

**Licensing and Gambling Acts
Sub-Committee 5.11.14**

**REPORT ON APPLICATION FROM STOKROTKA
AYLESBURY, UNDER THE LICENSING ACT 2003 FOR A
PREMISES LICENCE TO BE GRANTED**

1. THE APPLICATION

Applicant(s): I & K Prestidge Food Ltd

Premises: Stokrotka, Unit 3 Rycote Court, Buckingham Street, Aylesbury, Buckinghamshire, HP20 2LR

1.1 New Application

The application is for a new Premises Licence under section 17 of the Act. The detail in respect to the hours and activities applied for are set out in the application form, attached as Appendix 1.

The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 1, Part P of application form).

In an effort to clarify the proposed permissions these are set out in Appendix 2. A plan of the premises is attached as Appendix 4 and a location plan is attached as Appendix 5.

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Thames Valley Police – No representation

Environmental Health – No representation

Licensing Authority - No representation

Bucks Fire and Rescue – No representation

Planning – No representation

Trading Standards – No comment

Area Child Protection Committee – No comment

Primary Health Care Trust – No comment

2.2 Other Parties

We received one representation during the consultation period from other parties. A copy of the representation is attached as Appendix 3.

3. NOTICE OF HEARING AND RESPONSES

All parties were served Notices of Hearing on receipt of the representation 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

The issues raised by the application are for the Sub-Committee to determine having regard to all the relevant considerations. Whatever, the Sub-Committee decides, it must give reasons.

To assist Members and the parties further, The Licensing Services Manager will draw attention to any issues arising from this application at the hearing.

Contact Officer	Peter Seal 01296 585083
Background Documents	None



Aylesbury Vale
Application for a premises licence
Licensing Act 2003

For help contact
licensing@aylesburyvale.gov.uk
 Telephone: 01296 585605

* required information

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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 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

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name If your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

Continued from previous page...

* Your position in the business

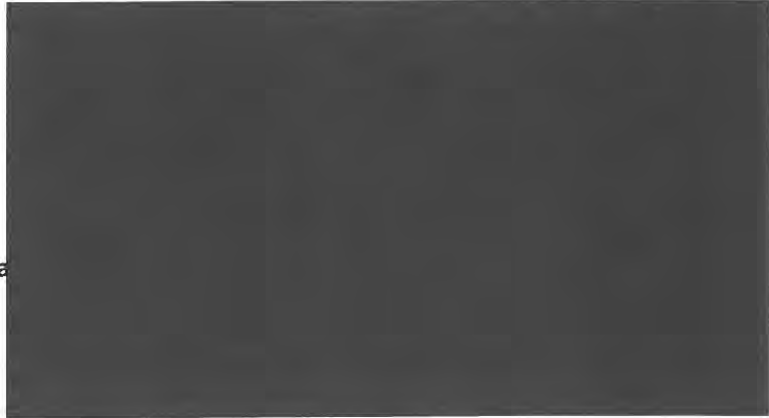
Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name
* Street
District
* City or town
County or administrative area
* Postcode
* Country



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PREMISES DETAILS

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, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Further Details

Telephone number
Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- 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
- Other (for example a statutory corporation)

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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NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

limited company

Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Contact Details

E-mail
Telephone number
Other telephone number



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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

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

Provide a general description of the premises

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.

selling polish alcohol, polish grocery shop, I apply to supply alcohol off the premises

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

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes

No

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

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

Yes

No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

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.

N/A

Continued from previous page...

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.

N/A

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

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'.

Continued from previous page...

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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.

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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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

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.

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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)

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

employing additional staff if needed, good staff training, staff meetings

b) The prevention of crime and disorder

cctv capable of covering inside, refusal sell of alcohol is recorded, incident recorded

c) Public safety

cctv, warning notices display, no selling alcohol to drunk people

d) The prevention of public nuisance

cctv, selling only take place within hours specified on the premises license, no selling alcohol to drunk people

e) The protection of children from harm

no selling alcohol unde18 years old, age verification policy, challenge 25 schedule, no selling liquer chocolate under 16

Continued from previous page...

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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 - No RV 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 your 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
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?"

Continued from previous page...

* Full name
* Capacity
* Date / /
dd mm yyyy



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 ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

OFFICE USE ONLY

Applicant reference number
Fee paid
Payment provider reference
ELMS Payment Reference
Payment status
Payment authorisation code
Payment authorisation date
Date and time submitted
Approval deadline
Error message
Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

Consent of individual to being specified as premises supervisor

Katarzyna Kitza

[full name of prospective premises supervisor]

of

[Redacted address box]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New premises licence

[type of application]

by

Katarzyna Kitza

[name of applicant]

relating to a premises licence

2062

[number of existing licence, if any]

for

Stokrotka
Unit 3, rycote court, 23-25 buckingham street, hp20 2lr, aylesbury

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Katarzyna Kitza

[name of applicant]

concerning the supply of alcohol at

Stokrotka
Unit 3, rycote court, 23-25 buckingham street, hp20 2lr, aylesbury

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

2062

[insert personal licence number, if any]

Personal licence issuing authority

Licensing services, south Oxfordshire district council, benson lane, crowmarsh
Gifford, Wallingford, ox10 8nw

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

[Redacted signature]

Name (please print)

KITZA

Date

24/09/2014

Appendix 2

The application relates to the sale of alcohol

	Sale of Alcohol (Off the premises only)			
	Existing		Proposed	
	From	To	From	To
Monday	N/A	N/A	07 00	21 00
Tuesday	N/A	N/A	07 00	21 00
Wednesday	N/A	N/A	07 00	21 00
Thursday	N/A	N/A	07 00	21 00
Friday	N/A	N/A	07 00	21 00
Saturday	N/A	N/A	07 00	21 00
Sunday	N/A	N/A	07 00	21 00

	Open to the Public			
	Existing		Proposed	
	From	To	From	To
Monday	N/A	N/A	07 00	21 00
Tuesday	N/A	N/A	07 00	21 00
Wednesday	N/A	N/A	07 00	21 00
Thursday	N/A	N/A	07 00	21 00
Friday	N/A	N/A	07 00	21 00
Saturday	N/A	N/A	07 00	21 00
Sunday	N/A	N/A	07 00	21 00

Ashton, Kerryann

From: Booze Stop LTD <boozestop@hotmail.co.uk>
Sent: 12 October 2014 20:08
To: Licensing Team; Thomas, Karen
Subject: (14/01419/LAPRE) unit 3, Rycote court, 23-25 Buckingham street

13/10/2014 Booze Stop LTD
 Manjit Singh Vohra
 41 Buckingham Street
 Aylesbury, bucks
 HP20 2NQ
 01296 331010

Aylesbury Vale District Council
 Environmental Health & Licensing
 Aylesbury Vale District Council
 The Gateway
 Gatehouse Road
 Aylesbury
 Buckinghamshire
 HP19 8FF

Dear Sirs,

Ref: (14/01419/LAPRE) Application to sell alcohol at unit 3, Rycote court, 23-25 Buckingham street, Aylesbury.

Application for premises licence by Mr/Mrs. Katarzyna Kitza.

I am writing to register my objection to the application for a premises licence by Katrzyna Kitza for unit 3, Rycote court, 23-25 Buckingham Street, Aylesbury. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder, antisocial behaviour and protection of children from harm.

An Additional Off-licence in Buckingham Street is likely to add to existing notable levels of crime and disorder experienced in the area in relation to the night time economy and town centre drunks. A new off licence has the potential to become 'flashpoint' for disorder and underage drinkers (in relation to this point one has to question if there is a need for an additional off licence in such close proximity to so many others). There are 4 shops currently on buckingham street selling alcohol and 1 on Kingsbury Square. These are Sainsbury, Booze Stop, Taste of Poland, Babs food & Wine and Yellow Parrot on Kingsbury Square.

Buckingham Street is already filled up with off-licences, restaurants, takeaways and nightclubs and enabling another premise to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 7:00am and 9.00pm, seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local residents.

A new off-licence in very close proximity off existing off-licences will cause un-necessary price wars and this will lead to excess drinking and cause crime and disorder and nuisance to public.

I have been working closely with Thames Valley Police to reduce the problems with Antisocial behaviour, town centre drunks, underage drinking and proxy buying (adults buying alcohol for under 18s).

I have worked very hard and have gained a lot of experience in the last 10 years and have put a lot of measures in place to achieve the licencing objectives.

I am sure the committee will be aware of the recent stabbing (attempted murder) at BABS Food and wine. I do not know the whole facts about what happened in BABS, however my understanding is that an increase in number of shops selling alcohol may be one of the cause for this.

Booze Stop is licenced to sell alcohol from 8.00am however we open shop and serve alcohol after 11.00am to promote licencing objectives of PREVENTION OF CRIME AND DISORDER AND THE PREVENTION OF PUBLIC NUISANCE.

When I bought Booze stop about ten years ago we use to open shop at 8.00am in the morning during that time our experience was that we were getting the wrong customers wanting to buy alcohol to consume very early in the morning and they would get drunk and cause nuisance in the Town Centre. To help stop this we decided to open after 11am in the day so that we promote responsible drinking and uphold licencing objectives.

By allowing a new off-licence to open earlier the licensing committee will undermine the hard work we have put in to promote licencing objectives on this part of the street and the licensing authority will also undermine its own policy of upholding the objectives. For this reason I urge the committee that the application to be refused.

The protection of children from harm.

Mirage night club which is also based on Buckingham Street, sometime hold underage parties. At this time we have to be very careful so that we do not sever alcohol to anyone under the age of 18 or any adult who we think will pass alcohol or cigarettes to under 18s.

The protection of children from harm requires experience and trained staff. I have gained a lot of experience. Me and my trained staff confidently can handle the nights when there are underage parties in the nightclub. A new off-licence will not have the needed experience or the trained staff to be able to protect children from harm.

A new off-licence will give the underage customers another place to try their luck and could possibly buy alcohol or cigarettes. A new off-licence will also not have any experience to deal with busy and potentially disorderly evenings when there are underage parties in the nightclubs. By granting the application the licencing authority will undermine its objective of protecting children from harm.

In view of all the above, I would urge the Licensing Authority to refuse the application.

If for some reason the Licencing Authority decides to grant the application I would request that the following conditions to be attached so that the licencing objectives are upheld.

- * The opening hours to be limited from 11am until 6pm.
- * No alcohol to be displayed in front area of the shop.
- * No posters or promotional posters to do with alcohol should be displaced on shop window.
- * Single cans of beer or cider must not be sold.
- * There should be no multibuy offers on alcohol.
- * No alcohol should be given free with any offers.
- * There should always be a personal licence holders present at the shop to authorize sales of alcohol and cigarettes.
- * If the shop opens before 11am then alcohol display must be covered out of view of customers.

Finally again I urge the committee to refuse the application and I look forward to hearing from you.

Many Thanks
Yours Sincerely

Manjit Singh Vohra

