

LICENSING SUB-COMMITTEE

15TH AUGUST 2017

LICENSING ACT 2003

Application for:	Grant of a new Premises Licence
Premises:	SMARTS SUPERMARKET, 6 Upton Lea Parade, Slough, SL2 5JU
Applicant:	Dilpreet Singh Arora
Reason for Referral:	Representations made

1. CURRENT POSITION

- 1.1 An application for a new Premises Licence has been made by Mr Dilpreet Singh Arora, for Smarts Supermarket, 6 Upton Lea Parade, Slough, SL2 5JU. A copy of the application is attached at **Appendix A**).
- 1.2 In summary, the application is for the following licensable activities at the following times:

**Supply of Alcohol for consumption OFF the premises only: –
Monday to Sunday: 08:00 – 23:00**

2. BACKGROUND INFORMATION

- 2.1 The application is for the grant of a new premises licence.

3. REPRESENTATIONS RECEIVED

- 3.1 One formal representation to the application has been received from the following:
 - Other Persons
- 3.2 Any person may make representations in relation to applications for the grant of a Premises Licence, so long as such representations relate to one or more of the licensing objectives and are not deemed to be frivolous or vexatious.
- 3.3 The representation details concerns under the Licensing Objectives as follows:
 - **The Prevention of Public Nuisance**

The area suffers from anti-social behaviour with groups congregating in the area consuming alcohol, resulting in urinating in the street and an accumulation of litter and that another off-licence in the area would only contribute to the problem.

- **The Protection of Children from Harm**

There is school near to the area.

The full representation is attached as **Appendix B**.

- 3.3 There have not been any representations made from any of the Responsible Authorities including the Police and Neighbourhood Enforcement Team or from any other persons.

4. RELEVANT GUIDANCE

- 4.1 The Sub-Committee must have regard to the amended Secretary of States guidance issued in April 2017 under Section 182 of the Licensing Act 2003 and in particular Chapters 9 (Determining applications) and 10 (Conditions attached to Premises Licences). Particular regard should be had to paragraphs 9.31 – 9.41 (Hearings) and 9.42 – 9.45 (Determining actions that are appropriate for the promotion of the licensing objectives).
- 4.2 The Sub-Committee must also have regard to the Council's Statement of Licensing Policy 2014-2019, including paragraph 4.27 (hours of sales in off licences).

5. DETERMINATION – OPTIONS AVAILABLE TO THE SUB-COMMITTEE

- 5.1 Following the hearing, having had regard to the representations made by the parties, the Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
1. Grant the application as it stands in which case it would be issued subject to the relevant mandatory conditions and conditions consistent with the applicant's operating schedule.
 2. Grant the application subject to the mandatory conditions and conditions consistent with the applicant's operating schedule, but modified to the extent the committee consider appropriate for the promotion of the licensing objectives. (Conditions are modified if any of them is altered or omitted or any new condition is added. Conditions must be reasonable, proportionate and appropriate in order to meet one or more of the licensing objectives).
 3. Exclude from the scope of the licence any of the licensable activities to which the application relates (for example excluding the sale of alcohol beyond a specified time).
 4. Refuse to specify a person in the licence as the Designated Premises Supervisor.
 5. Refuse the application.

APPENDICES

Appendix 'A' – Copy of Premise Licence application.

Appendix 'B' – Copy of representation.

Background papers

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 (April 2017)
- Regulations (cited as the Licensing Act 2003 ([Various]) Orders 2005
- Slough Borough Council Statement of Licensing Policy – January 2014

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