
DACORUM BOROUGH COUNCIL

LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE

29 JANUARY 2013

Present –

MEMBERS:

Councillors Mrs Green (Chairman), Conway and G Sutton

OFFICERS:

B Lisgarten	Legal Governance Team Leader
S Taylor	Senior Assistant Licensing Officer
T Coston	Member Support Officer
P Duff	Member Support Officer

Other Persons Present:

Mr N Ubhi	Applicant
Mr S Sagoo	Applicant
Mr P Lloyd	Solicitor Representing Mr Ubhi and Mr Sagoo

The meeting began at 2.30 pm

1. INTRODUCTIONS

The Chairman introduced herself, the Councillors on the Sub-Committee and the officers present. The Chairman then asked the other persons present to introduce themselves.

2. MINUTES

The Minutes of the meeting held on 15 January 2013 were agreed by the Members present and then signed by the Chairman.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence.

4. DECLARATIONS OF INTERESTS

Councillor Conway declared that the supermarket was in her ward but she did not know either of the applicants.

5. APPLICATION FOR PREMISES LICENCE

The application was for:
Tring Supermarket
37 Christchurch Road
Tring
Hertfordshire
HP23 4EH

The Chairman informed the Sub-Committee that she was the Ward Councillor for Berkhamsted West, and that she had not visited the premises.

Councillor Sutton declared that he was Ward Councillor for Leverstock Green. He knew of the premises but had not visited them.

Councillor Conway declared that she was Ward Councillor for Tring West and Rural, and that she had visited the premises.

The Chairman asked the Members of the Sub-Committee if they had read the Agenda and all additional documents. Councillors Conway and Sutton confirmed they had read the documents at hand.

The Chairman asked whether all legal obligations had been complied with.

S Taylor confirmed that they had.

The Chairman asked if anybody wished to ask any questions of officers.

There were no questions.

The Chairman invited Mr Lloyd to make representations on behalf of the applicants.

Mr Lloyd made a statement, the main points of which are detailed:

- Mr N Ubhi would be the Designated Premises Supervisor and had held a Personal Licence since his Justices Licence Off Licence was converted in 2005.
- The Ubhi family had been trading in a licensed convenience store in Milton Keynes for 25 years during which time all Licensing Regulations had been maintained and there were no recorded incidents of any infringements.
- The premises were being developed in conjunction with Londis who operated to very high standards.
- The staff training schemes were for all staff to enable them to trade within the confines of the regulations governing retail sales.
- Due Diligence Procedures would be in place before trading in alcohol;
 - Challenge 21 Policy with specified ID
 - 'No ID, No Sale' policy with specified ID
 - All staff to use 12 months refusal book to record all refusal of sales
 - Other relevant age prohibition signage
 - All staff to be trained in requirements of the 2003 Licensing Act
 - Till prompts will be installed
 - No sales to any person who was intoxicated
 - No sales to under 18s
 - Digital CCTV system compatible with the Hertfordshire Constabulary
 - CCTV images will be available to the Police and retained for 31 days
 - A staff member with knowledge of the CCTV system to always be available.
- Following concerns raised by objectors to the application the hours applied for had been reduced to 08.00 to 20.00.
- The applicants had offered to meet with all objectors to mediate but without success
- Other sales staff would take their Award for Personal Licence Holders course
- All sales staff would undertake the Londis course for non-Personal Licence Holders before being allowed to sell alcohol unsupervised

- The Government guidelines for representations against a Premises Licence were detailed.
- The objections as detailed in the report were referred to:
 - Objection Nos. 1, 2, 3, 6 and 7 – Need/public nuisance incidents. The reduction in hours and due diligence measures proposed should alleviate any concerns
 - Objection No. 4 was withdrawn following consultation with the applicants
 - Objection No. 5 and 6 – Residential area with limited parking/need//traffic noise – the development was designed for the local community and, with the earlier closure time, noise would be minimal
 - Objection No. 7 – public safety/increased traffic/traffic hazard/noise/abuse/minor crime – pure conjecture and offered without any evidence against the applicants or their premises.
- The Police and other responsible authorities had not made any representation or comment on the matters raised by the objectors
- This was a very positive strong application made by a licensee with a lot of experience and the sub-committee was asked to grant the licence on the terms requested.

The Chairman asked if there had been any complaints made in the past relating to this particular property.

S Taylor replied that there had been no recorded complaints.

Councillor Sutton said the application was a very thorough one made by two very professional people and asked what the staffing levels would be in the premises.

Mr Ubhi said there would always be two people on the premises. Local people would be employed and adequate training would be provided for all employees to ensure they worked within Licensing requirements.

Councillor Conway said she knew the area well and asked if the premises would have alarms as well as CCTV.

Mr Ubhi said having an alarm system was a mandatory requirement and it would be linked to a monitoring service. The store was being developed resulting in a lot more stock. There would be increased security on site.

The Chairman said, bearing in mind the applicants had bent over backwards to address the objectors concerns by reducing the hours and that the a request made by the Police Authority regarding CCTV and the availability of the CCTV images for 31 days had been complied with, she felt the applicants had done all they could to help progress the application.

The sub-committee was asked if they felt they could grant the application, bearing in mind the reduction in hours and the compliance with Police requests.

Agreed:

That the Licensing of Alcohol and Gambling Sub-Committee, having had regard to the guidance issued under Section 182 of the Licensing Act 2003, Dacorum Borough Council's own Licensing Policy and the four Licensing Objectives of the Licensing Act 2003, and having taken into account all oral and written representations, and for the reasons indicated above, unanimously agreed to grant the premises licence for Tring Supermarket, 37 Christchurch Road, Tring HP23 4EH, subject to the amendment to the hours for sale of

alcohol proposed by the applicants, and inclusion of the additional conditions agreed between the applicants and the Police, as set out below

Hours Premises open to the public

Day	Proposed Hours
Monday	06.00 – 20.00
Tuesday	06.00 – 20.00
Wednesday	06.00 – 20.00
Thursday	06.00 – 20.00
Friday	06.00 – 20.00
Saturday	07.00 – 20.00
Sunday	07.00 – 20.00

Supply of Alcohol – for consumption off the premises

Day	Proposed Hours
Monday	08.00 – 20.00
Tuesday	08.00 – 20.00
Wednesday	08.00 – 20.00
Thursday	08.00 – 20.00
Friday	08.00 – 20.00
Saturday	08.00 – 20.00
Sunday	10.00 – 20.00

General Statement of Licensing Objectives

1. The Licence Holder will undertake to maintain staff training and promotion of their Age Policy.
2. The Licence Holder will establish and maintain communication with the local authority and responsible bodies.

Public Safety

The Licence holder will ensure that the fire extinguishers will be located in accordance with British Standards.

The Prevention of Public Nuisance

The Licence holder shall display notices both inside and outside the premises to request that no purchased alcohol is consumed either on or in the vicinity of the premises.

Additional conditions agreed between the applicants and Police

The Prevention of Crime and Disorder

3. The digital closed circuit television system shall be compatible with the requirements of Hertfordshire Constabulary. All entry and exit points will be covered to enable frontal identification of every person entering the premises in any light condition.
4. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer throughout the preceding 31 day period.
5. A staff member from the premises who is knowledgeable with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised officer recent data or footage with absolute minimum delay when requested.

The Prevention of Public Nuisance

6. People who appear intoxicated or who are known to cause anti-social behaviour when under the influence of alcohol will not be served and will be asked to leave the premises quietly. An entry will be made in the refusals book of any refusals of this nature.

The Protection of Children from Harm

7. The licence holder will adhere to the Challenge 21 protocol, seeking identification from everyone who appears to be under 21, to prove they are 18 years of age, prior to the sale of alcohol.
Convincing evidence is:
 - A passport with photograph
 - A photo driving licence
 - A proof of age card with the holders photograph complying with the PASS approved identification scheme and bearing the PASS hologram.
8. A refusal book is to be maintained and staff are required to complete it when sales are refused to persons under the age of 18 years, or to those who fail to provide sufficient evidence of their age.
The refusals book must be regularly checked, signed and dated by the Designated Premises Supervisor and made available to any visiting enforcement officer on request.
9. In addition to any other training all staff are to be trained to maintain the refusals book and monitored to ensure their training is put into practice. A written record is to be kept of all staff training.
10. The Licence holder shall ensure that all electronic tills automatically prompt the seller to check the age of the buyer when alcohol products are entered to sale into the till.
11. Every effort will be made to prevent the sale of alcohol to those purchasing alcohol on behalf of persons under the age of 18 years.

The meeting finished at 2.50 pm.