

Agenda Item No: 5

SUBJECT:	APPLICATION FOR A NEW PREMISES LICENCE at: Ask Food & Wine, 7 - 9 Kingsbury Square, Aylesbury, Buckinghamshire, HP20 2JA
REPORT OF:	Application under section 17, Licensing Act 2003
Responsible Officer	Kerryann Ashton - Licensing Officer
Report Author	Kerryann - Licensing Officer
Ward/s Affected	Aylesbury North

1. Purpose of Report

To provide Members with information enabling the determination of an application for a new Premises Licence, in respect of which relevant representations have been received.

The Application has been submitted by Personal Licence Courses UK Limited on behalf of their client Balasuntharam Subeegaran in respect of Ask Food & Wine, 7 - 9 Kingsbury, Buckinghamshire, HP20 2JA(the premises).

2. Background

- 2.1 The premises comprises of a commercial shop in a town centre location in a mixed commercial area.

A location plan showing the premises location is attached to this report marked **"Appendix 1"**.

3. The Application

3.1 This application is for a new Premises Licence to commence with immediate effect upon the decision to grant by this licensing authority. A copy of the application is attached to this report marked **Appendix 2**. A plan of the premises is attached as **Appendix 3**

3.2 The licensable activities sought are as follows:

<u>Proposed activity</u>	<u>Proposed hours</u>
<i>Sale of Alcohol (off the premises)</i>	Monday to Saturday 0800 - 2300 Sunday 0800 - 2230 Non standard trimmings 08:00-00:00 (Christmas Eve) 08:00-01:00 (New Year's Eve)
<i>Hours premises are open to the public</i>	Monday to Saturday 0800 - 2300 Sunday 0800 - 2230 08:00-00:00 (Christmas Eve) 08:00-01:00 (New Years Eve)

4. Relevant Representations

4.1 Responsible Authorities:

- 4.1.1 **The Chief Officer of Police:** Representation received. A copy of the representation is attached as Appendix 4.
- 4.1.2 **The Licensing Authority:** Representation received. A copy of the representation is attached as Appendix 5.
- 4.1.3 **The Fire and Rescue Authority:** *No objection*
- 4.1.4 **The Local Planning Authority (Head of Sustainable Development):** No response received - *no comment*
- 4.1.5 **The Local Environmental Health Authority (Head of Environmental Health):** *No objection*
- 4.1.6 **Weights and Measures Authority (Trading Standards Officer):** *No response received - no comment*

4.1.7 **The Safeguarding and Child Protection Unit:** No response received - *no comment*

4.1.8 **The Primary Care Trust:** *No response received - no comment*

4.1.9 No responses were received from any other Responsible Authority.

4.2 **Any other persons:** Twelve (12) objections were received from other parties during the 28 day consultation period copies of the representations are attached to the report marked Appendix 6.

4.3 *No letters of support were received.*

5. **Licensing Officer's Observations:**

5.1 The Relevant Representations received mainly raise the following issues:

- *The prevention of public nuisance*
- The prevention of crime and disorder

5.2 In addition to the Mandatory Conditions, the Licensing Sub-Committee should consider those conditions offered in the applicants operating schedule (Appendix 2 Section 18) and decide whether they are appropriate for the promotion of the licensing objectives and address any valid representations made by Interested Parties.

6. **Policy Considerations**

6.1 Regard must be had to the Council's adopted Statement of Licensing Policy (last published November 2015) when determining this application.

6.2

6.3 Regard must also be had to the new Buckinghamshire Council Statement of Licensing Policy recently approved by the Council, which will shortly replace the Aylesbury Vale area policy.

The Council's licensing policy (last published in 2015 Aylesbury Vale Area) recognises the importance of respecting residents' right to peace and quiet (paragraph 4.3) and will apply a stricter approach to licensing hours in areas of higher residential density (paragraph 4.4.). The policy goes on to state, "In the case of individual shops which are known to be a focus of disorder and disturbance then, subject to representations from, for example, the police or other persons, a limitation on licensing hours may be appropriate.

Para 4.7 states that "Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

The premises is located within the Aylesbury Town Centre Special Saturation Policy Area as set out in the Council's Statement of Licensing Policy last published in 2015, pages 17 to 24. The policy states that "If there is evidence that an off-licence is contributing or may in the future contribute to harm to the licensing objectives in the night time economy, it will be considered High Risk Premises within this Policy.

The premises is also located within the area of the Aylesbury town centre PublicSpace Protection Order ("PSPO") It should be noted that the Council's concerns and expectations in relation to licensed premises operating in areas where PSPOs have been introduced has been highlighted very recently through consultation and adoption of the new licensing policy for Buckinghamshire Council expected to be published and implemented in February 2022.

Par 8.7 states The Licensing Authority will expect individual applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.

8.8 Applicants should make themselves aware of the Council's Statement of Licensing Policy and in particular the issues that will need to be addressed in formulating the Operating Schedule.

8.9 Applicants are also expected to demonstrate in their operating schedule that they have researched and understand the local environment and the risks to the licensing objectives which their operation may pose, as well as local initiatives such as crime reduction or taxi-marshalling schemes. The proposals in the operative schedule should not be standardised but should respond specifically to the sensitivities which have been identified. Applicants will be assisted by speaking to responsible authorities, and in particular police and Environmental Health, when preparing their Operating Schedule. If they do not, it is more likely that representations will be made, leading to hearings and the expenditure of time and costs which could otherwise have been avoided

- 6.4 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended.

Of particular relevance are para 2.32 Offences relating to the sale and supply of alcohol to children. Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be

aware of the warnings each of them has given.

Section 9 which refers to determining applications. 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business

Paragraphs 10.8 - 10.9 of the statutory guidance which relate to imposing conditions are also relevant and should be considered as part of determining this application. And paragraphs 10.13 and 10.15 relating to hours of trading:

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their

local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

7. Links to Council Policy Objectives

- 7.1 The Authority regards existing and future environmental qualities and character of the District to be important when consideration is given to granting licences for any purpose. When considering licensing applications where relevant representations have been made, the Authority will consider its effect on the licensing objectives and in particular the effect the licence will have on the public nuisance objective. Panel Report

8. Resources, Risk and Other Implications

- 8.1 **Resource:** The only resource implications to date has been officer time. If the applicant or persons making relevant representations appeals against the decision of the Licensing Sub - Committee, however, this would result in legal fees to defend the appeal and further costs. In the event of a successful appeal the Council may also have to pay the applicant/other party's costs.

8.2 Human Rights

The Panel should consider its responsibilities under the Human Rights Act when considering the fair balance between the interests of the applicant and the rights of local residents.

Any decision taken must be appropriate and proportionate to the objective being pursued. In particular the following should be taken onto consideration:

Article 6 - the right to a fair hearing

Article 8 - respect for private and family life

Article 1, First Protocol - peaceful enjoyment of possessions (which can include the possession of a licence)

- 8.3 Interference with these rights is acceptable within the terms of the Human Rights Act 1998 if it safeguards the rights of others, is legitimate, proportionate and balanced in that there is a need to find a fair balance between the protection of individual rights and the interests of the community at large - other than rights under Article 6 and 14 which are absolute rights and can not be interfered with.

- 8.4 Therefore if Members refuse to grant the application for a new Premises Licence in whole or part or grant it subject to conditions, this will be a breach of the rights of the Applicant unless such refusal (in full or part) is, and/or the conditions imposed are, appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.
- 8.5 By taking into consideration all the material considerations relating to this application and balancing the interests/rights of all parties involved it is considered that the Licensing Sub-Committee's decision will be both proportionate and justified having had regard to the Human Rights Act 1998.
- 8.6 The Equality Act 2010, including the Council's Public Sector Equality Duty, must be taken into account when making decisions in relation to licensing applications.

9. Determination by the Licensing Sub-Committee

- 9.1 The Sub Committee is obliged to determine applications in the light of the above and any other material considerations with a view to promoting the four licensing objectives. Which are:
- The prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm

Regard must also be had to the Council's Statement of Licensing Policy, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received and the evidence presented at the Hearing.

- 9.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.
- 9.3 The Sub-Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.

9.4 The following options are available to the Licensing Sub Committee:

9.4.1 Grant the Premises Licence - subject to any conditions which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant mandatory conditions.

On a “without prejudice” basis, a draft list of **proposed Conditions** is attached to this Report marked “The Schedule”.

9.4.2 Exclude from the scope of the Premises Licence granted under Para 9.4.1 above any of the licensable activities to which the application relates.

9.4.3 Refuse to specify a person in the Premises Licence granted under Para 9.4.1 as the premises supervisor.

9.4.4 Reject the whole of the Application.

9.4.5 Grant the Premises Licence subject to different conditions for different parts of the premises or the different /reduced licensable activities if this is considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).

9.5 The Sub-Committee is asked to note that it may not reject the whole or part of the application or attach conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the 4 licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committees decision.

THE SCHEDULE

The Mandatory Conditions

For the purposes of this schedule;

"the Act" means the Licensing Act 2003;

"Anti-Social Behaviour" has the meaning given in section 36 of the Anti-social Behaviour Act 2003;

"Disability" has the meaning given in section 1 of the Disability Discrimination Act 1995;

"Relevant Premises" has the meaning given in paragraphs (a) and (b) of the definition in section 159 of the Act;

"Responsible Person" has the meaning given in paragraphs (a) and (b) of the definition in section 153(4) of the Act (the relevant parts of which are attached to this licence)

Mandatory Condition - s19 of the Licensing Act 2003

No supply of alcohol may be made under the premises licence:

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made authorised by a person who holds a personal licence

**MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2003
(MANDATORY LICENSING CONDITIONS) ORDER 2010 AS AMENDED BY THE
LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT)
ORDER 2014:**

Mandatory Condition 1

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

Mandatory Condition 2

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Mandatory Condition 3

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
- (3) 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 either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature

Mandatory Condition 4

The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2013 (MANDATORY CONDITIONS) ORDER 2014:

Mandatory Condition 5

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price
2. For the purposes of the condition set out in paragraph 1—
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny
- 4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory Condition - s21 of the Licensing Act 2003 - Door Supervision

Where a condition of this licence requires one or more individuals to be present to carry out a security activity (as defined by the Private Security Industry Act 2001 as amended from time to time) must be licensed with the Security Industry Authority.

Proposed conditions (see application form Appendix 2)

General

- a) Strict implementation of challenge 25 policy
- b) Staff engaged in the service of customers at the premises shall be trained in the promotion of the licensing objectives as are commensurate with their duties. This shall include training on awareness of local alcohol related issues, including sessions at least once per month at which staff shall exchange information and experiences on any such issues that may have arisen.
- c) The training shall be recorded in a training record which shall not be removed from the premises, except in case of emergency or for the purposes of copying, until a period of 12 months has expired since the last entry that has been recorded. The training record shall be made available to Police and authorised council officers on request.

The prevention of crime and disorder

- a) A closed circuit television system shall be maintained in all internal areas of the premises where alcohol is kept for selection and purchase by the public as well as all public entrances and exits.
- b) The system shall be capable of recording images of sufficient quality to enable facial recognition and shall record continuously with a date and time stamp applied to the recording to show when the recording was

made. All recordings shall be retained for a period of no less than 31 days from the date of recording and the system shall be capable of producing copies of the recordings in a format that can be viewed on domestic-grade reproduction equipment of a computer.

- c) A staff member from the premises who is trained and conversant 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 council officer recent data or footage with the minimum of delay when requested, subject to the tests contained within the Data Protection Act.
- d) There shall be signs displayed in the customer area to advise that CCTV is in operation.
- e) All goods, including those subject to duty payments i.e. alcohol and tobacco products will be brought from cash and carry only an invoices and they will be available upon request. All alcohol will be purchased from AWRS registered cash & carry or wholesalers.

Public safety

- a) Installation of appropriate safety equipment
- b) Fire exit signs displayed
- c) To comply with all current, fire, health and safety laws
- d) CCTV working at all times

The prevention of public nuisance

- a) A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly
- b) Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV.

The protection of children from harm

- a) A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signsto this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
- b) The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age cardbearing the PASS hologram.
- c) An incident/refusal log shall be kept at the premises, and made available for inspection on request by an authorised officer of the council and the police whichwill record the following; a) All crimes reported at the venue b) Any

complaints received, any faults in the CCTV system c) Any refusal of the sale of alcohol, any visit by a relevant authority d) CAD reference number where police are called

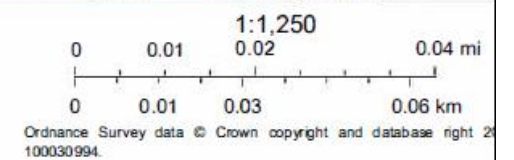
Informative/s -

Officer Contact:	Kerryann Ashton 01296 585 560 kerryann.ashton@buckinghamshire.gov.uk
Background Papers:	PR202112-263615 Licensing Act 2003, as amended Licensing Policy - Aylesbury Vale Area Published November 2015. Licensing policy Buckinghamshire Council to be implemented early 2022 Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.

Ask Food & Wine, 7-9 Kingsbury, Aylesbury, HP20 2JA



1/11/2022, 5:07:02 PM





Buckinghamshire
Application for a premises licence
Licensing Act 2003

APPENDIX 2

For help
contact

licensing.av@buckinghamshire.gov.uk

Telephone: 01296 585605

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

*First name

BALASUNTHARAM

*Family name

SUBEEGARAN

*E-mail

info@personallicencecourses.com

Main telephone number

07947820901

Include country code.

Other telephone number



☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure.

Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

*Building number or name	178
*Street	CRAWLEYGREENROAD
District	
*City or town	LUTON
County or administrative area	
*Postcode	LU20SH
*Country	United Kingdom

Agent Details

*First name	SURENDRA
*Family name	PANCHAL
*E-mail	s.panchal@personallicensecourses.co.uk
Main telephone number	07952990536
Other telephone number	02086060558

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☐ An agent that is a business or organisation, including a sole trader
- ☒ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

*Building number or name	PERSONALLICENCECOURSESUKLTD
*Street	145,STATIONROAD
District	
*City or town	WEST DRAYTON
County or administrative area	
*Postcode	UB7 7ND
*Country	United Kingdom

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PREMISES DETAILS

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OSmap reference or description of the premises?

☒ Address ☐ OSmap reference ☐ Description

Postal Address Of Premises

Building number or name	ASKFOOD & WINE
Street	7-9, KINGSBURYSQUARE
District	
City or town	AYLESBURY
County or administrative area	
Postcode	HP20 2JA
Country	United Kingdom

Further Details

Telephone number	07947820901
Non-domestic rateable value of premises (£)	29,000

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="178"/>
Street	<input type="text" value="CRAWLEYGREENROAD"/>
District	<input type="text"/>
City or town	<input type="text" value="LUTON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="LU20SH"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="info@personalllicencecourses.com"/>						
Telephone number	<input type="text" value="07947820901"/>						
Other telephone number	<input type="text"/>						
* Date of birth	<table><tr><td><input type="text" value="dd"/></td><td><input type="text" value="mm"/></td><td><input type="text" value="yyyy"/></td></tr><tr><td>dd</td><td>mm</td><td>yyyy</td></tr></table>	<input type="text" value="dd"/>	<input type="text" value="mm"/>	<input type="text" value="yyyy"/>	dd	mm	yyyy
<input type="text" value="dd"/>	<input type="text" value="mm"/>	<input type="text" value="yyyy"/>					
dd	mm	yyyy					
* Nationality	<input type="text" value=""/>						
Right to work share code	<input type="text"/>						

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

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OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Provide a general description of the premises

Continued from previous page...

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.

OFF LICENCE & CONVENIENCE STORE

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

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.

Continued from previous page...

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 22:30

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

08:00-00:00 (CHRISTMASEVE)

08:00-01:00 (NEW YEAR'S EVE)

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

BALASUNTHARAM

Family name

SUBEEGARAN

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="178"/>
Street	<input type="text" value="CRAWLEYGREENROAD"/>
District	<input type="text"/>
City or town	<input type="text" value="LUTON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="LU20SH"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value=""/>
Issuing licensing authority (if known)	<input type="text" value="LUTONBOROUGH COUNCIL"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

NONE

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 08:00

End 23:00

Start

End

WEDNESDAY

Start 08:00

End 23:00

Start

End

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 22:30

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

08:00-00:00 (CHRISTMASEVE)

08:00-01:00 (NEW YEAR'S EVE)

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 31 days recording system
3. All staff to be trained in responsible alcohol retailing
4. Training manual will be available at the premises

b) The prevention of crime and disorder

1. A CCTV system shall be installed at the premises. The CCTV system shall be maintained in working condition and record the premises 24 hours every day. Recordings to be retained for a minimum of 31 days and be made available to the Police or officers of the Council upon request and be of evidential quality.
2. The equipment MUST have a suitable export method i.e. CD/DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is non standard (i.e. manufacturers proprietary), then the licence holder shall within 14 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer. Copies MUST be made available to the police and officers of the Council upon request.
3. Staff working at the premises will be trained in the use of the equipment and a log will be kept to verify this.
4. Cameras on the entrances must capture full frame shots of the heads and shoulders of ALL people entering the premises, i.e. capable of identification.
5. There shall be signs displayed in the customer area to advise that CCTV is in operation.
6. Should the CCTV become non-functional this will be reported immediately to the Licensing Authority
7. All goods, including those subject to duty payments i.e. alcohol and tobacco products will be brought from cash and carries only on invoices and they will be available upon request. All alcohol will be purchased from AWRs registered cash & carry or wholesalers.
8. No alcoholic drinks or tobacco will be purchased by the premises from unannounced sellers calling at the premises
9. All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

c) Public safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times

d) The prevention of public nuisance

1. A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters

Continued from previous page...

displayed where alcohol is sold.

2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.

3. An incident/refusal log shall be kept at the premises, and made available for inspection on request by an authorised officer of the council and the police which will record the following;

- a) All crimes reported at the venue
- b) Any complaints received, any faults in the CCTV system
- c) Any refusal of the sale of alcohol, any visit by a relevant authority
- d) CAD reference number where police are called

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - NoRV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000-14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

Continued from previous page...

Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

* I/we understand 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.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/aylesbury-vale/apply-1> to upload this file and continue with your application.

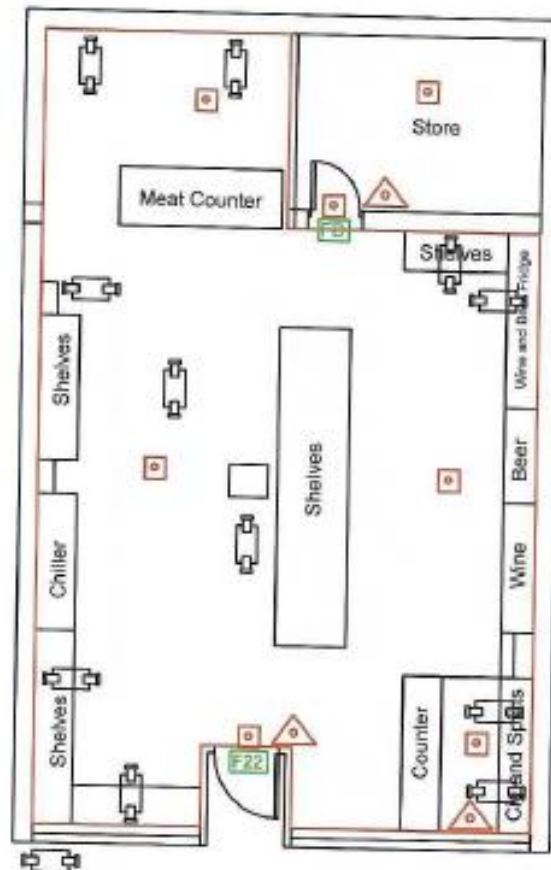
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION





IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

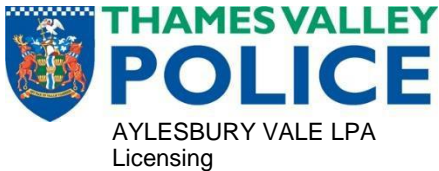
Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMSPayment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

PROPOSED LICENSING PLAN

Property Address:
7-9 Kingsbury Square
Aylesbury
HP20 2JA

Drawing no: P/HBS/299		Date: 17th Nov 2021
Key	Scale: 1:100	Paper: A4
	FIRE EXTINGUISHER	
	FIRE EXIT SIGNS	
	EMERGENCY LIGHTING	
	Fire Check Door	
	CCTV CAMERAS	
	Licensable Area	
CCTV RECORDING 31 DAYS		
SHUTTERS PROVIDED		
ALARM SYSTEM TO AQISPEC OR SIMILAR FITTED		

APPENDIX 4



Trevor Hooper

Licensing Officer,
Aylesbury, Chiltern & South Bucks.

Aylesbury Police Station
Walton Grove
Wendover Road, Aylesbury
BUCKS, HP12 7LA

Tel: 07977028340

Fax:

trevor.hooper@thamesvalley.pnn.police.uk

www.thamesvalley.police.uk

13th December 2021

Dear Mr Gallacher,

Application for a new premises licence.

Ask Food & Wine 7-9 Kingsbury, Aylesbury, Bucks.

We are today in receipt of a New application for a premise licence to be granted sales of alcohol to be consumed off the premises. The hours being asked for are listed below.

Monday to Saturday 0800 to 2300 inclusive and 0800 to 22.30 on Sundays.

Seasonal hours - 0800-0000 on Christmas Eve and 0800-0100 New Year's Eve & New Year's day.

Thames Valley Police understand that the application is unlikely be objected to in its entirety by the review panel. However, it is unfortunate that the applicant did not contact TVP prior to making the application so that we could have had the opportunity to discuss our concerns - specifically the hours of trading in relation to the siting of the premises.

Kingsbury square has been and still is the hot spot for police calls to service for Aylesbury Town Centre - figures supplied to the committee when undergoing this year's review of their Licensing Policy Statement support this.

Total licensed premises within the Square - 7 'On licences' and '2 Off licences'.

Late night Take-Away food outlets - 4 in number.

This location has high footfall, it is a corridor for people leaving the town.

Aylesbury does not have a late night bus service so those patrons wishing to leave the town by taxi will congregate in the town to wait for them. Often taking advantage of the Take Away provisions.

With regards to the 2 existing Off premises - The Yellow Parrot has been in the square for a considerable number of years. This premise itself has come to the notice of the police and local authority a number of times. The second Kingsbury News was refused a licence to operate after 2100hrs by the committee a number of years ago. After making an application for similar hours.

It is our view that Aylesbury Town Centre does not need another late night Off sales premises – in additional to the two in Kingsbury Square there are another 5 sited within the inner ring road. We also have large stores situated nearby.

Kingsbury Square is in the process of going through a consultation to inform a project to enhance its surroundings to make it more user friendly for families; this may include gardens, seating areas, new trees and shrubbery and a grassed area. As recently as 18 months ago the local authority town centre management and the police had the seating in Kingsbury removed as this was a huge cause of concern to local businesses as it was a congregation point for people to gather at night and weekends with drink and food and cause anti-social behaviour. Even some On licensed premises removed their outside seating to help in this matter.

It is understood that this application has been made by the applicant who as yet does not own the premises, he has made the application on the understanding that if it is granted then he will purchase the premises, they will not purchase the premises if the licence is not granted.

Thames Valley Police would object to the granting of a new licence for these premises on the basis that it would add to an already hot spot covered by many, On and Off licensed premises.

We object under the two licensing objectives.

1. Prevention of Crime and Disorder.

2. Prevention of Public Nuisance.

If the committee is persuaded to grant a licence for the premise then we would ask you to consider the hours being granted, we believe the hours granted to Kingsbury news are sufficient for a premise in this location we would also ask that the two extensions into Christmas Eve and New years Eve not be granted. Any hours to be granted after 2100hrs should be supported with conditions to help promote the four licensing objectives, although the applicant has provided some we would ask for additional conditions to be considered by the committee.

Door staff to be employed at weekends after a 9pm so the premise can police itself like the on licensed premises.

Sales of high volume type drinks to be excluded.

Sales of drinks to be restricted to a minimum ie not single can sales (minimum of 4)

No drink to be sold in glass wear.

All drink to leave the premises in bags displaying the premise name.

Any drink to bear a price tag with the premise name.

With regards to the CCTV system as mentioned within the applicants application within the Prevention of Crime and disorder para 6. If the CCTV system does not work for any reason then all sales of alcohol cease.

T I Hooper

Licensing Officer.



Directorate for Communities Neighbourhood Services

Licensing Team

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4 January 2022

Ref: LARep_AskFood&Wine_HP202JA

Dear Sir/Madam

Licensing 2003

Licensing Authority Representation

Ask Food & Wine, 7-9 Kingsbury, Aylesbury HP20 2JA

I am submitting a representation on behalf of the Licensing Authority in respect of this application for a new premises licence. In drafting this representation, careful consideration has been given to the promotion of the four licensing objectives, the Council's Statement of Licensing Policy for the Aylesbury Vale Area of Buckinghamshire and the Secretary of State Section 182 Guidance. Consideration has also been given to the new Buckinghamshire Council Statement of Licensing Policy recently approved by the Council, which will shortly replace the Aylesbury Vale area policy.

The application is for a new licence to allow the sale of alcohol for consumption on the premises only between the hours of 8:00 and 23:00, Mondays to Saturdays, between 8:00 and 22:30 on Sundays. Additional extended hours are sought on Christmas Eve and New Year's Eve until 00:00 and 01:00 respectively.

The applicant has proposed a number of measures in their operating schedule to address the promotion of the licensing objectives. Unfortunately, I do not believe that these matters are sufficient to adequately promote the licensing objectives.

In accordance with Secretary of State statutory guidance (Section 182 Guidance), paragraph 8.41, "In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. ...applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application." The guidance goes on to explain that applicants are expected to demonstrate that they understand the local area in which they intend to operate, the risks their proposed activities pose to the local area, and any local initiatives.

It is noted that the application describes the premises as an "off licence and convenience store" and a significant element of the trading area shown on the premises plan is dedicated to alcohol products, with almost the entire right-side wall assigned for the storage and display of alcohol. Based on the information supplied it would appear that the sale of alcohol is intended to be a significant part of the business.

While it is not referenced in the application, this premises is located within the area of the Aylesbury town centre Public Space Protection Order (“PSPO”). This order was adopted as a means of tackling anti-social behaviour associated with street drinking in the town centre. In recent years the Council has worked closely with Thames Valley Police and local businesses to tackle problems associated with street drinking and measures include robust enforcement of the PSPO, targeted premises licence inspections and enforcement activity and the imposition of additional conditions on the premises licences of off-licences in Kingsbury. These measures appear to be having a positive impact to reduce anti-social behaviour in this area and the Council’s community safety team have recently confirmed that street drinking in this area is less prevalent. It should also be noted that the Council’s concerns and expectations in relation to licensed premises operating in areas where PSPOs have been introduced has been highlighted very recently through consultation and adoption of the new licensing policy for Buckinghamshire Council expected to be published and implemented in February 2022.

It is important that safeguards remain in place to ensure the licensing objectives are not adversely affected by antisocial behaviour related to street drinking in this area. These safeguards include robust operating schedules, with appropriate conditions and licensed hours. I am concerned that the availability of alcohol at the applicant’s premises will be attractive to those associated with the anti-social behaviour referenced above. Unfortunately, the applicant has failed to acknowledge or address this issue in their application.

The premises is located near to a number of late licensed pubs, bars and nightclubs within Aylesbury Town Centre. I also have concerns that the location of these premises, and the proposed hours of operation, will be attractive to those persons visiting Aylesbury in the evening, who will take advantage of the availability of lower priced alcohol to engage in “pre-loading” alcohol prior to attending one of the late licensed venues. The phenomenon of pre-loading alcohol presents additional risk to the licensing objectives, leading to an increase in crime and disorder and public nuisance both on the street and at the existing licensed premises. Again the applicant has failed to acknowledge or address this issue in their application.

The applicant has offered no evidence to demonstrate an understanding of the potential impact of their proposal on the local area or consideration of the licensing policy. The proposals included with the application do not address concerns associated with the current street drinking situation or the perceived increase in street drinking associated with “pre-loading”. The licensing policy provides not only general guidance and advice but also suggested conditions that may help address the Licensing Authorities concerns, however this guidance and advice does not appear to have been considered by the applicant.

It is recommended that should the Licensing Sub-Committee be minded to grant this application then careful consideration needs to be given to the proposed hours of operation and conditions attached to the licence. In terms of conditions, the following additional measures are suggested which are similar to those imposed on existing off-licences operating in Kingsbury:

- No single cans or bottles of beer or cider will be sold.
- No high strength beer or cider products with 7.5% ABV or higher will be sold.
- Alcohol shall not be sold to any person who is reasonably expected to consume it on the street in the vicinity of the premises.
- Alcohol shall not be sold to customers in an open container.
- All alcohol sold from the premises will be marked in a way that can be used to identify that the alcohol has been purchased from the shop.
- Staff engaged in the service of customers at the premises shall be trained in the promotion of the licensing objectives as are relevant to their duties. This shall include training on awareness of local alcohol related issues. The training shall be recorded in a training record which shall not be removed from the premises, except in case of emergency or for the purposes of copying,

until a period of 12 months has expired since the last entry that has been recorded. The training record shall be made available to Police and authorised council officers on request.

- All staff to receive documented refresher training at least every 6 months in relation to the promotion of the licensing objectives. The documentation shall include the content of the training with details confirming the name of the trainer and names of the staff undertaking the training
- A log of refusals to sell alcohol shall be maintained at the premises and include a record of refusals of persons known to consume alcohol in breach of the local PSPO. The register shall be retained for inspection at the premises whilst it is open for licensable activities for a period of no less than 6 months from the date of the last entry in the register being made.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Gallacher', with a long horizontal stroke extending to the right.

Simon Gallacher
Principal Licensing Officer

