

**APPLICATION FROM THAMES VALLEY
POLICE UNDER THE LICENSING ACT 2003
FOR A REVIEW OF A PREMISES LICENCE
RELATING TO BOOZE STOP AYLESBURY**

1. Details of review

Applicant(s): Supt Carole Haveron of Thames Valley Police

Premises: Booze Stop, 41 Buckingham Street, Aylesbury, Buckinghamshire,
HP20 2NQ

1.1 Application for a review of a premises licence

The application is for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. Attached as Appendix 1 is a copy of the completed application form. Also attached as Appendix 2 (Agenda item 4, Confidential) is a report detailing the evidence supporting the review of the premises licence.

The current permissions for these premises are set out in Appendix 3. A location plan of the premises is attached as Appendix 4 a plan of the premises will be made available at the Sub-Committee hearing.

The application for a review of the premises licence was served by Thames Valley Police on the Council and at the same time copies were served on the holder of the premises licence and each responsible authority.

The day following receipt of the application the Council advertised it by displaying a prominent notice outside the premises for at least 28 days.

3. NOTICE OF HEARING AND RESPONSES

Both parties were served Notices of Hearing on receipt of the application for a review along with the document, 'Licensing Act 2003 – The Procedure to be followed at Hearings'. The parties have therefore been notified of the consequences of failing to attend.

No further submissions have been received to date following service of the Notice of Hearing. Members will be notified of any further responses at the hearing.

4. GENERAL INFORMATION

The general information Members need to have regard to when determining applications made under the Licensing Act 2003 is set out in a separate

document which is attached to the Agenda under cover of which this report has been published.

5 ISSUES RAISED BY THE APPLICATION

Members must have regard to the application and any relevant representations and take such steps as set out below, as it considers necessary for the promotion of the licensing objectives.

1. to modify the conditions of the licence
2. to exclude a licensable activity from the scope of the licence
3. to remove the designated premises supervisor
4. to suspend the licence for a period not exceeding three months
5. to revoke the licence

For this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added. As far as steps 1 and 2 are concerned, Members can decide that the modification or exclusion have effect for a period of time not exceeding three months only. Members can of course decide that no action is necessary to promote the licensing objectives. Whatever Members decide, supporting reasons must be given. Members may also wish to note that there are rights of appeal to the Magistrates' Court arising from their decision and that it does not take effect until the end of the appeal period or, if the decision is appealed against, until the appeal is disposed of.

To assist Members and the parties further, The Licensing Services Manager will draw attention to any issues arising from this application at the hearing, particularly as they relate to the Statutory Guidance and the Council's Licensing Policy. In addition, the Council's duty under Section 17(1) of the Crime and Disorder Act 1998 will also need to be put in the balancing exercise. Section 17(1) provides that: "without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent, crime and disorder in its area."

Also under the Human Rights Act, Members also need to have regard to the rights currently enjoyed by the licence holder to trade as an off licence and carry on a business (Article 1 of the First Protocol). The licence holder should not be deprived of his livelihood via a decision of the Licensing Act Sub-committee unless it is necessary and proportionate to the licensing objectives being pursued. Members are therefore required to strike a fair and proportionate balance between the general interests of the community and the rights of an individual business.

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Supt Carole HAVERON

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

| | |
|---|--------------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description Booze Stop, 41 Buckingham Street, | |
| Post town Aylesbury | Post code (if known) HP20 2NQ |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) Manjit Singh Booze Stop (Trading as HSC Stores) 41 Buckingham Street, Aylesbury, Bucks. HP20 2NQ. |
|---|

| |
|---|
| Number of premises licence or club premises certificate (if known) 05/01555/LAPRE(PR0428) |
|---|

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

☐

b) a body representing persons living in the vicinity of the premises

☐

- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) X
- 3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**Please tick**

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname**First names****I am 18 years old or over****Please tick yes**☐**Current postal
address if
different from
premises
address****Post town****Post Code****Daytime contact telephone number****E-mail address
(optional)****(B) DETAILS OF OTHER APPLICANT****Name and address****Telephone number (if any)****E-mail address (optional)**

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PAGE

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address SUPT CAROLE HAVERON, Thames Valley Police, Aylesbury Police Station, Wendover Road, Aylesbury, HP21 7LA. |
| Telephone number (if any) 01296 396332 |
| E-mail address (optional) |

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-----|
| 1) the prevention of crime and disorder | XXX |
| 2) public safety | |
| 3) the prevention of public nuisance | |
| 4) the protection of children from harm | XXX |

Please state the ground(s) for review (please read guidance note 1)

Please see attached reports and evidence.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please see separate report, attached.

Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate x
- I understand that if I do not comply with the above requirements my application will be rejected x

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date

18/10/07

Capacity

LPA Commander, Aylesbury Vale

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Trevor Hooper,
Licensing Officer,
Aylesbury Police Station,
Wendover Road,

Aylesbury

HP21 7LA

Tel= 01296 396034

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

APPENDIX 3

Existing permitted hours and activities

The premises may sell alcohol for consumption off the premises during the following hours:

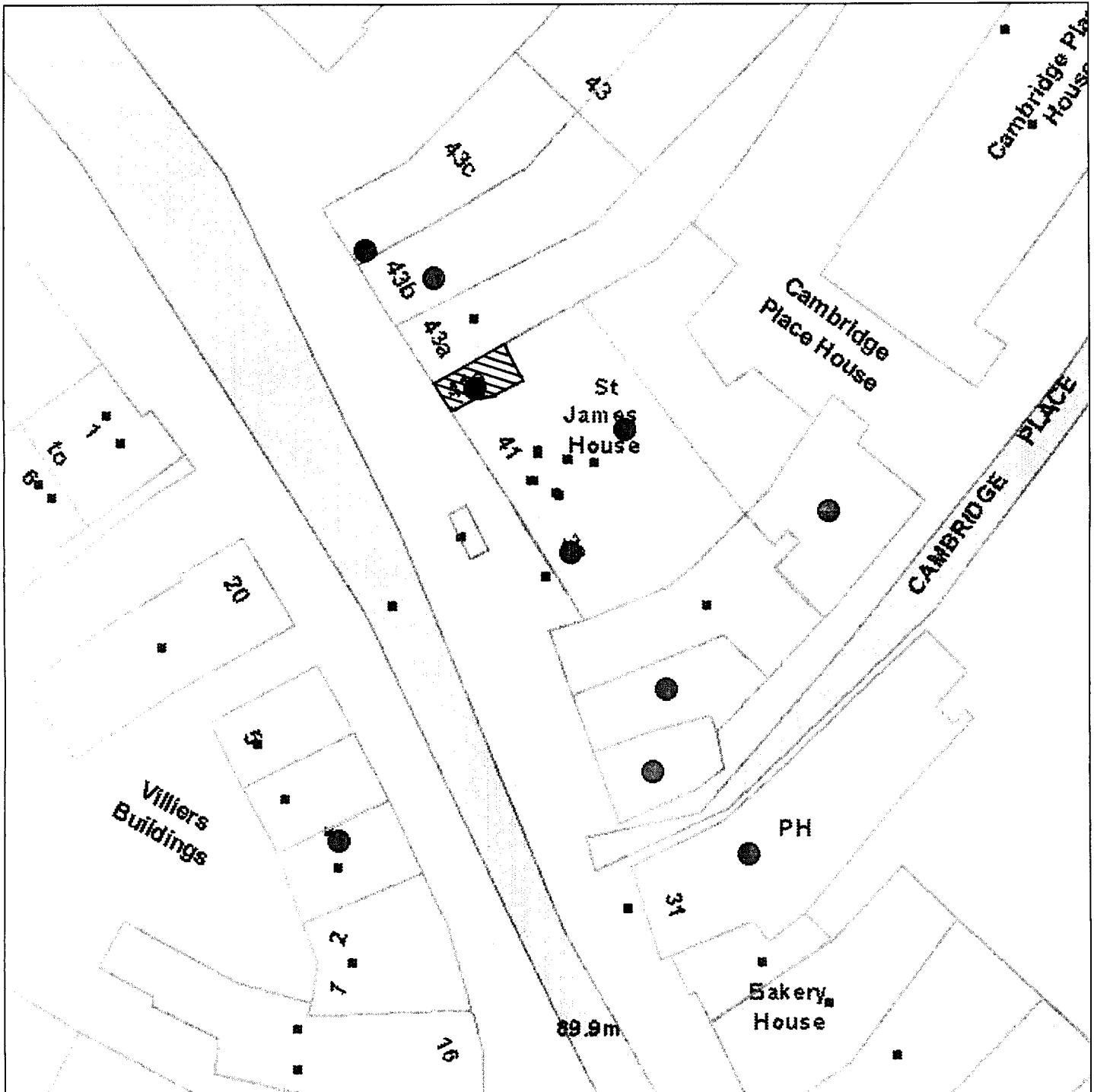
| | | |
|---------------------------|--------------------|---------------|
| Sale by Retail of Alcohol | Monday to Saturday | 08:00 - 23:00 |
| Sale by Retail of Alcohol | Sunday | 10:00 - 22:30 |

The opening hours of the premises

Not stated.

Booze Stop

41A Buckingham Street, Aylesbury HP20 2NQ



Scale : 1:420

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| Organisation | Aylesbury Vale District Council |
| Department | Licensing |
| Comments | PR0428 - 07/01450/LAPRE |
| Date | 05 November 2007 |