



Appendix 7  
**Directorate for Communities  
Neighbourhood Services**

**Licensing Team**

Buckinghamshire Council  
The Gateway  
Gatehouse Road  
Aylesbury  
HP19 8FF

licensing@buckinghamshire.gov.uk  
01296 585605  
www.buckinghamshire.gov.uk

Licensing Service  
Buckinghamshire Council  
The Gateway, Gatehouse Road  
Aylesbury  
Buckinghamshire  
HP19 8FF

3 March 2022

**Ref: Best One Express La Rep**

Dear Sir/Madam

**Licensing Act 2003 – Representation from the Licensing Authority  
Premises: Best One Express, 8 Bridge Street, High Wycombe HP11 2PT**

I am submitting this 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 and the Secretary of State Section 182 Guidance. I have also taken into account both the Council's Statement of Licensing Policy (Wycombe area) and the new recently adopted Statement of Licensing Policy for Buckinghamshire Council, effective from 7<sup>th</sup> March 2022.

The application is to permit the sale of alcohol, for consumption off the premises, between 09:00 and 00:00, Mondays to Sundays, with proposed opening hours of the same days and times.

The grounds for making this representation are as follows:

1. Council records show that the applicant, Harriram Raveendran, is currently the licence holder and designated premises supervisor in respect of an existing premises licence for the same premises, licence number 168/PREM (reference 21/01764/LAPRED), issued 21<sup>st</sup> December 2021. This existing licence permits the sale of alcohol, consumption off the premises, between the hours of 10:00 and 00:00, Mondays to Sundays, with opening hours of between 06:00 and 00:00, Mondays to Sundays. This licence is subject to more substantive and comprehensive conditions than proposed in the current application.
2. The existing licence was revoked by the former Wycombe District Council following a review application instigated by Thames Valley Police at a hearing on 16<sup>th</sup> January 2020. The former licence holder, and previous DPS, Mr Kanaganayagam Shanthakumar, appealed the revocation decision and the licence continues to remain in effect pending the outcome of that appeal, yet to be determined. Mr Shanthakumar consented to allow Mr Raveendran to transfer the premises licence to his name during this appeal period.

3. Mr Raveendran has confirmed to a Council officer in February 2022 that Mr Shanthakumar is both a friend and continues to be a part-time employee at these premises.
4. I have grave concerns about Mr Shanthakumar's involvement in this licensed business. Council records show that he has an extensive history of failing to promote the licence objectives, summarised below:
  - a. Whilst Mr Shanthakumar was licensee of these current premises in 2015, the licence was suspended by the former Wycombe District Council for the maximum period of three months. The suspension arose as a result of a review application instigated by council trading standards officers, who, in conjunction with HMRC officers, had seized a quantity non-duty paid alcohol. Mr Shanthakumar was warned at the time that any further review applications may result in the revocation of his licence.
  - b. Mr Shanthakumar received two warnings for failure to comply with requirements under Section 57 of the Licensing Act 2003 in 2015.
  - c. Mr Shanthakumar received a formal warning for failure to comply with licence conditions in 2016.
  - d. Whilst Mr Shanthakumar was licensee of the current premises in 2020, the licence was revoked by the former Wycombe District Council. The revocation was instigated by Thames Valley Police following breaches of the licence conditions on two separate occasions. The decision to revoke the licence is subject to appeal.
  - e. Following the revocation of the licence referred to in 'd', whilst Mr Shanthakumar continued to operate the business under the licence in accordance with the appeal provisions, when Council licensing officers visited in March 2021 they found further breaches of licence conditions had been committed.
  - f. Mr Shanthakumar was previously the licence holder at another local premises within High Wycombe, which was subject to two review applications. On the first occasion, in 2006, Thames Valley Police instigated a review after a 15 year old female was sold alcohol at the premises; Mr Shanthakumar was present at the time. The review resulted in additional conditions being applied to the licence. On the second occasion, in 2015, Trading Standards instigated the review after a large volume of non-duty paid alcohol and tobacco was found on the premises. On this occasion the licence was revoked.
5. Mr Shanthakumar's record indicates a pattern of behaviour of repeated offences and failure to comply with requirements under the Licensing Act. I have considered the applicant, Mr Raveendran's, intention to provide staff training and annual refresher training. With respect to Mr Shanthakumar, I am not confident that that proposal would achieve its objective. He has continued to demonstrate an unwillingness or inability to heed warnings, take advice and learn from previous failures to promote the licensing objectives.

I believe that my concerns in relation to Mr Shanthakumar could be addressed, should the Council's Licensing Sub-Committee be minded to grant the licence, if the licence were subject to a condition prohibiting Mr Shanthakumar's involvement in the business, paid or otherwise, and that he be prohibited from being on the premises when open for the provision of licensable activities. I would also request that Mr Raveendran provide

documentary evidence to demonstrate that he is the lawful proprietor of this business and by extension evidence that Mr Shanthankumar is not a controlling mind in the business.

More generally, I do have some concerns about the proposed conditions which appear mainly generic in nature. As mentioned, the conditions on the existing licence appear to be more extensive and comprehensive, and whilst in part that may be attributable to compliance matters related to previous licence holders, I believe they are also reflective of measures that have been deemed appropriate to this specific premises. The applicant does not appear to have provided any evidence within the application to indicate why they consider it appropriate to depart from the conditions of the existing licence. Again, if the Licensing Sub-Committee are minded to grant this application, I recommend that the licence be subject to the conditions already attached to the licence, as referenced in paragraph 1.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Gallacher', enclosed in a thin black rectangular border.

Simon Gallacher  
Principal Licensing Officer