



Licensing Sub-Committee agenda

Date: Thursday 12 August 2021

Time: 10.30 am

Venue: Via Video Conference

Membership:

T Green (Chairman), B Stanier Bt (Buckinghamshire Council) and A Wood

Webcasting notice

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If you have any queries regarding this, please contact the monitoring officer at monitoringofficer@buckinghamshire.gov.uk.

Agenda Item

Page No

1 **Introductory remarks by the Chairman**

2 **Apologies for absence**

3 **Declarations of interest**

To receive any disclosure of disclosable pecuniary interests by Members relating to any items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

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|----------|---|----------------|
| 4 | Hearing Procedure Rules
To note the hearing procedure rules and virtual licensing sub-committee procedural rules. | 3 - 10 |
| 5 | Premier Stores, 69 Woodfield Road, Princes Risborough, HP27 0HX
To consider an application under s.42 of the Licensing Act 2003 to transfer the premises licence and also an application under s.37 of the Licensing Act 2003 to vary a licence to specify an individual as the designated premises supervisor in respect of Premier Stores, 69 Woodfield Road, Princes Risborough, HP27 0HX (report attached). | 11 - 60 |

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk

Licensing and Regulatory Sub-Committee Virtual Procedural Rules

Procedure at Hearings before the Licensing Sub-Committee in relation to matters mainly under the Licensing Act 2003 as amended (“The 2003 Act”) **except** Interim Hearings (Summary Review of a Premises Licence) conducted pursuant to Section 53B of the Licensing Act 2003, as amended (separate Procedure).

Hearings for Gambling Premises are dealt with under the Gambling Act 2005 as amended.

Introduction

The Secretary of State for Housing, Communities and Local Government made [Regulations](#) (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020) to ensure local authorities can conduct business during the current public health emergency and this legislation was passed on 4 April 2020. The Regulations will apply to local authority meetings (full council, executive, joint committee, committee or sub-committee) held before 7 May 2021 from 4 April 2020. Councils can make standing orders in respect of virtual meetings, and will not be constrained by any existing restrictions. The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures.

Administration in Relation to the Hearing

Prior written notice of the Hearing will have been given to the interested/relevant parties.

- (a) Where a party has informed the Council that they will not be attending or represented the Hearing may proceed in their absence.
- (b) Where a party has not replied to the notice, does not attend and is not represented then the Sub-Committee may proceed with the Hearing in that party’s absence or adjourn the Hearing if it is considered necessary in the public interest to do so.
- (c) If a party has indicated they will attend but does not appear, that party must inform the Council of any delay - with reasons - and in consideration thereof the Sub-Committee can decide to proceed with the Hearing or adjourn to later the same day or another time. If a party is more than 15 minutes late and has not contacted the Council with details of any delay – the Sub-Committee shall proceed with the hearing unless it is in the public interest not to do so and shall adjourn the hearing to later on the same day or another date.

If the Hearing is held in a party’s absence, the Sub-Committee will still consider the application, representation or notice made by that party.

A hearing can be dispensed with if all parties give notice that they consider a hearing unnecessary. If this is the case the application/notice will be dealt with by way of a determination.

Representations can be withdrawn by prior notice 1 working day before the Hearing or orally at the Hearing.

At the Hearing any party can be assisted or represented by any person whether or not that person is legally qualified.

Account can be taken of documentary or other information produced by a party in support of their application, representation or notice (as applicable) either 1 working day before the Hearing or - with the consent of all other parties - at the Hearing, in which case sufficient copies are required to be provided for all relevant parties. Any party wishing to call another person (other than a person representing them) to make oral representations must provide details of this to the Council within the time stated in the Notice of Hearing which the Council will serve on the Parties. At the beginning of the Hearing the Sub-Committee will consider any such requests and confirm whether permission is granted for that person to speak.

The Sub-Committee may disregard any information which is not considered relevant to the application/representation/notice and the promotion of the licensing objectives.

The purpose of a Hearing is to enable those with a right to appear to amplify their written application or representation and to test the case of their opponents. It is also to assist the Sub-Committee to gather evidence and understand the relevant issues. The parties (including other persons on their behalf) will be allowed an equal reasonable period of time to address the Hearing and ask questions. The Chairman may set a maximum period of time on how long each party may speak, progressing without undue delays and ensuring that there is a fair hearing. Where the representations made relate to the same or similar issues, a spokesperson should be appointed where possible to speak on behalf of any person who has made a written representation.

The Decision of the Licensing Sub Committee will be made after the close of the Hearing when the Chairman retires with the legal advisor and the Clerk to the Sub-committee in a private session to consider all the evidence and submissions made at the hearing.

The decision of the Sub-committee will be communicated to all parties by way of a written Decision Notice issued by Legal Services. This notice shall be issued within 7 days of the hearing and if there is to be a delay in issuing such a notice; the licensing officer will communicate with all parties. The notice will contain will be dated and set out the provisions of the Right to Appeal to the Magistrates Court.

The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers reasonably necessary and proportionate.

Access to Information

The Council can hold and alter the frequency and occurrence of meetings without requirement for further notice.

The new 2020 Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings and it will be sufficient for local authorities to publish the documents on their website. This includes notices, agendas, reports, background papers and minutes. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be available on the website.

The obligation under the old Regulations (Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) to supply copies of such documents in response to requests made by members of the public and on behalf of newspapers is disappplied.

The requirement in England for 5 clear days' notice to be given of principal council meetings, including annual meetings, still applies however notice can now be given on the council's website.

Time and Place of Meetings

Meetings can be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming even if particular members of the public cannot access them. This Council will use Microsoft Teams to hold virtual meetings and will invite external participants to virtual meetings, if any, via email or telephone. Virtual meetings will be webcast where the Hearing is held in public via a link published on the meeting webpage.

The Constitution states that when reasonably practical, a sub-committee meeting should be held at the Council facility which is closest to the premises or issue that is the subject of the meeting. However, this requirement cannot be met during this current period.

During the Hearing

It is a requirement for such hearings that:

- a) proper notice is given, with all papers served timeously on the authority and published online;
- b) the actual parties to the hearing are able to participate;
- c) any member of the public can see or hear, albeit not participate in, the hearing.

Although held in a virtual format, Hearings dealing with new licences or variations to existing licences will follow the standard procedure. Panel Members may ask questions of any party at any time. Questions are usually taken after each person has spoken. It is helpful to undertake a document check at the start of the Hearing.

In terms of issues that may arise during the Hearing the following rules apply:-

Quorum for Meetings

The rules for quorum will still apply. This is 3 Councillors for a licensing or regulatory sub-committee. It is also considered good practice to have a reserve member, in case of interests. The constitution states that if a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chairman, the business of the meeting will be adjourned. The Chairman may allow for flexibility around the start time of the meeting where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the meeting is still quorate. The Chairman could adjourn for 10-15 minutes to allow the connection to be re-established. If an individual remote participation fails the Chairman may call a short adjournment. As the hearing must have 3 members present, the meeting will be reliant on the lost connection being re-established to ensure all members are present for the entire discussion in order to hear all of the facts and vote on the matter.

Only 3 members are permitted on Licensing and Regulatory Sub-Committees (LSC) for each Hearing (as per Section 9 of the Licensing Act 2003 and the Constitution Terms of Reference for the LSC). The reserve member is present in case an interest arises at the beginning of the Hearing or one of the 3 members identified as being on the LSC fails to attend the virtual meeting. It is only those 3 members who have been identified as being on the LSC for that Hearing who can ask questions of the other parties. A reserve member would not be able to participate if the technology fails for one

of the members present as whilst they would be listening they will not have taken an active role nor been included in the process/asked to see if they have any questions etc.

Attendance at meetings and webcasting

A roll call or introductions will be made at the start of the meeting to record those present. There is no requirement for councillors to sign their names on the attendance sheets when attending a virtual meeting. The Democratic Services Officer will maintain a list of attendance throughout the meeting.

To be classified as a 'member in attendance' and attend a meeting remotely, the following conditions must be satisfied;

- a) councillors must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other councillors in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak at the meeting.
- b) All other members of the public must as a minimum be able to hear (but if practicable be seen as well).

In practice this means that if councillors and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the requirements of holding a virtual meeting.

Members of the press and public may only be excluded from a meeting in accordance with the Access to Information Rules.

The Regulations state that meetings being open to the public include access by remote means. Such access includes (but is not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person. For clarity, a meeting recorded and then posted online after the event would not satisfy this requirement.

In the event that the live webcast fails and cannot be resumed the meeting will be opened and adjourned to allow for it to take place at a hearing (the date and time of which will be fixed prior to the matter being adjourned).

The people on the Teams call who are present throughout the meeting are the Members of the Sub-Committee, any officer supporting the meeting and those who have submitted valid representations, applicant and/or legal representative. The public gallery, where Members can sit and observe the meeting alongside members of the public, is the webcast version. It is important to keep numbers in the meeting (except for those allowed to be present as Members) to a minimum to enable the proper flow of the virtual meeting.

Conflicts of interest

Councillors should consider if they have an interest, and, if required, seek advice from the Monitoring Officer, or their deputy, before the meeting starts. If a Councillor appointed to a licensing hearing considers that their interest is prejudicial they should notify Democratic Services as soon as possible so that an alternative councillor can be appointed to the licensing hearing.

Where a councillor has an interest they must declare their interest and the nature of it at the start of the meeting. If the interest is 'personal' having declared a personal interest the councillor may continue to speak and vote on the item of business concerned. If the councillor has a prejudicial interest they will not be able to take part in the discussion or decision and must leave the meeting. A reserve councillor, if available, will then be called upon to serve on the hearing in their absence.

Minutes of meetings

The Minutes of meetings will be published on the website if the meeting is held in public.

Questions

Parties can ask questions of other parties in accordance with the procedure below. The Chairman can stop a party asking questions if they feel the questions are unnecessary. Parties are expected to treat other parties with respect and any form of harassment or excessive questioning will not be tolerated. In such cases the Chairman will ask the party to discontinue that type of questioning. The Chairman can require any person (including any of the parties) who is disrupting the proceedings to leave the Hearing.

Order of business (as normal)

1. The Chairman will open the Hearing and start the introductions of the Sub-Committee and Officers and ask each party to introduce themselves. The Chairman will confirm that if a party is not present their representations/application will have been read and will be considered in reaching the decision.
2. The Chairman will address any interest arising under the Code of Conduct.
3. The Chairman will consider any submitted requests from a party for permission for another person to appear at the virtual Hearing and any other procedural matters. If necessary, the sub-committee will retire to deliberate before making a decision.
4. If all parties present confirm that they have seen and understand the procedure to be followed at the virtual Hearing and agree they are ready to proceed then the Hearing **shall commence as set out from para 9 below**.
5. The Chairman will remind everyone that the purpose of the virtual Hearing should be borne in mind at all times i.e.
 - to enable those with a right to appear at the virtual meeting to advance their point of view and concerns and to test the case of their opponents and
 - to assist the Sub-Committee to gather evidence and understand the relevant issues.
6. The Chairman will confirm what advance papers have been received and that these have been read and therefore there is no need to repeat these matters.
7. The Chairman will make clear that parties should only address the Sub-Committee in relation to matters previously raised/submitted. Late evidence to be submitted at the Hearing will only be considered by the Licensing Sub-Committee with the consent of all parties present.

8. The Chairman will then outline the procedure to be followed by reading out the order of oral presentations **unless** all parties present have confirmed that they have seen and understood the procedure and are ready to proceed with the virtual Hearing.
9. The Chairman will ask the Applicant whether they wish to make any amendments to their application with a view to addressing issues raised by the representations.
10. Order of oral presentations:-
 - a. The Licensing Officer will present their report outlining the details of the application/notice and representations received.
 - b. Any party may question the Licensing Officer.
 - c. The Members may question the Licensing Officer.
 - d. The Applicant will present their case and call their witnesses
 - e. Any other party may question the Applicant. Any party includes any responsible body.
 - f. The Members may question the Applicant
 - g. Each Interested Party will present their case in turn and call their witnesses.
 - h. Any other party may question the Interested Party.
 - i. The Members may question the Interested Parties.
 - j. The Licensing Officer may question the Interested Parties.

Once they have made their representations under the requirements of the constitution they will need to switch off their microphone and not participate any further in the meeting unless they are asking any questions or wish to sum up. No speaking is timed.

11. Before moving onto the next party at any time during the procedure above, the Chairman will check there are no further points the current party wishes to make or any further questions that need to be put to that party.
12. There may be a discussion at the hearing, on a without prejudice basis, where each party will be asked to address/give their views on any proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. Any agreed conditions may be incorporated into the Decision Notice if the application is successful. However, the Sub-Committee to determine any final conditions that will apply to the licence.
13. Each party will be invited to make closing submission in the order as set out in paragraph 10.
14. The Chairman will then close the Hearing and the Sub-Committee will meet (privately) virtually together with the Clerk and the Sub-Committee Legal Advisor for the matter to be determined.
15. The Sub-Committee will come to a decision which will be sent to the Applicant and all other parties' who submitted relevant representations within the time limits set out in this procedure and Regulations together with details of the right of appeal.

When can the Chairman be interrupted?

There are circumstances allowed for in the Constitution where the Chairman can be interrupted such as:-

- Technology is not working effectively

- Officer needs to provide advice
- Point of order or personal explanation

or any other area where the Constitution or Chairman allows.

Disturbance during proceedings

The Constitution states that if anyone interrupts proceedings the Chairman will warn the person concerned and if they continue to interrupt the Chairman will order their removal from the virtual meeting room. There may be circumstances where the person needs to be removed immediately, for example if they are being inappropriate, and the Chairman can do this by muting their microphone. If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as they consider necessary.

Adjournments

People will remain on the call with mics muted and cameras off until the meeting starts again. The Chairman may also want to consider having a comfort (screen) break for longer meetings. If there is a problem with the technology the Chairman should pause the meeting until that issue has been resolved. However, this does not stop a meeting going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole meeting incapable of proceeding and therefore the Chairman should adjourn until the remote meeting can be restored within a reasonable period, or at a time and date fixed by the Chairman. Any interested party eligible to speak who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding unless they are happy to submit their comments through a written representation.

The Council will try and achieve the best possible outcome.

Deliberations and Exclusion of the Press and the Public

Under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing authority may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the Hearing or part of that Hearing taking place in public. In addition there may be information in the agenda pack pertaining to the hearing be exempt from publication or discussion in public under Schedule 12A of The Local Government Act 1972 as amended. In these circumstances the public will be excluded from part or the whole of the Hearing as appropriate.

At the conclusion of the Hearing, the Sub-Committee together with the Democratic Services Officer and Legal Advisor, will remain in a private virtual meeting in order to deliberate on the decision. Interested parties will then be notified of the outcome of the hearing in writing after the meeting in accordance with required timescales.

Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers it necessary and/or equitable to do so.

NOTE

IN PRODUCING THIS PROCEDURE, THE FOLLOWING HAVE BEEN CONSIDERED: -

- Licensing Act 2003 *as amended* - and Explanatory Notes
- National Guidance
- The Licensing Act 2003 (Hearings) Regulations 2005 as amended
- The Human Rights Act 1998.
- Local Government Act 1972 as amended.
- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020

Buckinghamshire Council

Licensing Sub-Committee Hearing Date:
12 August 2021, 10:30 hours

Agenda Item No: 5

SUBJECT:	APPLICATION FOR A TRANSFER OF PREMISES LICENCE & VARIATION OF DESIGNATED PREMISES SUPERVISOR (DPS) at: Premier Stores, 69 Woodfield Road, Princes Risborough, HP27 0HX
REPORT OF:	Application under section 42, Licensing Act 2003 (Transfer) Application under section 37, Licensing Act 2003 (Vary DPS)
Responsible Officer	Brian Whittall – Licensing Officer
Report Author	Brian Whittall – Licensing Officer
Ward/s Affected	W042 - The Risboroughs

1. Purpose of Report

To provide Members with information enabling the determination of an application to transfer a premises licence and specify a Designated Premises Supervisor (DPS), in respect of which relevant representations have been received.

The Applications have been submitted via Arka Licensing of 89 Bickersteth Road, London, SW17 9SH on behalf of their client Mr Sasikaran Rajaratnam, 39 St Mary's Road, Hayes, UB3 2JP in respect of Premier Stores, 69 Woodfield Road, Princes Risborough, HP27 0HX (“the premises”).

2. Background

2.1 The premises are a small convenience store located within a residential area.

Following the transitional period to the current legislation, a Premises Licence was granted under the Licensing Act 2003 (the Act) in November 2005. In June 2011 an application to transfer the licence was made by the current licence holder, Mr Kanaganayagam Shanthakumar of 14 Hodges Mews, High Wycombe, HP12 3JL. In September 2011 Mr Shanthakumar applied to appoint himself as DPS. Both applications were granted.

In October 2011 an application to vary the conditions attached to the Premises Licence was received and subsequently granted. The conditions offered included the use of

CCTV, all alcohol for sale being labelled with the shop name, that staff be trained and that an incident and refusal log be kept.

The current authorisation issued can be found at **Appendix 1**.

A location plan showing the premises location is attached to this report marked **Appendix 2**.

3. The Application

- 3.1 The applicant has applied under section 42 to transfer the premises licence, **Appendix 3**, and under section 37 to vary a licence to specify an individual as the designated premises supervisor. **Appendix 4**.

In accordance with the legislation, a copy of the applications was served upon the police who have a statutory period of 14 days to raise any objections to the applications. Following receipt of a valid representation on the 16th July 2021, in accordance with section 44 and section 39 respectively, the licensing authority must hold a hearing to determine the applications.

- 3.2 Section 37(5) and section 42(6) states, “Where a chief officer of police notified under..... is satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective, he must give the relevant licensing authority a notice stating the reasons why he is so satisfied.” In their representation the police have stated that the appointment of Mr Sasikaran Rajaratnam as licence holder and designated premises supervisor would not be consistent with the licensing objective to prevent crime and disorder, **Appendix 5**.

4. Relevant Representations

4.1 Responsible Authorities:

- 4.1.1 **The Chief Officer of Police:** Response received (Appendix 5)

5. Licensing Officer’s Observations:

- 5.1 The Relevant Representations received raise the follows issues:

Guidance issued by the Secretary of State under section 182 of the Act outlines that an objection to the transfer of a premises licence should only be considered by the police in exceptional circumstances if they believe the crime and disorder licensing objectives would be undermined.

The Licensing Unit of the Authority are continuing to investigate possible offences committed whilst the licence was suspended, dated the 29th May 2021 following the issue of a Suspension Notice, under section 55A of “The Act”. The Suspension notice was lifted on the 25th June 2021 following payment of the annual licence fee. Subsequent to the suspension notice having no legal authority officers have witnessed breaches of licence conditions.

6. Policy Considerations

- 6.1 Regard must be had to the Council's adopted Statement of Licensing Policy (last published December 2018) when determining this application.

In relation to the prevention of public nuisance the Policy states (p.10)

- 3.16 The Council wishes to protect the amenity of residents and businesses in the immediate area surrounding the licensed premises. Applications should demonstrate that public nuisance will not increase as a result of the application being granted.

- 3.17 The Authority will particularly take into account the following:

- Representations by Control of Pollution, Thames Valley Police and Environmental Health;

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

Transfers of premises licences (p.68)

- 8.100 In the vast majority of cases, it is expected that a transfer will be a very simple administrative process. Section 43 of the 2003 Act provides a mechanism which allows the transfer to come into immediate interim effect as soon as the licensing authority receives it, until it is formally determined or withdrawn. This is to ensure that there should be no interruption to normal business at the premises. If the police or the Home Office (Immigration Enforcement) raise no objection (Emphasis added) about the application, the licensing authority must transfer the licence in accordance with the application, amend the licence accordingly and return it to the new holder.

- 8.101 In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer.

- 8.102 Such objections (and therefore such hearings) should only arise in truly exceptional circumstances. If the licensing authority believes that the police or the Home Office (Immigration Enforcement) are using this mechanism to vet transfer applicants routinely and to seek hearings as a fishing expedition to inquire into applicants' backgrounds, it is expected that it would raise the matter immediately with the chief officer of police or the Home Office (Immigration Enforcement).

Specification of new designated premises supervisor (DPS) (p.30)

- 4.31 Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.

Police objections to new designated premises supervisors (p.31)

- 4.39 The police may object to the designation of a new DPS where, in exceptional circumstances, they believe that the appointment would undermine the crime

prevention objective. The police can object where, for example, a DPS is first specified in relation to particular premises and the specification of that DPS in relation to the particular premises gives rise to exceptional concerns. For example, where a personal licence holder has been allowed by the courts to retain their licence despite convictions for selling alcohol to children (a relevant offence) and then transfers into premises known for underage drinking.

- 4.40 Where the police do object, the licensing authority must arrange for a hearing at which the issue can be considered and both parties can put forward their arguments. The 2003 Act provides that the applicant may apply for the individual to take up post as DPS immediately, which is the current position in this instance and, in such cases, the issue would be whether the individual should be removed from this post.

The licensing authority considering this matter must restrict its consideration to the issue of crime and disorder and give comprehensive reasons for its decision. Either party would be entitled to appeal if their argument is rejected.

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.
- 7.2 The Panel should consider the relevant parts of their Statement of Licensing Policy.
- 3.6 If, upon receipt of a relevant representation, there is a likelihood of crime and disorder increasing as a result of the application being granted, the Authority will refuse the application, unless there are exceptional circumstances or it can be demonstrated that additional conditions will alleviate the concerns. In cases where conditions are attached to licences, the conditions will aim to reflect local crime prevention strategies
- 3.7 The Authority accepts that the legislation does not require the presence of either a personal licence holder or the Designated Premises Supervisor on the premises at all times when alcohol is sold. The Authority would recommend that personal licence holders give written authority to other staff for alcohol sales and clear guidance on whom alcohol may be sold to. Applicants are invited to provide details of how Personal Licence holders will authorise alcohol sales. In exceptional circumstances and upon receipt of a relevant representation, the Authority will consider whether a condition should be imposed requiring the presence of a Personal Licence holder on the premises at all times when alcohol is available for sale.
- 5.1 'Relevant representations' are those:
- about the likely effect of the Premises Licence on the promotion of the licensing objectives;
 - made by a responsible authority or another party within prescribed time periods, have not been withdrawn and, in the case of representations not made by a responsible authority they are not in the Authority's opinion irrelevant, frivolous

or vexatious.

- 5.11 In determining the application with a view to promoting the licensing objectives in the overall interests of the community, the Authority must give appropriate weight to; the steps that are necessary to promote the licensing objectives, all relevant representations, the government Guidance and this Policy.

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:

- (a) Grant one or both of the applications
- (b) Refuse one or both of the applications on the grounds of the prevention of crime and disorder

9.5 The Sub-Committee is asked to note that it may not reject one or both of the applications - 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.

Informative/s:

Officer Contact:	Brian Whittall (01494 421 346) – email address: brian.whittall@buckinghamshire.gov.uk
Background Papers:	Application Ref 21/00985/LAPRED & 21/00984/LAPRET Licensing Act 2003, as amended Licensing Policy – Wycombe Area Published December 2018. Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.

Licensing Act 2003 Premises Licence

Reference Number

12/00042/LAPREV

Premises Licence Number

240/PREM

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Premier Stores
69 Woodfield Road
Princes Risborough
Buckinghamshire
HP27 0HX

Telephone number

01844 345207

Licensable activities authorised by the licence

Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol	Monday - Saturday	08:00 - 23:00
	Sunday	10:00 - 22:30
	Christmas Day	12:00 - 15:00
	Christmas Day	19:00 - 22:30
	Good Friday	08:00 - 22:30

The opening hours of the premises

At the discretion of the Licence Holder

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the premises only

Name, (registered) address and telephone number of premises licence holder

Shanthakumar Kanaganayagam
14 Hodges Mews
High Wycombe
Bucks
HP12 3JL
Tel: 07717 754633

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Shanthakumar Kanaganayagam
14 Hodges Mews
High Wycombe
Bucks
HP12 3JL
Tel: 07717 754633

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Reference: 05/0630/PERSON

Licensing Authority: Wycombe District Council

Date: 9th January 2012



Signed:

Authorised Officer

Annex 1 – Mandatory conditions

Mandatory Conditions where licence authorises supply of alcohol:

1. 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
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol
4. 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 a holographic mark

Annex 2 – Conditions consistent with the Operating Schedule

The prevention of crime and disorder

- A good quality, colour CCTV system will be operational
- Should the system fail the Police will be informed and the system repaired within 48 hours
- Sufficient CCTV cameras will be installed to cover the alcohol display, checkout area and the point of entry
- Recordings from the CCTV system will be kept for a minimum of 1 month and will be made immediately available to an authorised officer upon request
- Staff shall be trained in the operation of the CCTV especially the facilities for viewing
- Signage advising customers that CCTV is in operation shall be placed in a prominent position within the licensed premises
- All alcohol for sale shall be labelled with a sticker on which is written the shop name
- All staff shall be trained in and comply with the challenge proof of age initiative and signs which promote this initiative shall be displayed in prominent positions within the licensed premises
- A log book shall be used to record all incidents of crime and disorder and public nuisance at the premises. The log book shall include details of the date and time of the incident and the persons witnessing it. Any action taken shall also be recorded.
- A refusals book for alcohol sales shall also be kept

Embedded Conditions from a Justices Off-Licence

Alcohol shall not be sold or supplied except during permitted hours

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

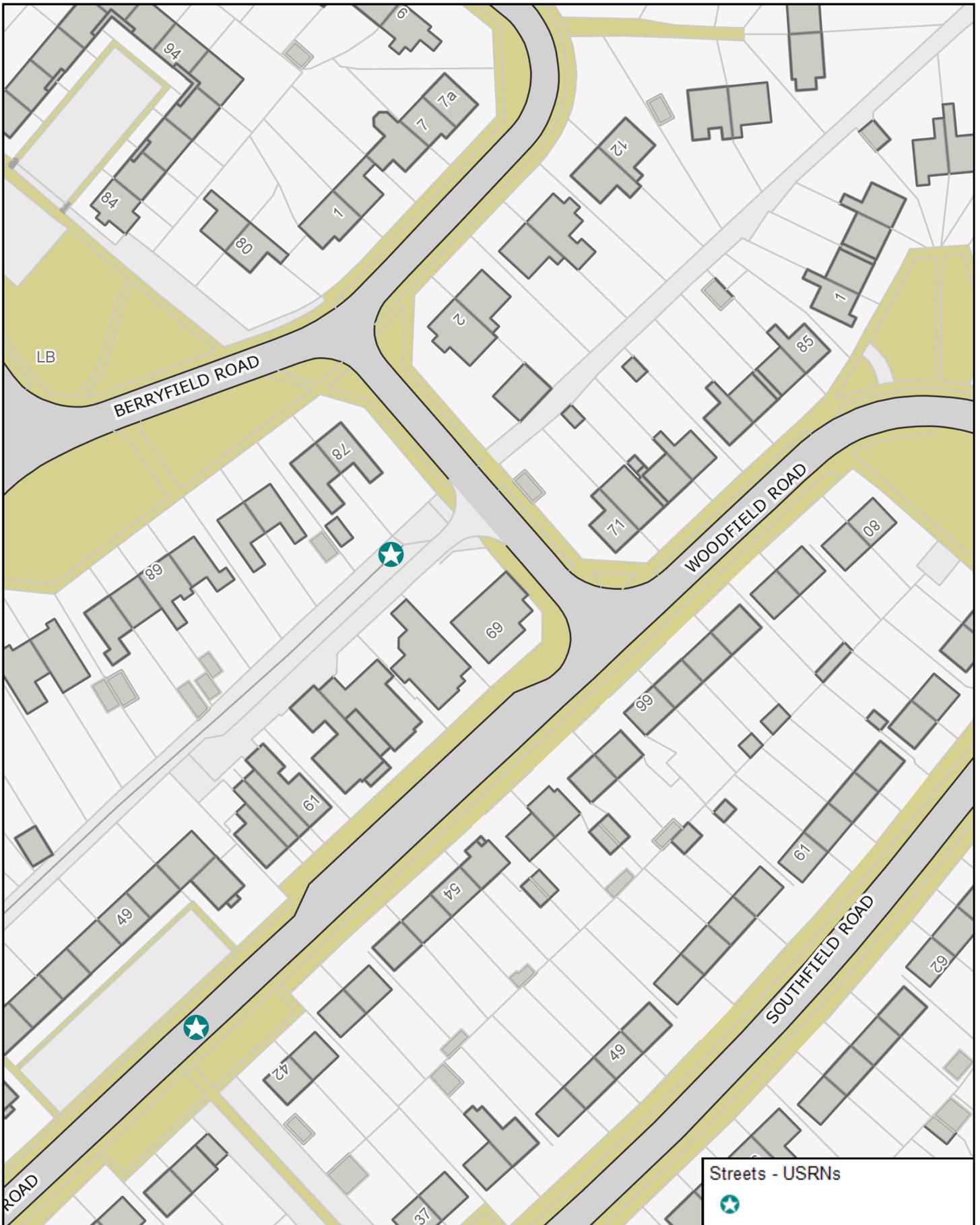
Alcohol shall not be sold in an open container or be consumed in the licensed premises

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

See plan with reference 11/02266/LAMINV



Enter map title

N Scale: 1:1000

Printed on: 2021-07-29 11:15:17 by BWhittal@WYCOMBE

Streets - USRNs



© Buckinghamshire Council

Consent of premises licence holder to transfer

I/we SHANTHAKUMAR KANAGANAYAGAM

[full name of premises licence holder(s)]

the premises licence holder of premises licence number 0240/PREM

[insert premises licence number]

relating to

PREMIER STORES, 69 WOODFIELD ROAD, PRINCES RISBOROUGH, BUCKS HP27
OHX

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

hereby give my consent for the transfer of premises licence number

0240/PREM

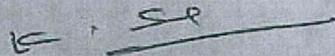
[insert premises licence number]

to

RAJARATNAM SASIKARAN

[full name of transferee]

signed



name
(please print)

SHANTHAKUMAR KANAGANAYAGAM

dated

25/03/2021



* required information

Section 1 of 7

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

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number 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.

Applicant Business

- Is the applicant's business registered in the UK with Companies House? Yes No
- Is the applicant's business registered outside the UK? Yes No
- Note: completing the Applicant Business section is optional in this form.

- Business name If the applicant's business is registered, use its registered name.
- VAT number Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

- 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.

Agent Business

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

Note: completing the Applicant Business section is optional in this form.

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.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 7

PREMISES DETAILS

I/we, as named in section 1, apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in section 2 below.

Premises Licence

* Premise licence number

Name Of Current Premises Licence Holder

* Name

Premises Address

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

Address OS map reference Description

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Please give a brief description of the premises

Continued from previous page...

LOCAL STORE

Telephone number at the premises if any

Section 3 of 7

APPLICATION DETAILS

In what capacity are you applying for the premises licence to be transferred to you?

- An individual or individuals
- A limited company/limited liability partnership
- A partnership (other than limited liability)
- 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)

Please 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

Section 4 of 7

INDIVIDUAL APPLICANT DETAILS

Continued from previous page...

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

Applicant Postal 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

Street

District

City or town

County or administrative area

Postcode

Country

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

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Right to work share code

Right to work share code if not submitting scanned documents

Section 5 of 7

FURTHER INFORMATION

Continued from previous page...

Are you the holder of the premises licence under an interim authority notice?

- Yes No

Do you wish the transfer to have immediate effect?

- Yes No

Have you attached the consent form signed by the existing premises licence holder?

- Yes No

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)?

- Yes No

Have you attached the previous licence?

- Yes No

Section 6 of 7

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 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, **together 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 relation 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 or 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.

Section 7 of 7

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.

This formality requires a fixed fee of £23

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

Full name

Capacity

* Date / /
dd mm yyyy

Continued from previous page...

Remove this signatory

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/change-3> to upload this file and continue with your application.

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="838"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment 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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [Next >](#)

DPS Consent Form

Consent of individual to being specified as a premises supervisor

RAJARATNAM SASIKARAN

I

[full name of prospective premises supervisor]

of

39 ST MARY'S ROAD
HAYES
UB3 2JP

[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

VARIATION OF DPS

[type of application]

by

RAJARATNAM SASIKARAN

[name of applicant]

relating to a premises licence

0240/prem

[number of existing licence, if any]

for

PREMIER STORES
69 WOODFIELD ROAD
PRINCES RISBOROUGH
BUCKS
HP27 0HX

[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

RAJARATNAM SASIKARAN

[name of applicant]

concerning the supply of alcohol at

PREMIER STORES
69 WOODFIELD ROAD
PRINCES RISBOROUGH
BUCKS
HP27 0HX

[name and address of premises to which application relates]

my date of birth is

04/07/1980

[insert your date of birth e.g 1st January 1980]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

LBHIL4345

[insert personal licence number, if any]

Personal licence issuing authority

HILLINGTON LONDON

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

Signed

R. Sikan

Name (please print)

RAJARATNAM SASIKARAN

Date

29/05/2021



Buckinghamshire
Application to vary a premises licence to specify an individual as designated premises supervisor
Licensing Act 2003

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

* required information

Section 1 of 4

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

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number 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.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Is the applicant's business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

- 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.

Agent Business

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

Note: completing the Applicant Business section is optional in this form.

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.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 4

PREMISES DETAILS

I/we apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003.

* Premises licence number

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

- Address OS map reference Description

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

Describe the premises. For example, what type of premises it is

Continued from previous page...

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 4 of 4

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.

This formality requires a fixed fee of £23

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

Remove this signatory

Full name

Capacity

* Date

 / /

dd mm yyyy

Remove this signatory

Add another signatory

OFFICE USE ONLY

Applicant reference number	<input type="text" value="838"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment 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"/>

[1](#) [2](#) [3](#) [4](#) [Next >](#)

Brian Whittal

From: Dean, Andy (C2915) <andy.dean@thamesvalley.police.uk>
Sent: 16 July 2021 13:34
To: Brian Whittal
Cc: 'ARKA LICENSING'
Subject: [EXTERNAL] Transfer & DPS Variation - Premier Stores, Woodfield Road, Risborough - OBJECTION
Attachments: Premier Stores risborough.docx; Appendix A (emails and Gen 40's).pdf
Follow Up Flag: Follow up
Flag Status: Completed

[Please note this has been sent from an **external** source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

Dear Mr Whittal,

With regard to the Application to Transfer the Premises Licence and Vary the DPS Thames Valley Police wish to Object to these.

I have attached my report as to the reasons why and the Emails and Gen 40's that have arisen since 8th June 2021.

You will also see that I have copied in the Agent for the applicant AKRA Licensing.

Kind regards

Andy

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);

Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;

Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565

Headquarters – 01865 542 059

(Hours – Mon – Thurs 0700 – 1500, Fri 0700 – 14.30)

NOT RESTRICTED;



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THAMES VALLEY POLICE

Division/Station : High Wycombe

From : Andy Dean
Licensing Officer

To : Buckinghamshire Council
Licensing Authority (Wyc)

Ref :

Date : 13 July 2021

Tel.No. 01865 3090275

Subject :

OBJECTION - transfer of licence and DPS

I am Andy Dean and I am employed by Thames Valley Police as a licensing officer. In this capacity I have the authority to act on behalf of the Chief Officer of Police for this area on licensing matters involving alcohol licenses.

A licensed premises known by Thames Valley Police as the Premier Stores, 69 Woodfield Road, Princes Risborough has recently been identified by Buckinghamshire Council (8th June 2021) as not paying the Annual Subscription for the Licence and therefore it has automatically become suspended thereby all alcohol sales are illegal.

Upon receiving this information it was noted on our database and an email forwarded to one of our Neighbourhood policing Sgt's to see if a team member can call in to the shop to see if any alcohol was being sold. They were initially unable to attend to carry this out.

On 18th June I emailed Mr Whittall to ascertain whether there was any update to the situation and the matter was still outstanding. I then instigated the Neighbourhood team to call in and try to ascertain whether there were any sales going ahead as it was in the middle of the Euro 2020 Football Championship.

A number of visits were carried out by police staff and they provided either an email or a Gen 40 (licensed Premises Incident Report) of their visits (these are attached as Appendix A). these show that although Alcohol was clearly displayed on the shelves without coverings or a notice to indicate no alcohol sales were allowed. During these visits no alcohol was seen by Police staff to be sold to a customer although it was indicated that sales were continuing. Also during these visits the staff member at the shop was not wearing a face covering and neither were customers that entered the premises. The staff member even whilst Police staff were present failed to request customers to wear their masks – this all breaches the legislation in relation to Coronavirus.

Also during this time the local Licensing Team Leader (Mrs Steven) for Buckinghamshire Council visited the premises to ask about the licence fee and also noted that COVID 19 legislation wasn't being adhered to. Whilst she was there the staff member present refused to answer questions such as identifying himself to her, other questions asked were also not responded to.

I then received notification that the fee had been paid. However it was then decided because of the issues indicated above that Mr Whittall and I would visit the premises ourselves to ascertain what was happening. Hoping that the presence of the Police Licensing officer would provide the catalyst for questions to be answered.

On Friday 9th July 2021 both Mr Whittall and I attended Premier Stores - now re named as Today's (Local) to speak with the staff there and carry out a licensing compliance check. We were met by a gentleman by the name of Azeez RAHMAN, who was very difficult to understand as his English didn't appear to be his first language, so we required some sort of ID to confirm his details – he provided a provisional driving licence. Mr Whittall asked a number of questions of him and at times it appeared that he didn't understand what was being asked of him, also he later gave a different answer to a similar question and when challenged seemed to be confused. He was able to give Mr Whittall the name of the person who employed him (Mr Sasi) but when asked about the person named on the licence was totally unaware of this person (Mr Shanthakumar).

Upon starting to commence a compliance check it became clear very quickly that there was a breach of the licensing conditions – numerous items of alcoholic beverages were not tagged with the shop

name as required in the licence. I then asked Mr Rahman to provide a number of exerts from the shop CCTV(as required by a letter that Mr Whittall was serving on the shop) to ascertain if offences had been committed – he was unable to provide this stating that he hadn't been trained to use the sytem – another Breach of the Licence conditions.

Mr Whittall got to speak with Mr Sasi (Mr Rahmans employer) on the phone and again from what I over heard there was great difficulty in conversing and understanding what was being said.

It appeared also during that conversation that Mr Sasi had taken over the shop sometime ago and was the new owner. Mr Whittall requested Mr Sasi attend the Council Offices to see him.

Later that same day Thames Valley Police received an application to Transfer the licence of the Premier Stores from Mr Shanthakumar to Mr Sasikaran (Mr Sasi) and an application to vary the DPS into the same name.

Upon looking at the documentation especially the 'Consent to Transfer the Licence' I was shocked to see that Mr Shanthakumar had authorised the transfers on 25th March 2021.

Add this to the issues surrounding the COVID 19 aspects mentioned in the emails, the breach of conditions that were discovered on our visit (no shop tags, staff not able to use CCTV, CCTV not available on request) and the lack of concern by Mr SASIKARAN that any issues that legally arose during this time would be directed to Mr Shanthakumar.

All the above brings a concern that this applicant hasn't taken his responsibilities under the Licensing Act seriously as the perception is that he hasn't looked at and ensured implementation of the Premises Licence and its conditions or he doesn't regard the Licensing Act as something that he has to abide by. It also seems that he hasn't ensured his staff are properly trained to be selling alcoholic products. What other legislation is he not complying with?

In view of the above Thames Valley Police have serious concerns about this applicant and his attitude towards the Law, specifically the Licensing Act. We are therefore 'Objecting' to this transfer and DPS variation.

1

Dean Andy (Licensing)

From: Brian Whittall <Brian.Whittall@buckinghamshire.gov.uk>
Sent: 08 June 2021 14:26
To: Dean Andy (Licensing); Licensing; Hughes Robin
Cc: Caroline Steven
Subject: Licence suspended
Attachments: Suspension notice.pdf

Andy,

Our good friend at Best One Express has a licence suspended for his premises in Risborough, as attached. My records show the annual licence fee is still outstanding. As this notice has been served and the required time as lapsed he cannot lawfully conduct the sale of alcohol from the premises until the fee is paid.

Robin, can 1 of your team drop by and provide a GEN 40 if they witness alcohol on display and/or the sale of alcohol taking place?

Regards,

Brian Whittall
Licensing Officer
Communities Directorate
Buckinghamshire Council

Tel: 01494 421346

Email: Brian.Whittall@buckinghamshire.gov.uk

Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB



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2

Dean Andy (Licensing)

From: Dean Andy (Licensing)
Sent: 18 June 2021 07:39
To: 'Brian Whittal'
Subject: RE: Licence suspended

Hi Brian,

Is there any further update on this situation – like has he paid now

Thanks

Andy

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);

Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;

Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565

Headquarters – 01865 542 059

(Hours – Mon – Thurs 0700 – 1500, Fri 0700 – 14.30)

NOT RESTRICTED;



From: Brian Whittal [mailto:Brian.Whittal@buckinghamshire.gov.uk]

Sent: 08 June 2021 14:26

To: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>; Licensing <Licensing@thamesvalley.pnn.police.uk>; Hughes Robin <Robin.Hughes@thamesvalley.pnn.police.uk>

Cc: Caroline Steven <Caroline.Steven@buckinghamshire.gov.uk>

Subject: Licence suspended

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Robin, can 1 of your team drop by and provide a GEN 40 if they witness alcohol on display and/or the sale of alcohol taking place?

Regards,

Brian Whittal
Licensing Officer
Communities Directorate
Buckinghamshire Council

3

Dean Andy (Licensing)

From: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>
Sent: 18 June 2021 09:38
To: Dean Andy (Licensing)
Subject: RE: [EXTERNAL] RE: Licence suspended

Hi Andy,

Just checked our accounts system again. Licence fee still showing outstanding, so I confirm the licence is **SUSPENDED**. Any alcohol sales therefore are illegal, as is even exposing it for sale.....unless he can prove he has paid the fee that is.

If I had time I would be enforcing.....

Brian

From: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>
Sent: 18 June 2021 07:39
To: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>
Subject: [EXTERNAL] RE: Licence suspended

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Cc: Caroline Steven <Caroline.Steven@buckinghamshire.gov.uk>
Subject: Licence suspended

Andy,

4

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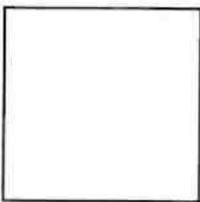
Regards,

Brian Whittall
Licensing Officer
Communities Directorate
Buckinghamshire Council

Tel: 01494 421346

Email: Brian.Whittall@buckinghamshire.gov.uk

Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB



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5

Dean Andy (Licensing)

From: Dean Andy (Licensing)
Sent: 18 June 2021 09:42
To: 'Brian Whittal'
Subject: RE: [EXTERNAL] RE: Licence suspended

No worries,

I'll get Risboro team to call in there and see if there is any alcohol on the shelves – hopefully it is covered up

Andy

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);

Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;

Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565

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Subject: RE: [EXTERNAL] RE: Licence suspended

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If I had time I would be enforcing.....

Brian

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Sent: 18 June 2021 07:39
To: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>
Subject: [EXTERNAL] RE: Licence suspended

Hi Brian,

Is there any further update on this situation – like has he paid now

Thanks

Andy

(6)

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);
Address - Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;
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Sent: 08 June 2021 14:26
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Cc: Caroline Steven <Caroline.Steven@buckinghamshire.gov.uk>
Subject: Licence suspended

Andy,

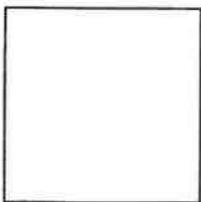
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Regards,

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Communities Directorate
Buckinghamshire Council

Tel: 01494 421346
Email: Brian.Whittall@buckinghamshire.gov.uk
Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB



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7

Dean Andy (Licensing)

From: Caroline Steven <Caroline.Steven@buckinghamshire.gov.uk>
Sent: 24 June 2021 15:41
To: Mark Bumpstead; Stephen Starsmore
Cc: Brian Whittal; Dean Andy (Licensing)
Subject: Covid breach

Premier Stores / Spar, 69 Woodfield Road, Princes Risborough, HP27 0HX

Just visited the above premises in relation to an unpaid annual fee and there was no attempt to enforce Covid regs in relation to the wearing of masks – I witnessed 3 different customers (out of the 5 I saw while there) who weren't wearing them, one of who left when I pointed it out to the shop assistant, who also wasn't wearing one...

Not sure if you can send them a standard letter or something? We will be sending him a warning about alcohol sales and can include an advisory but doesn't have quite the same clout.

The licence holder is Mr S Shanthakumar.

Brian / Andy – just for info.

Thanks,

Caroline

Caroline Steven
Licensing Team Leader (Wycombe area)
Communities Directorate
Buckinghamshire Council

caroline.steven@buckinghamshire.gov.uk

DDI 01494 421222



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Dean Andy (Licensing)

From: Grant Alicia
Sent: 30 June 2021 10:46
To: Dean Andy (Licensing)
Subject: RE: Covid breach

Hi Andy,

Apologise, the shop keeper wasn't wearing a mask at this time but stated he takes it off during the quieter times due to hay fever, the shop keeper did not challenge the customers at this time even though we gave him a time gap to do so.

There was still alcohol visible in the shop but he did not sell any to the customers, but he mentioned he has sold some recently. He did sell someone cigarettes I'm not sure if this is an issue as well.

Any more questions please let us know.

Kind regards

Alicia

From: Dean Andy (Licensing)
Sent: 30 June 2021 10:39
To: Grant Alicia <Alicia.Grant@thamesvalley.pnn.police.uk>
Cc: Gomes Da Costa Carina <Carina.GomesDaCosta@thamesvalley.pnn.police.uk>; Brian Whittall <Brian.Whittall@buckinghamshire.gov.uk>; Caroline Steven <Caroline.Steven@buckinghamshire.gov.uk>; Davey Nathan <Nathan.Davey@thamesvalley.pnn.police.uk>
Subject: RE: Covid breach

Hi Alicia,

Thank you very much for attending Premier Stores and reporting back as to what you have found. You have not said whether the shopkeeper at the time was wearing a mask. You indicated that you challenged the customers. Was that because the shopkeeper hadn't – if you go back and non-wearing customers enter can we wait to see if the shopkeeper does the challenging – I know it's only for a couple of more weeks.

Also are you able to tell me whether there was still alcohol prevalent in the shop and did any of the customers try to buy any – if so were they sold it?

Once again my sincere thanks for your assistance in these matters – it is very much appreciated

Andy

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);

Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;

Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565

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(Hours – Mon – Thurs 0700 – 1500, Fri 0700 – 14.30)

NOT RESTRICTED;



From: Grant Alicia
Sent: 30 June 2021 10:30

9

To: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>
Cc: Gomes Da Costa Carina <Carina.GornesDaCosta@thamesvalley.pnn.police.uk>
Subject: Covid breach

Good morning,

My colleague C7271 DA COSTA and I attended the premier stores shop 69 Woodfield Road, Princes Risborough, HP27 0HX this morning on our school patrols and while talking to the shop keeper 3 members of public came into the shop none of which were wearing a mask, they were all challenged about this by us, but wouldn't put one on, they was asked to wear one next time. The shop keeper said this is the kind of problems he has people not wear them but will give a rude attitude or refuse to wear one. There is one sign on the door to say for members of the public to wear masks and that only 2 people may enter the shop at a time, but they aren't that clear.

We will try our best to re attend during busier time periods and see if we can help with enforcement.

Hope this helps.

Kind regards

Alicia

Police Community Support Officer 28025 Alicia Grant | Thames Valley Police | Wycombe LPA
- Rural Neighbourhood Police Team | Princes Risborough Police Office | Longwick Road | Princes
Risborough | Buckinghamshire | HP27 9HE | Tel: 101
e-mail: alicia.grant@thamesvalley.pnn.police.uk



10

Dean Andy (Licensing)

From: Logan Marea
Sent: 30 June 2021 10:39
To: Dean Andy (Licensing)
Subject: RE: Premier Stores. Woodfield Road. Risboro'

Hello Andy,

Apologise, I have been off for weeks with the PCSO's not knowing if Andy Ralph has attended who is now off!

Do you still want us to take a look?

Kind regards,

Marea

From: Dean Andy (Licensing)
Sent: 18 June 2021 09:56
To: Princes Risborough Neighbourhood Team
<PrincesRisboroughNeighbourhoodTeam@thamesvalley.pnn.police.uk>
Cc: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>
Subject: Premier Stores. Woodfield Road. Risboro'

Hello Risborough Team,

I am going to ask a massive favour if somebody could oblige both I and the Council would be thankful.

The above premises have not paid their annual fee for their Premises Licence and so on the 8th June received a letter notifying them of this and the fact that should they be caught selling alcohol they commit a criminal offence under Section 136 of the Licensing Act 2003 as their Premises Licence is suspended. It will remain as such until the Annual Fee is paid.

PLEASE make no mention of the fact that the licence is suspended unless they bring it up.

Could one or a couple of you please visit the premises and ascertain a number of things;

- 1) Is there still alcoholic beverages in the shop
- 2) Are these beverages covered over as if not for sale
- 3) Can you please ask the member of staff what the present situation is with regard to alcohol sales. I. E. – Have you sold a lot of beers for the Euros football ? - something simple
- 4) Complete a Gen 40 and please include the name, address and contact number of the member of staff you speak with.
- 5) Forward the Gen 40 to me so that I can liaise with the Council as to further action – if required

I would like to thank you very much for your assistance and co-operation in this matter.

Kind regards

Andy

Andy Dean C2915 – Licensing Officer (Wycombe & South Oxfordshire);
Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;
Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565
Headquarters – 01865 542 059



Dean Andy (Licensing)

From: Brian Whittall <Brian.Whittall@buckinghamshire.gov.uk>
Sent: 30 June 2021 10:48
To: Dean Andy (Licensing); Grant Alicia
Cc: Gomes Da Costa Carina; Caroline Steven; Davey Nathan
Subject: RE: [EXTERNAL] RE: Covid breach

Thanks for the feedback,

I have checked our account system this morning and the annual fee has now been paid. Therefore the suspension notice no longer has legal authority and they can lawfully conduct the retail sale of alcohol.

I shall be issuing a formal warning re: the sale of alcohol for the period the licence was suspended, which I shall copy to you Andy (Once I have written it). I will also make reference to the failure to use face masks.

My thanks to you and the local team for your enforcement assistance in respect to this premises. It is greatly appreciated.

Regards,

Brian Whittall
Licensing Officer
Communities Directorate
Buckinghamshire Council

Tel: 01494 421346
Email: Brian.Whittall@buckinghamshire.gov.uk
Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB

From: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>
Sent: 30 June 2021 10:39
To: Grant Alicia <Alicia.Grant@thamesvalley.pnn.police.uk>
Cc: Gomes Da Costa Carina <Carina.GomesDaCosta@thamesvalley.pnn.police.uk>; Brian Whittall <Brian.Whittall@buckinghamshire.gov.uk>; Caroline Steven <Caroline.Steven@buckinghamshire.gov.uk>; Davey Nathan <Nathan.Davey@thamesvalley.pnn.police.uk>
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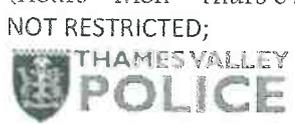
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12

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Andy

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From: Grant Alicia
Sent: 30 June 2021 10:30
To: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>
Cc: Gomes Da Costa Carina <Carina.GomesDaCosta@thamesvalley.pnn.police.uk>
Subject: Covid breach

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Kind regards
Alicia

Police Community Support Officer C9026 Alicia Grant | Thames Valley Police | Wycombe LPA
- Rural Neighbourhood Police Team | Princes Risborough Police Office | Longwick Road | Princes Risborough | Buckinghamshire | HP27 9HE | Tel: 101
e-mail: alicia.grant@thamesvalley.pnn.police.uk



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Dean Andy (Licensing)

From: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>
Sent: 05 July 2021 11:27
To: Dean Andy (Licensing)
Subject: RE: [EXTERNAL] RE: 240/prem

Thanks Andy,

I think Friday with you would be great, we are still well within the 1 month retain period for CCTV. Your badge should be sufficient for questions to be answered and to get past the attempted obstruction, without the need to engage PC Hawkins and his team (Last resort).

What's a good time for you?

Brian

From: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>
Sent: 05 July 2021 11:18
To: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>
Subject: [EXTERNAL] RE: 240/prem

Hi Brian,

I'd be happy to do a joint visit, however my only availability is between 0900 – 11.30 Friday morning. I've spoken to the NHPT and there is availability from 1 officer – PC Russ Hawkins who is working 08/16 Tues, 08/17 Weds and 08/17 Thurs.

He could meet you there is necessary

Andy

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);
Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;
Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565
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(Hours – Mon – Thurs 0700 – 1500, Fri 0700 – 14.30)
NOT RESTRICTED;



From: Brian Whittal [<mailto:Brian.Whittall@buckinghamshire.gov.uk>]
Sent: 05 July 2021 10:07
To: Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>
Subject: 240/prem

Andy,

14

Been discussing the prem in Risborough with Caroline. We are thinking more formal action might be more appropriate, such as IUC. Before that we need to get hold of the CCTV for a review to see if we can evidence offences. Current conditions state:

- A good quality, colour CCTV system will be operational
- Should the system fail the Police will be informed and the system repaired within 48 hours
- Sufficient CCTV cameras will be installed to cover the alcohol display, checkout area and the point of entry
- Recordings from the CCTV system will be kept for a minimum of 1 month and will be made immediately available to an authorised officer upon request
- Staff shall be trained in the operation of the CCTV especially the facilities for viewing

Would you be up for a joint visit, maybe tomorrow or could a member of the local team join me? Reason being is that Caroline has met with resistance from shop employees refusing to answer questions, such as what is your name.

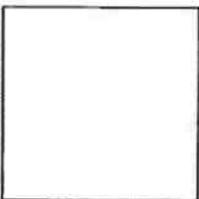
Regards,

Brian Whittall
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Communities Directorate
Buckinghamshire Council

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(15)

Submitting Officer			
Shoulder No:	4755	Name:	Andy RALPH
Station:	GJ	LPA:	BUCKS

Incident References			
Premises Name:	Premier Stores	Location:	69 Woodfield Road, Princes Risborough, HP27 0HX
Incident Date:	21/06/21	Incident Time:	1420hrs
CMP Incident No:	N/A	Crime Report(s):	N/A
CCTV Seized:	N/A		
Sources of Information:	Witnessed on attendance		

Nature of Incident – what happened?
<p>Information to suggest that the store has not paid its annual fee on its premise licence and as such shouldn't be selling alcohol.</p> <p>I attended the store at the above time and date and an array of alcoholic beverages were stocked in full view of the public with nothing to suggest they were not available and no attempt to hide them from view.</p>

Premises Response – what part did staff play? How did they react/assist? (include good/poor performance)
<p>On asking how sales of alcohol had been in recent weeks the member of staff indicated it had been selling well when the weather had been better but had dropped off in the last few days.</p>

Police Response – what action was taken? Please identify the main officers who dealt with the incident
<p>No action taken at the time, GEN40 to report on findings. PC 4755 Ralph attended single crewed.</p>

Submitting Officer

Shoulder No:	4755	Name:	Andy RALPH
Station:	GJ	LPA:	BUCKS

Incident References

Premises Name:	Premier Stores	Location:	69 Woodfield Road, Princes Risborough, HP27 0HX
Incident Date:	11/07/21	Incident Time:	1400hrs
CMP Incident No:	N/A	Crime Report(s):	N/A
CCTV Seized:	N/A		
Sources of Information:	Witnessed on attendance		

Nature of Incident – what happened?

Information to suggest that the store should not be selling alcoholic beverages due to breaching some conditions of sale on 9/7/21.

I attended the store at the above time and date and an array of alcoholic beverages were stocked in full view of the public with nothing to suggest they weren't available and no attempt to hide them from view.

Premises Response – what part did staff play? How did they react/assist? (include good/poor performance)

On asking a member of staff (a small asian male who identified himself as Ossie) whether he had been selling alcohol that day? He replied that he had been asking for ID so I presume he misunderstood me as to whether he'd been asking for ID from young people trying to purchase alcohol. I then clarified that I meant had any alcohol been sold to any customers and he still didn't comprehend what I was asking.

I suspect from this exchange and the fact that alcoholic beverages are on display that it is still being sold although I will look to re attend soon to try to gain better evidence.

No customers purchased alcohol when I was in the vicinity of the shop.

Police Response – what action was taken? Please identify the main officers who dealt with the incident

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