

Licensing Sub-Committee – Meeting held on Thursday, 29th February, 2024.

Present:- Councillors Khawar (Chair), Mohammad and Stedmond

Officers Present:- Mrs Kauser (Democratic Services), Ms Patel (Legal Services) and Ms Rumney (Licensing)

Also present under Rule 30:- Councillors Dhillon, Iftakhar and Nazir

PART 1

17. Declarations of Interest

None received.

18. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

19. Minutes of the Last Meeting held on 19th December 2023

Resolved – That the minutes of the meeting held on 19th December 2023 be approved as a correct record.

20. Premises Licence Application - Granville Stores, Granville Avenue, Slough.

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

Presentation by the Licensing Officer

Ms Rumney, Licensing Officer introduced the report stating that an application for the sale of alcohol off premises had been submitted, Monday to Sunday 8am to 10pm.

Following consultation, 18 representations were received, objecting to the licence being granted. Objections related to the premises location in a residential area and that there was a risk that the granting of the licence would increase anti-social behaviour, as it would attract more people to the area. A representation from a responsible authority, namely the Resilience and Enforcement Team, was also received and objected to the licence being granted and provided information about problems within the area.

It was confirmed there was no objection to the application by Thames Valley Police (TVP) to the grant of the licence. No agreed conditions were presented to the Sub-Committee.

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Representations by the Applicant

Mr Donne, on behalf of the Applicant presented details of why a premises licence should be granted. It was confirmed that the Applicant had over ten years' experience working as a Designated Premises Supervisor. The premises was an existing convenience store with class E, retail planning use.

It was presented the conditions suggested, as set out in the report would be adequate to address any issues, and the premises would be managed in a responsible manner.

Mr Donne specifically addressed the issues raised by residents, as submitted in their written representations, as follows-

- Noise pollution – not anticipate queues of customers for this to be an issue.
- Off licences would result in people shouting and fighting outside – the store offered a range of commodities and there are already three licenced premises in the area, with no such issues.
- Care home nearby – it was noted that although there were older residents living nearby, there was not a care home in the vicinity of the premises.
- Increase in intoxicated people – a Sainsburys or Tesco in an area does not face this.
- Burglary's in the area –no evidence submitted to provide that there was a correlation to alcohol

It was submitted that should there be any issues relating to the premises and it was found to increase such behaviours then a review could be undertaken at any time and that no objections had been received from TVP.

Responding to a Member question, it was confirmed that all staff members had received appropriate training and refresher training would be undertaken at regular intervals.

Representations by Responsible Authority – Resilience and Enforcement Team

Ms Zaman informed the Sub-Committee that representations to the application were made in relation to the licensing objectives regarding prevention of crime and disorder and public nuisance. There was a nearby car park in the recreation park, where there had been reported incidents of drug taking and dealing. She further stated there was nuisance with littering and fly tipping in the area and public and noise nuisance which was all likely to increase if the licence was granted.

Questions to Resilience and Enforcement Team

When asked if the granting of the licence would increase the nuisances/ crime, Ms Zaman stated that it was difficult to be conclusive. The concern was

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that in other wards people congregated around 'off licences' and caused a nuisance.

Mr Donne asked Ms Zaman why she had not responded to emails, which she confirmed she had received, to enter a mediation process. Ms Zaman stated she was informed the licencing team would deal with the query. It was confirmed that referrals had not been made to TVP regarding incidents recorded by the Resilience and Enforcement Team and nor had there been an analysis or breakdown of the type of incidents the reports related to, as set out in the agenda. Over a six year period (2017 – 2024) the incidents linked to drugs were broken down to 1 or 2 incidents a year. It was accepted by Ms Zaman that she had no evidence to put before the Sub-Committee that showed the grant of a licence to the premises would actually increase Anti-Social Behaviour/ nuisances. Ms Zaman also did not have any conditions to put forward to address any issues that were foreseen.

Representations by Interested Parties.

Councillor Nazir addressed the Sub-Committee on behalf of Interested Parties who had submitted written representations objecting to the application.

Councillor Nazir submitted that the statistics from the resilience team were only about 50% of those recorded, and as the ward councillor he received many more emails of complaints. He confirmed that most of the issues were alcohol related and having been a councillor for the area for a number of years he could confirm the residents' concerns were real. Another alcohol licenced premises in his opinion would be detrimental to the area, as this was a highly deprived area and the residents' objections were very valid.

Closing remarks

In closing Ms Rumney reminded Members of the options available to them.

No further remarks were made by the Responsible Authority.

In summary, Mr Donne reiterated that TVP had not objected to the application and that the premises would be responsibly managed.

Decision

The Sub-Committee resolved to grant the application for a new premises licence, but with modified conditions imposed on the licence.

The Sub-Committee accepted that there was some issues in this area with nuisances, but did not find that the granting of the licence would make those issues worse. The Sub-Committee placed reliance on the lack of objection received from the police and the fact the owner was an experienced premises licence holder.

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The premises licence was **granted for the sale of alcohol OFF premises** with the following hours and conditions:

Hours open to the Public

Hours for licensable activities

Monday – Sunday 08.00 – 22.00

Conditions to be added to the licence

1. CCTV installation

- a) The premises shall install and maintain a comprehensive digital CCTV
- b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- e) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open.
- f) Viewing of recordings shall be made available immediately upon the request of Police or authorised Council officer throughout the entire 31-day period
- g) This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with a request in writing.
- h) Signage will be displayed stating that CCTV is in use.

2. INCIDENT REPORTS

- a) An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with any incident shall also be recorded. Where known, any offenders name shall also be recorded
- b) It must be completed within 24 hours of the incident and will record the following: all crimes reported to the venue
- c) any complaints received concerning crime and disorder
- d) any incidents of disorder
- e) any faults in the CCTV system
- f) any refusal of the sale of alcohol or another age restricted products
- g) any visit by a relevant authority or emergency service.
- h) this record shall be available for inspection by an Officer of Thames Valley Police or an authorised officer of Slough Borough Council upon request and shall be retained for one year.
- i) a weekly review of the incident register shall be carried out by the DPS.

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3. REFUSALS

All staff to be trained to record refusals of age restricted products in a refusals book or electronic register. The book/register shall contain:

- a) Details of the time and date the refusal was made
- b) The identity of the staff member refusing the sale Page 25
- c) Details of the alcohol the person attempted to purchase
- d) This book/register shall be available for inspection to an authorised officer of Slough Borough Council or Thames Valley Police.
- e) A weekly review of the refusals book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

4. STAFF TRAINING

- a) Staff shall receive training on:
 - b) The premises age verification policy
 - c) The law relating to sales of age restricted goods
 - d) The procedure for validating documents produced as proof of age
 - e) Proxy purchasing
 - f) Identifying intoxication
- g) Staff shall be trained in conflict management and refusals of sale
- h) Their training will be recorded, counter signed by the staff member and kept on record for a period of twelve months and will be available for inspection on request from a police constable or a proper officer from the Council.
- i) Refresher training for front of shop assistants will be provided every six months.
- j) All staff authorised to sell alcohol shall be trained in responsible alcohol retailing within 4 weeks for existing and new employees.
- k) All members of staff working in the shop will be trained in how to promote the four licensing objectives.

5. RECORDS PURCHASES ALCOHOL AND TOBACCO

The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Slough Borough Council or Thames Valley Police at any reasonable time, true copies of invoices, receipts or other records of transactions for all tobacco and alcohol products purchased in the preceding six months.

6. RISK ASSESSMENTS

There shall be risk assessments for Health and Safety in place and reviewed annually or sooner if required.

There shall be a current Fire Risk assessment in place and available for inspection by an authorised officer of Slough Borough Council or Thames Valley Police

7. NOISE PREVENTION

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses, and to leave the area quietly.

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8. CHALLENGE 25

A Challenge 25 proof of age scheme shall be operated at the premises on all restricted goods where the only acceptable forms of identification are recognised holographic photograph identification cards:

- a) driving licence
- b) passport
- c) National Identity Card
- d) proof of age card with the PASS Hologram.
- e) Staff shall be trained in the F.L.A.R.E. checklist to identify fraudulent cards.
- f) Staff training on checking proof of age procedures will be recorded and kept on file.
- g) Challenge 25 posters shall be displayed by the shelves that have age restricted products on display and by the cashier counter.

9. SALE OF ALCOHOL

No single cans or bottles of beer, larger or cider shall be sold at the premises. No spirit miniatures 5cl or under shall be sold at the premises.

21. Exclusion of the Press and Public

Resolved – That the press and public be excluded from the remainder of the meeting as the item to be considered contains exempt information relating to an individual as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended)

22. Private Hire Driver Conduct Hearing

The following is a summary of the agenda item discussed in Part II of the meeting.

The Chair explained the procedure for the hearing and confirmed all parties had received a copy of the paperwork.

The Licensing Officer introduced the report and outlined the reasons why the Appellant should not continue to hold a Private Hire Driver (PHD) licence. It was noted that false declarations were made on the application for the grant of a PHD licence both in October 2020 and the renewal application in 2024. Options available to the Sub-Committee were summarised.

The Appellant's legal representative outlined the circumstances relating to the completion of the application and renewal forms, highlighting that there were no convictions or complaints made against the Applicant.

Having considered all the written and oral evidence submitted, the Sub-Committee

Resolved - That the Appellant be considered a fit and proper person to continue holding a Private Hire Driver Licence.

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Chair

(Note: The Meeting opened at 10.30 am and closed at 2.10 pm)