with reference to the conditions which had been outlined previously. Mr Cambampaty confirmed that there would be a staff manager on site at all times to prevent all outside activity at 10.00pm every night.

Objectors

An objector, Ms Jones attended the meeting to make representations on behalf of local residents. Ms Jones explained that her initial objections had

Licensing Sub-Committee - 08.03.12

been on the the proposed extended opening until 05.00am. The Applicant advised that he had withdrawn his request to open until 05.00am and opening hours would cease at 1.00am.

Summing Up

The Licensing Manager and the applicant provided a brief summary.

Decision

After careful consideration the Sub-Committee decided to grant a Premises Licence for the following licensable activities at the times specified below:

(B) The provision of regulated entertainment in respect of Films (Indoors).

- Monday to Sunday - 1000 hours to 0000 hours (Midnight)
- Non standard timings – Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(E) The provision of regulated entertainment in respect of Live Music (Indoors)

- Monday to Friday 1000 hours to 2300 hours
- Saturday and Sunday 0930 hours to 2300 hours
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(F) The provision of regulated entertainment in respect of Recorded Music (Indoors only)

- Monday to Sunday 1000 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(G) The provision of regulated entertainment for the Performances of Dance (Indoors)

- Monday to Sunday 1000 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

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(H) Anything of a similar description to that falling within (E), (F) or (G) (Indoors only)

- Monday to Sunday 1000 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(I) Provision of facilities for making music (Indoors)

- Monday to Sunday 1000 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(J) Provision of facilities for dancing (Indoors)

- Monday to Sunday 1000 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(K) Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)

- Monday to Sunday 1000 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(L) The Provision of Late Night Refreshment (Indoors and Outdoors)

- Monday to Sunday 2300 hours to 0030 hours
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

(M) Supply of Alcohol (On the premises only)

- Monday to Sunday 1100 hours to 0000 hrs (Midnight)
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

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(O) Hours the premises are open to the public-

- Monday to Sunday 0900 hours to 0030 hours
- Non standard timings - Christmas Eve, New Years Eve, Deepavali, Eid and any International Sporting Event to 0100 hours. 10 days written notice to be given to Thames Valley Police Licensing and Slough Borough Council Licensing Department. SIA door staff will be employed if required by Thames Valley Police on these events.

In addition to the relevant mandatory conditions and conditions consistent with the operating schedule, the Sub Committee also added the following conditions to the premises licence:

- Digital CCTV monitoring system installed and maintained to Thames Valley Police Standard. Recordings to be kept securely for 31 days and made available to Police or relevant Agencies on request.
- Nominated person to be able to down load any CCTV footage that is requested by Thames Valley Police
- The Garden area is closed to the public after 2200 hours except for smokers and no drinks are allowed in this area after 2200 hours.
- Designated Premises Supervisor or nominated person to attend the local pubwatch scheme

Sub-Committee Members considered the conditions to be necessary, reasonable and proportionate to address concerns relating to crime and disorder, public nuisance and public safety.

Chair

(Note: The Meeting opened at 10.05am and closed at 11.50am)

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SLOUGH BOROUGH COUNCIL

REPORT TO LICENSING SUB-COMMITTEE – 26 APRIL 2012
LICENSING ACT 2003

APPLICATION TO A VARY A PREMISES LICENCE FOR ‘CO-OPERATIVE’
238-240 TRELAWNEY AVE, LANGLEY, SLOUGH, SL3 7UD

1. The Application

1.1 The application has been made by Co-operative Group Food Ltd, to vary a Premises Licence for ‘Co-operative’ at 238-240 Trelawney Ave, Langley, Slough, SL3 7UD.

1.2 The current opening times and for the supply of alcohol are as follows:-

Premises Opening hours

Mon-Sat 8am until 23.00

Sunday 10am until 22.30

Good Friday 8am until 22.30

Christmas Day 12pm until 15.00 and then 19.00 until 22.30.

Supply of alcohol (Off the premises only)

Mon-Sat 8am until 23.00

Sunday 10am until 22.30

Good Friday 8am until 22.30

Christmas Day 12pm until 22.30

1.3 The application is to vary the following licensable activities to the following times:

- (M) Supply of Alcohol (Off the premises only)
Monday to Sunday 06:00 to 23:00
- (O) Hours the premises are open to the public-
Monday to Sunday 06:00 to 23:00

1.4 The full application and the plan are attached at **Appendices A and B respectively.**

2. Background

2.1 Following the application being made, there have been no objections by local residents.

3. Responsible Authority Representations

3.1 On 6th March 2012 Debie Pearmain the Thames Valley Police Licensing Officer requested the following amendments to the application:-

a) CCTV to be installed and maintained to Thames Valley Police standard and CCTV to be kept for 31 days and made available upon the request of Thames Valley Police employees and relevant agencies.

b) DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police employees or relevant agencies . The full requirement is attached at **Appendix C**

3.2 Since receiving this request Thames Valley Police have agreed **on this occasion only** to vary the CCTV condition to read '30 days recording' as that is representative of the equipment currently installed.

3.3 On 23rd March 2012, Richard Palacio – Team Leader, Neighbourhood Enforcement, for Slough Borough Council responded to the application and requested that the “Can Marking Scheme” be made a formal requirement by imposing the following condition on the licence:-

“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 licensee to refuse sales to underage or intoxicated individuals. The full representation is attached at **Appendix D.**

3.4 At the time of this report being prepared the applicant has intimated that they are not in agreement with the imposition of this condition, however no formal written confirmation or agreement of this has been received.

4. The Sub-Committee must have regard to:

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

5. Human Rights Act 1998

Article 6 of the Human Rights Act 1998 applies:

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

6. Options Available

The Sub-Committee may

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

7. Appeals

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

8. Appendices

- A. Copy of Application to vary premises licence.
- B. Copy of Plan.
- C. Copy of response from Thames Valley Police request.
- D. Copy of response from Neighbourhood Enforcement.

9. Background Papers

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

Contacts for further information

Nicola Keegan, Assistant Licensing Officer
01753 875110
nicola.keegan@slough.gov.uk

Mick Sims, Licensing Manager
01753 477387
michael.sims@slough.gov.uk

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APPENDIX A

The **co-operative**
food

www.co-operative.coop



Ref: South East – Full Variation

Email : licensing@co-operative.coop
hayley.pakes@co-operative.coop

Tel : 0161 827 5463

To whom it may concern,

Please find enclosed an application for a Full Variation for the attached Co-operative / Somerfield store in respect of changing the licensed and /or trading hours.

I can confirm to you that the public notice will be advertised in the local newspaper and displayed on the premises for the statutory period of 28 days commencing the day after this application has been received by your office.

I would be most grateful if any representations received towards the license application be initially sent to the generic email address above. Please find enclosed a cheque for £10.50 please use this to cover the cost of a replacement premise licence if we have misplaced the original, or to cover the cost of a duplicate premise licence for the store. If you do not process duplicate copies please return the cheque with the premises licence (once/ if granted).

Yours sincerely,

Hayley Pakes

Licensing Department
Co-operative Group Food Limited

C.C: Responsible Authorities

Correspondence
Address:

Licensing Department, 5th Floor Dantzic/Federation Building,
Dantzic Street, Manchester, M60 0AF.

Email : licensing@co-operative.coop



RO89912 - £190-00
 " " - £10.50
 extra
 licence.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Co-operative Group Food Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
 PL004516

Part 1 – Premises Details

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

Co-operative
 238-240 Trelawney Avenue
 Langley
 Slough

Post town	Berkshire	Post code	SL3 7UD
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Telephone number at premises (if any)	01753 545302
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Non-domestic rateable value of premises	£13250
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Part 2 – Applicant details

Daytime contact telephone number	0161 827 5463		
E-mail address (optional)	licensing@co-operative.coop		
Current postal address if different from premises address	Licensing Department 5 th Floor Federation Building Dantzig Street		
Post Town	Manchester	Postcode	M60 0AF

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To Change the licenced hours & opening hours of the store to 6am-11pm Monday-Sunday.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	06:00	23:00			
Tue	06:00	23:00			
Wed	06:00	23:00			
Thur	06:00	23:00			
Fri	06:00	23:00			
Sat	06:00	23:00			
Sun	06:00	23:00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	23:00	
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	06:00	23:00	
Sat	06:00	23:00	
Sun	06:00	23:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

A closed circuit TV monitoring system to be installed and maintained. images recorded and retained for at least 21 days and to be handed to police/local authority on request.

b) The prevention of crime and disorder

Signage to be displayed instore that it is an offence for people aged under 18 to purchase alcohol.

Store fitted with a panic button for staff to press in cases of emergency

Store fitted with a burglar alarm.

c) Public safety

To meet the requirements of the Fire Safety Order 2005

d) The prevention of public nuisance

no deliveries to take place between the hours of 2300 and 0600 the following day.

e) The protection of children from harm

all staff are trained in relation to underage related sales of alcohol. proof of age scheme in place.

"Challenge 25" scheme in place and notices of this prominently displayed within the store

electronic till prompt when alcohol is scanned to remind staff to check the age of the purchaser

"Age Refusals Register" refusals book kept to record where sales of alcohol are challenged or

refused.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	24.02.12
Capacity	Licensing Administrator

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Licensing Department
5th Floor Federation Building
Dantzic Street

Post town	Manchester	Post code	M60 0AF
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Telephone number (if any)	0161 827 5463
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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THAMES VALLEY POLICE

Division/Station : HQ Licensing

From : Debie Pearmain
Police Licensing Officer

To : Mike Sims
Licensing Officer,SBC

Ref :

Date : 6 March 2012

Tel.No.

Subject :

Application to Vary Premises Licence – Co-operative, 238-240 Trelawney Avenue, Langley, Slough

In relation to the above application Thames Valley Police request the following amendments to the application:

CCTV to be installed and maintained to Thames Valley Police standard and CCTV to be kept for 31 days and made available upon the request of Thames Valley Police employees and relevant agencies.

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

If the applicant agrees to the above requested conditions there will be no police objections.

Submitted for your information

Regards

Debie Pearmain
Police Licensing Officer

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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	Co-operative
Address of Premises & Tel: No.	238-240 Trelawney Avenue, Langley, Slough, SL3 7UD
Applicant Details (Name, address, Tel: No.) if different from above	
Company Name (if different from Applicant)	
Application type (state fully)	Application for a Premises Licence Variation
Date Application received	28 th February 2012

REPRESENTATION SUBMISSION

Please tick

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

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

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

	Please tick	
Prevention of Crime and Disorder	x	
Public Safety	x	
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.

Slough Borough Council's Neighbourhood Enforcement Team along with officers from the Anti-Social Behaviour Team and Thames Valley Police has been patrolling Trelawney Avenue Parade of shops for some months due to local residents concerns of anti-social behaviour, petty crime and public nuisance and the general appearance of the area with regard to waste and litter, in particular, the quantity of empty cans and bottles. In addition, there are concerns regarding underage drinking and alcohol abuse/misuse with some residents and that reports of street drinkers has increased and generally supported by the quantity of alcohol related street litter around the area, particularly on the service road at the rear of the business premises.

There are two schools in close proximity and the Parade forms a meeting point for school age children/teenagers particularly in the morning on the way to school and again at midday for lunch and late afternoon and early evening. Visitors to the Langley Library, local church and Nursery also frequently utilise the range of businesses in the Parade.

There are two licensed premises in the parade supplying alcohol and there is great concern that in permitting the supply of alcohol from 6am will be detrimental to the local residents by increasing incidents of street drinking, anti-social behaviour, public nuisance and crime and disorder. In addition, by allowing the earlier supply of alcohol, there is the potential harm/risk to children when visiting the location during school time and at leisure in the late afternoon and evening, especially during the warmer and lighter months of the year.

A further concern is that by approving this variation, the other licensed premise will also submit an application for a variation in order to maintain their business/turnover.

As a result of the above, the Council have recently implemented a can marking scheme with one of the licensed premises in order that we and partner enforcement agencies can identify the source of the alcohol. The scheme is currently being operated at two premises in the borough since December 2011 and in this short duration has led to a significant reduction in street drinking and related litter. It requires the marking of specific brands on the base with a permanent UV 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.

In the event that the premise license variation is successful, 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.

Signed: ...

Dated:

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

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

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LICENSING SUB-COMMITTEE
26 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
	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

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

ercial.Letter. 200212

Charsley Harrison Limited Liability Partnership is incorporated in England & Wales under Number 0C340885. Registered Office is at Windsor House Victoria Street Windsor Berkshire SL4 1EN. Charsley Harrison LLP is authorised and regulated by the Solicitors Regulation Authority (SRA Number 509880). The word Partners refers to Members of Charsley Harrison LLP.

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

26 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



Licensing Act 2003

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
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	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
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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

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

**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

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.