



## Licensing Sub-Committee agenda

Date: Tuesday 9 April 2024

Time: 2.30 pm

Venue: Via Video Conference

### Membership:

P Griffin, D Town and A Wood (Chairman)

### Webcasting notice

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### 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.

- |          |                                                                                                                                                                                        |                |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>4</b> | <b>Hearing Procedure Rules</b>                                                                                                                                                         | <b>3 - 10</b>  |
|          | To note the hearing procedure rules and virtual licensing sub-committee procedural rules.                                                                                              |                |
| <b>5</b> | <b>New Hub and Off Licence, 25a High Street, Chesham, HP5 1BG</b>                                                                                                                      | <b>11 - 72</b> |
|          | To consider an application under s.17 of the Licensing Act 2003 for a new premises licence in respect of New Hub and Off Licence, 25a High Street, Chesham, HP5 1BG (report attached). |                |

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 at [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)

### **Addendum Licensing and Regulatory Sub-Committee Virtual Procedural Rules**

Procedure at Hearings before the Licensing Sub-Committee (“LSC”) in relation to matters 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) or as otherwise provided.

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

#### **Introduction**

The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures. Buckinghamshire Council has decided to hold such hearings remotely in accordance with these procedural rules.

#### **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 be represented at the hearing it may proceed in their absence.
- (b) Where a party has not replied to the notice, does not attend and is not represented then the LSC 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 LSC 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 LSC 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 LSC 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 up to 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) if provided either at least 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 LSC will consider any such requests and confirm whether permission is granted for that person to speak.

The LSC 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 LSC 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 LSC will be made after the close of the hearing when the LSC retires with the Democratic Services Officer and the Legal Advisor to the sub-committee in a private session to consider all the evidence and submissions made at the hearing.

The decision of the LSC will be communicated to all parties by way of a written Decision Notice issued by Legal Services. They will endeavour to serve the notice within 5 working 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 be dated and set out the provisions of the right to appeal to the Magistrates Court.

The LSC 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 hearing without requirement for further notice.

These 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 hearing, and the agenda, together with details of how to join the hearing which will be available on the website.

## **Time and Place of Hearing**

All hearings will be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming unless a party can show good and sufficient reason why the hearing should be held in person. Where a party has notified the Council that they wish to attend a remote hearing but are unable to access the hearing remotely, for whatever reason, the Council will endeavour to make provision for them to be able to view the hearing at Council offices. The Council will use Microsoft Teams to hold virtual hearings and will invite external participants to virtual hearings, if any, via email or telephone. Virtual hearings 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 hearing should be held at the Council facility which is closest to the premises or issue that is the subject of the hearing. However, this requirement is disapplied in respect of remote hearings.

## **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 Hearings

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 15 minutes of the scheduled start of the LSC or such longer time as allowed by the Chairman, the business of the hearing will be adjourned. The Chairman may allow for flexibility around the start time of the hearing where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the hearing 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 hearing 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 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 hearing. 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 hearings and webcasting

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

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

- a) Councillors sitting on the Sub-Committee must be able to hear and be heard and (where practicable) see and be seen by parties in attendance at the hearing.
- b) This full requirement also extends to parties attending to exercise a right to speak at the hearing.
- c) All other members of the public must as a minimum be able to hear and if practicable see the proceedings.

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 hearing.

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

The Regulations state that hearings 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 hearing is accessible to the public through such remote means the hearing is open to the public whether or not members of the public are able to attend the hearing in person. For clarity, a hearing 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 hearing will be opened and adjourned to allow for it to take place at a later date (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 hearing are the Members of the Sub-Committee, any officer supporting the hearing and those who have submitted valid representations, applicant and/or legal representative. The public gallery, where Members can sit and observe the hearing alongside members of the public, is the webcast version.

### 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 hearing 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.

Members of the LSC must consider beforehand if they need to declare any personal interests and

whether their personal interest is also a prejudicial interest in which case they will not be able to attend the hearing. Members who have any Disclosable Pecuniary Interests will not be able to attend the hearing either. Members should also consider beforehand if they have or would be considered to have predetermined the matter in which case they should also distance themselves from the determination of the matter and not attend the hearing.

#### Minutes of hearings

The Minutes of hearing will be published on the website.

#### 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 LSC 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 hearing to advance their point of view and concerns and to test the case of their opponents and
  - to assist the LSC 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 LSC in relation to matters previously raised/submitted. Late evidence to be submitted at the hearing will only be considered by the LSC 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 any witnesses.
  - e. Any other party may question the Applicant.
  - f. The Members may question the Applicant.
  - g. The Responsible Authorities, who made representations. will present their case in turn and call any witnesses.
  - h. Any party may question the Responsible Authorities.
  - i. Any Members may question the Responsible Authorities.
  - j. Each Interested Party will present their case in turn and call any witnesses.
  - k. Any other party may question the Interested Party.
  - l. The Members 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 hearing 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 LSC are 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 LSC will meet (privately) virtually together with the Democratic Services Officer and Legal Advisor for the matter to be determined.
15. The LSC 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 hearing 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 hearing for as long as they consider necessary.

#### Adjournments

People will remain on the call with mics muted and cameras off until the hearing starts again. The Chairman may also want to consider having a comfort (screen) break for longer hearings. If there is a problem with the technology the Chairman should pause the hearing until that issue has been resolved. However, this does not stop a hearing going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote hearing, and the hearing is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole hearing incapable of proceeding and therefore the Chairman should adjourn until the remote hearing 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 which will 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 LSC 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.

They 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.

<b>SUBJECT:</b>	<b>APPLICATION FOR A NEW PREMISES LICENCE at: New Hub &amp; Off Licence, 25a High Street, Chesham, HP5 1BG</b>
<b>REPORT OF:</b>	<b>Application under section 17, Licensing Act 2003</b>
<b>Responsible Officer</b>	<b>Stacey Bella – Licensing Officer</b>
<b>Report Author</b>	<b>Stacey Bella – Licensing Officer</b>
<b>Ward/s Affected</b>	<b>Chess Valley Ward</b>

**1. Purpose of Report**

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

The Application has been submitted by Karanjeet Singh Khurana (“the applicant”) in respect of New Hub & Off Licence, 25a High Street, Chesham, HP5 1BG (“the premises”) by Personal Licence Courses UK, 145 Station Road, West Drayton, UB7 7ND (“the agent”).

**2. Background**

2.1 The premises consists of unit 25a High Street which is located within a central location in the built-up area of Chesham Town Centre.

2.2 The premises is located within a Public Spaces Protection Order (“PSPO”) area. This is defined in the 2019 order made by Chiltern District Council, later extended in 2022 by Buckinghamshire Council (“The Council”) under the Anti-Social Behaviour, Crime and Policing Act 2014. Marked **Appendix 1**.

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

**3. The Application**

3.1 This application is for a new Premises Licence to commence with immediate effect upon the decision to grant by this licensing authority. A copy of the application is attached to this Report marked **Appendix 3**. A plan of the “premises” is attached **Appendix 4**.

3.2 The licensable activities sought are as follows:

<u>Proposed activity</u>	<u>Proposed hours</u>
<b>Supply of alcohol</b> Off the premises only	Every Day 08:00 - 23:00
<b>Hours premises are open to the public</b>	Every Day 08:00 - 23:00

#### 4. Relevant Representations

##### 4.1 Responsible Authorities:

4.1.1 **The Chief Officer of Police:** No objection. **Appendix 5.**

4.1.2 **The Licensing Authority:** No objection. **Appendix 6.**

4.1.3 **The Fire and Rescue Authority:** No objection, **Appendix 7.**

4.1.4 **The Local Planning Authority (Head of Sustainable Development):** No response received.

4.1.5 **The Local Environmental Health Authority (Head of Environmental Health):** No response received.

4.1.6 **Weights and Measures Authority (Trading Standards Officer):** No response received.

4.1.7 **The Safeguarding and Child Protection Unit:** No response received.

4.1.8 **The Primary Care Trust:** No response received.

4.2 **Any other persons:** **Nine (9)** valid objections were received during the 28 day consultation period on the grounds of prevention of crime and disorder; Prevention of Public Nuisance; and protection of children from harm licensing objectives. **Appendix 8 and 9.**

4.3 A further submission of supporting evidence was made by one of the objectors after the consultation period had closed. Marked **Appendix 10.**

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

5.1 The Relevant Representations received raise the following issues:

- Representations mention concerns regarding anti-social behaviour and drunkenness leading to an increase in crime within the area and making the area unsafe for children. As well as concerns regarding a potential increase in litter and noise nuisance as a result of the application being granted.
- Some representations mention concerns regarding business competition and commercial need. However, it should be noted that these are not relevant considerations under the Licensing Act 2003.

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

## 6. Policy Considerations

6.1 Regard must be had to the Council's adopted Licensing Policy published February 2022 when determining this application. Of particular relevance (but not limited to) the following:

### **Anti-social behaviour**

2.36 Licensing is not the primary mechanism for controlling anti-social behaviour away from premises and beyond the direct control of operators. However, it is a key aspect of such control and licensing law is part of the holistic approach to the management of the evening and night time economy in town and city centres as well as rural areas and to some extent during the daytime too. Therefore, this Policy acknowledges the contribution of individual premises and, in certain circumstances, groups of premises to anti-social behaviour.

### **Prevention of crime and disorder**

3.26 Section 17 of the Crime and Disorder Act 1998 places a legal duty on the Council to consider the reduction of crime and disorder, including the reduction of anti-social behaviour, in all its activities. The Licensing Authority will look to the police as the main source of advice on crime and disorder matters and will also seek to involve the local Community Safety Partnership for advice on anti-social behaviour.

3.27 Applicants are expected to demonstrate in their operating schedule how they intend to promote the crime prevention objective in relation to the licensable activities provided. Applicants should also consider local circumstances, for example such as the terminal hour of other licensed premises in close proximity, local crime and anti-social behaviour 'hot spots'.

3.32 In considering licence applications, where a relevant representation has been made, or if advice is sought from a potential applicant regarding the crime and disorder objective, the Licensing Authority will particularly consider the following:

**Responsible sale and supply of alcohol.** It is expected that all premises licensed to sell and supply alcohol will have measures in place to prevent:

- The sale and supply of alcohol to children
- Serving alcohol to customers who are drunk
- Permitting drunkenness on the premises
- Encouraging irresponsible drinks promotions
- Spiking of drinks
- Anti-social street drinking in the local vicinity.

The expected measures include written policies and procedures, documented staff training and refresher training, the use of refusal logs and incident reports and use of appropriate signage.

### **Prevention of a public nuisance**

3.36 In considering all licence applications, the Licensing Authority will consider whether the measures proposed to deal with the potential for public nuisance having regard to all circumstances of the application, are adequate. Much weight will be placed on recommendations made by Environmental Health Officers in terms of preventing public nuisance.

### 3.37 Particular measures include:

**Litter.** Measures should be in place to manage the risk of littering associated with the premises. This includes having sufficient waste receptacles to avoid overflowing refuse containers and litter sweeps in the immediate vicinity to clear cigarette butts, food receptacles and flyers associated with the premises. Sometimes problems arise about litter from takeaways and, to a limited extent, from off licences. Licensees should consider distinctive wrapping, packaging or bags, so that litter can be traced back to particular premises and also periodic litter collection patrols and the provision of additional bins.

**Street drinking.** Street drinking can cause nuisance as well as crime and disorder. Where there is a history of public nuisance associated with street drinking in an area, the Licensing Authority may impose additional restrictions on licences for the sale of alcohol for consumption off the premises. Additional restrictions may include not selling high strength beer and cider, not selling cans and bottles in single cans and discouraging the sale of alcohol to known street drinkers.

#### **Off Licences and PSPO's Considerations**

3.59 The street drinking of alcohol has found to be associated with crime and disorder and anti-social behaviour in certain areas of Buckinghamshire. Street drinking can also be associated with public nuisance. To help tackle the issue the Council has introduced PSPOs (Public Space Protection Orders) in some parks and town centres which prohibit drinking alcohol or possessing alcohol in open containers.

3.60 Experience shows that enforcement of the PSPO alone is not sufficient to deter would be offenders from consuming alcohol in breach of current PSPOs. Enforcement is only part of the solution and it is important that locally licensed businesses also play their part. Not only does this demonstrate a commitment to the promotion of the licensing objectives, the removal of anti-social street drinking enhances the area and contributes to greater prosperity.

3.61 To assist address, the problematic street drinking, premises licensed for the sale of alcohol for consumption off the premises in areas where relevant PSPOs have been introduced are expected to adopt the following measures:

- No single cans or bottles of beer or cider will be sold.
- No high strength beer or cider products with 7.5% ABV or higher will be sold.
- Alcohol shall not be sold to any person who is reasonably expected to consume it on the street in the vicinity of the premises.
- Alcohol shall not be sold to customers in an open container.
- All alcohol sold from the premises will be marked in a way that can be used to identify that the alcohol has been purchased from the shop.
- Staff training shall include training on awareness of local alcohol related issues of concern and the actions required by staff to avoid contributing to these concerns.
- A log of refusals to sell alcohol shall be maintained at the premises and include a record of refusals of persons known to consume alcohol in breach of the local PSPO.

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.

## **Crime and disorder**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti- social behaviour and crime generally.

## **Prevention of a public Nuisance**

- 2.21 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.22 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.24 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.27 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **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. In order to consider these matters, it is necessary to consider the environment of the area in which the premises are or will be situated.

## **8. Resources, Risk and Other Implications**

- 8.1 **Resource:** The only resource implications to date have been officer time however if the applicant or persons making relevant representations appeals against the decision of the Licensing Sub – Committee 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 Licensing Sub-Committee's decision regarding this application will have Human Rights implications in respect of both the Applicant and the persons making relevant representations which also need to be considered equally and fairly so that the decision is proportionate and the right balance is met. The referral of this matter to the Sub-Committee is laid down in the Licensing Act 2003, as amended and is also in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. The Applicant and the persons making relevant representations have been notified of the Hearing and invited to make representations. A statutory right of appeal to the Magistrates Court and the right (if it arises) to challenge the Sub- Committee's decision by way of Judicial Review to the High Court also ensure a fair hearing to both the Applicant and the persons making relevant representations.
- 8.3 Article 8 and Article 1 of the First Protocol - the right to respect for private/family life and peaceful enjoyment of property/possessions (including Licences) - also needs to be considered. The persons making relevant representations have a right to respect for their private and family life and their home. They are entitled not to be disturbed by unreasonable noise and/or nuisance. However, this is a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.
- 8.4 Article 14 of the Human Rights Act 1998 - the right to freedom from discrimination (which is an absolute right) also needs to be considered. The human rights provided under the Human Rights Act 1998 must not be subject to discrimination under various headings, including race, national or social origins, association with a national minority group or other status.
- 8.5 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.
- 8.6 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.

- 8.7 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.
- 8.8 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 Licensing Policy, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received and the evidence presented at the Hearing.

- 9.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.
- 9.3 The Sub-Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.
- 9.4 The following options are available to the Licensing Sub Committee:
  - 9.4.1 Grant the Premises Licence - subject to any conditions which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant mandatory conditions.
  - 9.4.2 Exclude from the scope of the Premises Licence granted under Para 9.4.1 above any of the licensable activities to which the application relates.
  - 9.4.3 Refuse to specify a person in the Premises Licence granted under Para 9.4.1 as the premises supervisor.
  - 9.4.4 Reject the whole of the Application.
  - 9.4.5 Grant the Premises Licence subject to different conditions for different parts of the premises or the different /reduced licensable activities if this is

considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).

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

## **10. Conditions offered in the Operating Schedule**

### **General Licensing Objectives**

1. All staff responsible for selling alcohol shall receive regular training in the promotion of the licensing objectives as are relevant to their duties (including the Challenge 25 scheme) This training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee. The training shall be recorded in a training record which shall not be removed from the premises, except in case of emergency or for the purposes of copying, until a period of 12 months has expired since the last entry that has been recorded. The training record shall be made available to Police and authorised council officers on request.

### **The prevention of crime and disorder**

2. The premises shall install and maintain a comprehensive CCTV system which records 24 hours a day.  
  
All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.  
  
All CCTV recordings shall be stored for a minimum period of 31 days and all recordings will be stamped with the correct date and time.  
  
Viewing of recordings shall be made available, subject to Data Protection legislation, immediately upon the request of Police or an authorised council officer.
3. Licensable activities shall only be carried out at the premises at times when the CCTV system is fully operational.
4. A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises at times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.
5. Appropriate signage will be displayed at the premises, in a prominent position, informing customers that CCTV is in operation.
6. An incident logbook will be maintained at the premises. It must be completed within 24 hours of the incident and will record the following at a minimum:
  - a. Any refusal of the sale of alcohol (entries must include the date and time of the refused sale and the name of the member of staff who refused the sale)
  - b. Any incidents of crime and disorder
  - c. All ejections of patrons
  - d. Any faults in the CCTV system

The logbook shall be kept on the premises, for a minimum of one year from each entry, and be available for inspection, at all times the premises is open. Management shall regularly check the book to ensure all staff are using it.

7. The Premises Licence Holder shall only buy tobacco and alcohol products from cash and carry wholesalers. The cash and carry wholesalers providing alcohol will be registered with the Alcohol Wholesalers Registration Scheme (AWRS). All receipts for purchases of alcohol and tobacco purchased in the preceding 12 months will be kept at the premises and be available for inspection upon request of an authorised officer so as to be able to identify from where any items of alcohol or cigarettes were purchased.
8. All staff employed at the premises will have UK right to work status checked before being offered employment. The premises licence holder or nominated representative shall keep and maintain copies of all right to work documents for all staff members at the premises and these shall be made available upon request to an authorised officer of the council and Thames Valley Police.

**Public Safety**

9. Fire exit signs shall be displayed at the premises.

**The prevention of public nuisance**

10. Notices, at least A4 in size, will be prominently displayed at the premises asking customers to respect the needs of local residents and businesses and leave the area quietly. Staff will also encourage customers to be considerate to neighbours and limit noise when leaving the premises.

**The protection of children from harm**

11. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
12. Signage shall be displayed at the premises advising customers that a Challenge 25 proof of age scheme is in place.

<b>Officer Contact:</b>	<p><b>Stacey Bella (01296 585 336)</b>  <a href="mailto:stacey.bella@buckinghamshire.gov.uk">stacey.bella@buckinghamshire.gov.uk</a></p>
<b>Background Papers:</b>	<p><b>Application Ref PR202401-339919</b></p> <p><b>Licensing Act 2003, as amended.</b></p> <p><b>Licensing Policy – As adopted March 2022.</b></p> <p><b>Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.</b></p>

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**APPENDIX 1****BUCKINGHAMSHIRE COUNCIL****Anti-Social Behaviour, Crime and Policing Act 2014, Section 60(2)****Public Spaces Protection Order Extension**

A Public Spaces Protection Order was made by Buckinghamshire Council (“the Council”) on 31<sup>st</sup> October 2019 and may be cited as the Chiltern District Council (Alcohol Consumption) Public Spaces Protection Order 2019 (“the Order”).

This Order was made by the Council under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 (“the Act”) and was for a duration of three years.

A copy of the Order is annexed hereto.

By a decision made by the Deputy Leader and Cabinet Member Health and Wellbeing, on behalf of the Leader of the Council dated 5<sup>th</sup> October 2022, and in accordance with the previously published schedule and reports, the Order is extended for a further three years commencing 10<sup>th</sup> October 2022 unless further extended under the provisions of section 60 of the Act.

In making this decision and in accordance with section 60(2) of the Act, the Leader was satisfied on reasonable grounds that the extension was necessary to prevent

- a) Occurrence or re-occurrence after that time of the activities identified in the Order, or
- b) An increase in the frequency or seriousness of those activities after that time.

Signed:

A handwritten signature in black ink, appearing to read "Gideon Springer".

Gideon Springer – Head of Community Safety Buckinghamshire Council

Dated: 5<sup>th</sup> October 2022

**CHILTERN DISTRICT COUNCIL**  
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**THE CHILTERN DISTRICT COUNCIL (ALCOHOL CONSUMPTION)**  
**PUBLIC SPACES PROTECTION ORDER 2019**

1. **THIS ORDER** is made by Chiltern District Council ("the Council") in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:
  - 1.1 activities carried out, or likely to be carried out, in the public places set out in paragraph 2 below (which are within the Council's area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
  - 1.2 the effect, or likely effect, of the activities –
    - a. is, or is likely to be, of a persistent or continuing nature,
    - b. is, or is likely to be, such as to make the activities unreasonable, and
    - c. justifies the restrictions imposed by this Order
2. The public places within which the activities set out in paragraph 3 below are prohibited ("**the Restricted Area**") are respectively shown edged and hatched in red on the plans in the Appendix to this Order and comprise:
  - Chesham Cemetery, Berkhamstead Road, Chesham, Bucks, HP5 3ET
  - Chesham Town Centre:
    - Blucher Street,
    - The Broadway,
    - High Street,
    - Market Square, and
    - Meades Water Garden, Red Lion Road,
  - Amersham-on-the-Hill:
    - Chiltern Avenue
    - Hill Avenue
    - Oakfield Corner
    - Hervines Road
    - Hervines Park
    - Chesham Road from Oakfield Corner to junction with South Road
    - Chiltern Parade
    - Rickmansworth Road
    - Surface car park, Rickmansworth Road
    - Sycamore Road
    - Woodside Close
    - Woodside Road to junction with Green Lane

- King George's Field
  - King George V Road
  - Council Offices car park, King George V Road
  - Hyrons Lane
  - Darlington Close
  - Tylsworth Close
  - Access road to Tudor Court and Windsor Court, King George V Road
  - Multi-storey car park, Chiltern Avenue
- Old Amersham:
    - Whielden Street to junction with Haleacre Hospital entrance
    - High Street to junction with Mill Lane
    - Mill Lane
    - School Lane from junction with Church Street to junction with Mill Lane
    - Barn Meadow Recreation Ground
    - Church Street
    - St Mary's Church graveyard
    - Church Mead
    - Garden of Remembrance
    - Market Square
    - The Broadway
    - Council surface car park, The Broadway
    - Footpath between Misbourne Court and Station Road
    - London Road West to junction with Stanley Hill
- Land at Roundwood Road and Station Forecourt, Amersham
    - Amersham Station forecourt, Chiltern Avenue
    - White Lion Road from junction with Stanley Hill to The Pomeroy public house
    - Raans Road from junction with Woodside Road to junction with Quill Hall Lane
    - Brudenell Close including Drakes Court
    - Park Place
    - Plantation Road from junction with Park Place (south junction) and junction with Mitchell Walk
    - Roundwood Road
    - Playground, Roundwood Road
    - Wooded areas adjacent to and adjoining Roundwood Road
    - Grove Road
    - Eagle Close
    - Quill Hall Lane from junction with Eagle Close to Springett Place
    - Side road off Quill Hall Lane leading to Ridge House
    - Park Road
    - Land between Quill Hall Lane and Park Road
    - Deans Close

- o Middle Close
- o Popes Close

**3. The activities which are to be prohibited are:**

- 3.1 the consumption of alcohol in breach of an authorised officer's request to cease its consumption; and
- 3.2 having an unsealed container of alcohol in breach of an authorised officer's request to surrender the alcohol or container.

**4. Therefore the following Restrictions apply in the Restricted Area:**

A police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming alcohol in the Restricted Area or intends to consume alcohol in the Restricted Area, to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol or a container for alcohol.

**5. Period for which this Order Has Effect**

This Order will come into force on 31 October 2019 and will continue in force for three years expiring on 30 October 2022

**6. Consequences of Failure to Comply with Restrictions Contained in this Order**

It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 4 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

An authorised officer may issue a Fixed Penalty Notice to anyone that officer believes has committed an offence and provided that fixed penalty, in the sum of £100, is paid within 14 days, a prosecution will not be brought for that offence.

**7. Appeals**

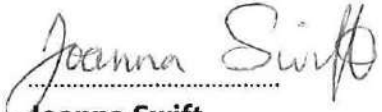
Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds: that the Council did not have power to make the order or variation, or to include



particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

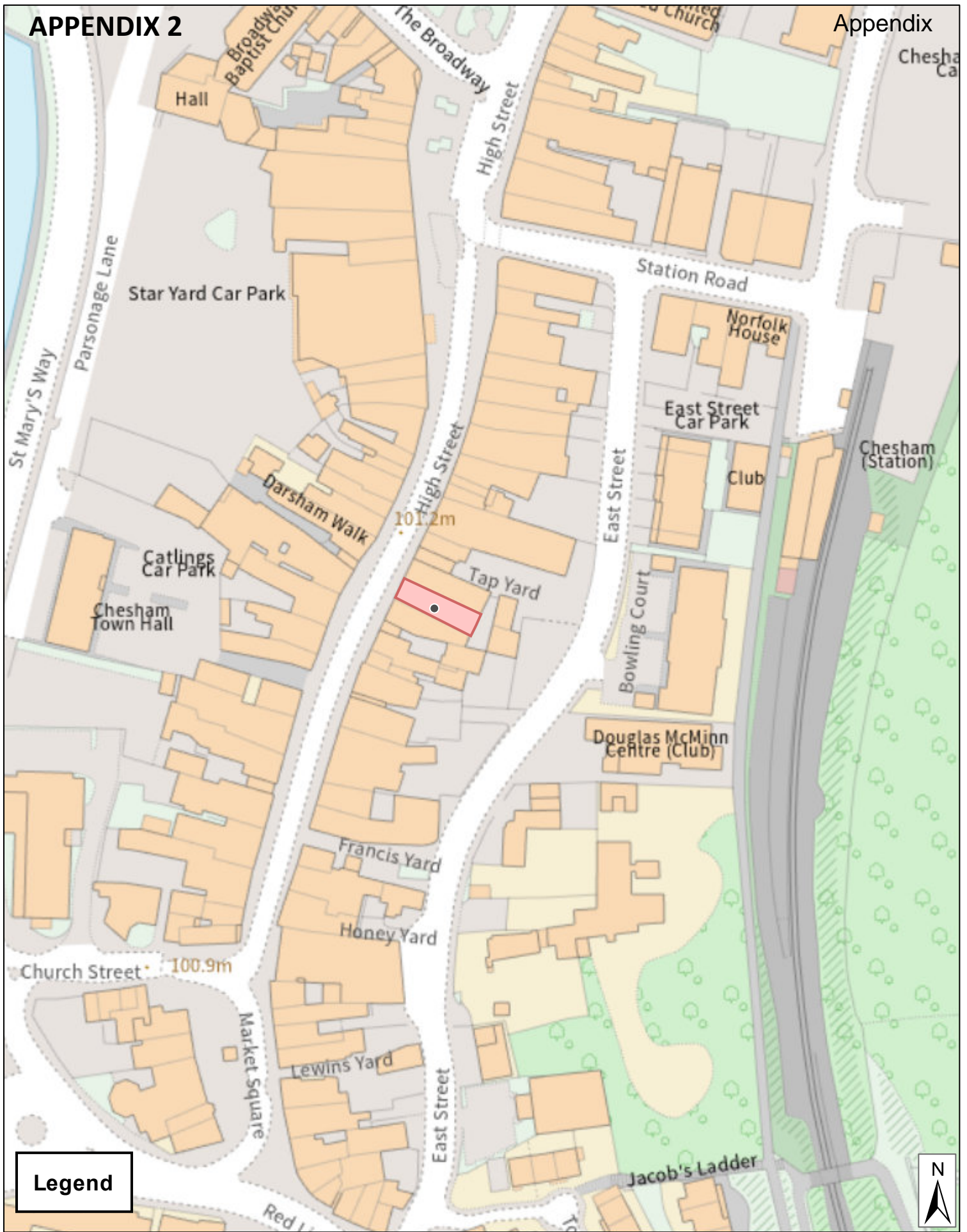
Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

Dated: **31 October 2019**

Signed:   
.....  
**Joanna Swift**  
**Head of Legal and Democratic Services**

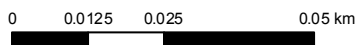
On behalf of **Chiltern District Council**  
**King George V House, King George V Road, Amersham, Buckinghamshire,**  
**HP6 5AW**

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Appendix 2 - Location Plan New Hub & Off Licence



1:1,250

Copyright:  
Author: Enter name  
Page 27  
Date: 26/03/2024



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**Buckinghamshire**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[Licensing@buckinghamshire.gov.uk](mailto:Licensing@buckinghamshire.gov.uk)  
 Telephone:

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes
- No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text" value="Hayes"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="UB4"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="Manpreet Singh"/>
* Family name	<input type="text" value="Kapoor"/>
* E-mail	<input type="text" value="info@personalllicencecourses.com"/>
Main telephone number	<input type="text" value="020 8606 0558"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

### Your Address

* Building number or name	<input type="text" value="Personal Licence Courses UK"/>
* Street	<input type="text" value="145 Station Road"/>
District	<input type="text"/>
* City or town	<input type="text" value="West Drayton"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="UB7 7ND"/>
* Country	<input type="text" value="United Kingdom"/>

Address official correspondence should be sent to.

## Section 2 of 21

### PREMISES DETAILS

**Continued from previous page...**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	<input type="text" value="New Hub &amp; Off Licence"/>
Street	<input type="text" value="25A High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Chesham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="HP5 1BG"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="17,500"/>

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

### Section 4 of 21

#### INDIVIDUAL APPLICANT DETAILS

##### Applicant Name

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

- Yes  No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No



Continued from previous page...

### Current Residential Address

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

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.

Yes  No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="UB4"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

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

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.

Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text" value="Afghan"/>
Right to work share code	<input type="text" value="WY4 ZKW 3FA"/>

[Documents that demonstrate entitlement to work in the UK](#)  
[Right to work share code if not submitting scanned documents](#)

## Section 5 of 21

### OPERATING SCHEDULE

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

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

Provide a general description of the premises

*Continued from previous page...*

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Convenience Store and Off Licence along with Mobile and Vape section

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

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption:

- On the premises  Off the premises  Both

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

State any seasonal variations

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

None

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

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

None

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

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

*Continued from previous page...*

**Enter the contact's address**

Building number or name	<input type="text" value="5"/>
Street	<input type="text" value="Barnhill Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Hayes"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="UB4 9AP"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="To be applied for"/>
Issuing licensing authority (if known)	<input type="text" value="London Borough of Hillingdon"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start  End

Start  End

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

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

None

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

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

None

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

**Continued from previous page...**

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

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 31 days recording system
3. All staff to be trained in responsible alcohol retailing

**b) The prevention of crime and disorder**

1. The premises shall install and maintain a comprehensive CCTV system which records 24 hours a day. All CCTV recordings shall be stored for a minimum period of 31 days and all recordings will be stamped with the correct date and time. Viewing of recordings shall be made available, subject to Data Protection legislation, immediately upon the request of Police or an authorised council officer.

2. That licensing activities are only carried out at the premises at times when the CCTV system is fully operational

3. A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises when the premises are open. This staff member must be able to provide a police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.

4. An incident logbook will be maintained by the premises that details incidents of note that occur in the premises. This shall include refused sales, disorder, and ejections as a minimum. The logbook shall always be kept on the premises, for a minimum of 1 year from each entry, and be available for inspection, at all times the premises is open. Management shall regularly check the book to ensure all staff are using it.

5. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003. Written records of this training shall be retained and made available for inspection to Police or Council Officers on request.

6. All alcohol shall be purchased from AWRS registered cash & carry and wholesalers.

7 All goods, including those subject to duty payments i.e., alcohol and tobacco products will be brought from cash and carries only on invoices and they will be available upon request. All alcohol will be purchased from AWRS registered cash & carry or wholesalers.

8. All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

**c) Public safety**

1. Fire Exit Signs Displayed
2. CCTV 31 Days recording facility

**d) The prevention of public nuisance**

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

**e) The protection of children from harm**

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

*Continued from previous page...*

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

3. An refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to an Licensing Officer, Police or other responsible authority.

4. A challenge 25 proof of age scheme shall operate at the premises. Signage shall be displayed advising customers that the scheme is in place. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**



*Continued from previous page...*

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

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

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

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

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

### **Documents which demonstrate entitlement to work in the UK**

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

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work 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 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

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

**Continued from previous page...**

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

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm) Band A - No RV to £4300 £100.00 Band B - £4301 to £33000 £190.00 Band C - £33001 to £8700 £315.00 Band D - £87001 to £12500 £450.00\* Band E - £125001 and over £635.00\* \*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee Band D - £87001 to £12500 £900.00 Band E - £125001 and over £1,905.00 There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required. Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college. If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00 Capacity 10000 -14999 £2,000.00 Capacity 15000-19999 £4,000.00 Capacity 20000-29999 £8,000.00 Capacity 30000-39000 £16,000.00 Capacity 40000-49999 £24,000.00 Capacity 50000-59999 £32,000.00 Capacity 60000-69999 £40,000.00 Capacity 70000-79999 £48,000.00 Capacity 80000-89999 £56,000.00 Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**DECLARATION**

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

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

Manpreet S Kapoor

Continued from previous page...

\* Capacity

\* Date  /  /   
dd mm yyyy

[Add another signatory](#)

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

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/buckinghamshire/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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

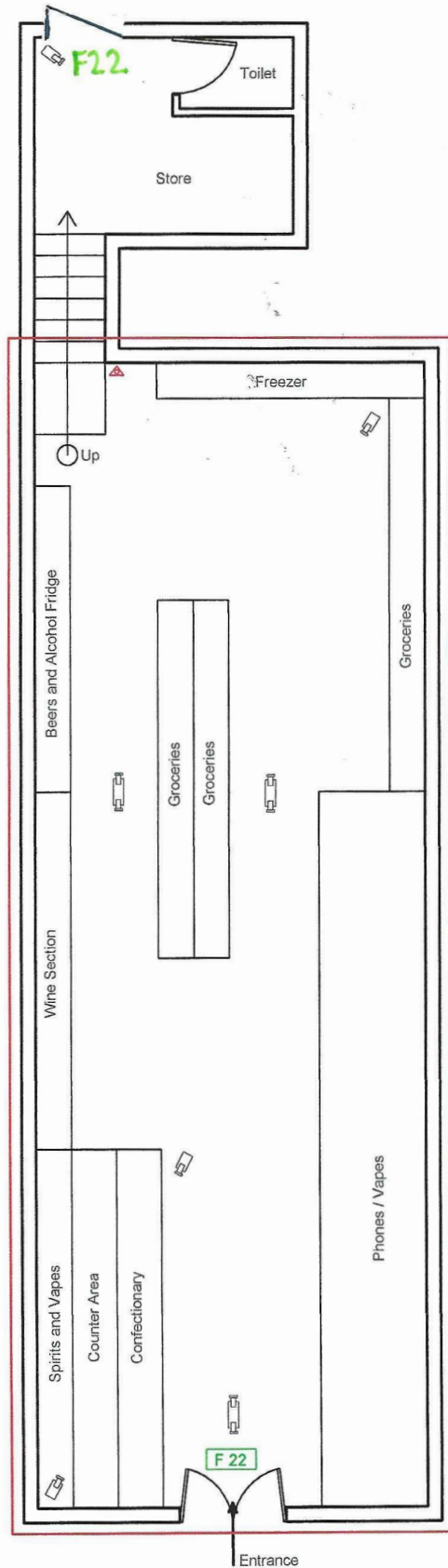
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
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](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

# PROPOSED LICENCE PLAN



Property Address:  
 NEW HUB & OFF  
 LICENCE  
 25A HIGH STREET  
 CHESHAM, HP5 1BG

Drawing No. AC011		Date: 25/01/24
Key	Scale : 1:100	Paper : A4
	Fire Extinguisher	
	Fire Exit Signs	
	CCTV Cameras	
	Licensable Area	
CCTV Recordings 31 Days		

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**From:** [Hooper, Trevor \(C5686\)](#)  
**To:** [Licensing Mailbox](#)  
**Subject:** [EXTERNAL] TVP Application Response - Premises Licence for New Hub & Off Licence, 25A High street, Chesham.: NO OBJECTION  
**Date:** 07 February 2024 07:38:09

---

On 31/01/2024, we received a Premises Licence application relating to New Hub & Off Licence, 25A High street, Chesham.

=====  
 New convenience store and Off licence.  
 =====

Based on the supplied information, the Thames Valley Police response is: \*\*\* NO OBJECTION \*\*\*

\*\*\*\*\*  
 This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to [informationsecurity@thamesvalley.police.uk](mailto:informationsecurity@thamesvalley.police.uk) and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.  
 \*\*\*\*\*

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## BUCKINGHAMSHIRE COUNCIL

MEMO

To: Licensing Services

From:

Catriona Crelling

Tel Ext: 5875

Date 16.02.2024

Ref: PR202401-339919

Ref: PR202401-339919

**Application for a New Premises Licence**

New Hub &amp; Off Licence, 25A HIGH STREET, CHESHAM, HP5 1BG

I have reviewed this application and can confirm that having taken into consideration the promotion of the four licensing objectives, the Buckinghamshire Council Statement of Licensing Policy and the Secretary of State Section 182 Guidance the Licensing Authority have no objections.

Yours sincerely



Catriona Crelling  
Senior Licensing Officer

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**Buckinghamshire**  
**FIRE & RESCUE SERVICE**  
*we save lives*

Form FSD025

**THE LICENSING ACT 2003 SECTION 5(3) CONSULTATION**

<b>LICENSING REFERENCE NO:</b>	NOT CURRENTLY IN USE	<b>FOR ATTN:</b> LICENSING
<b>PLANS NO:</b>		
<b>DATE RECEIVED:</b>	30/01/2024	
<b>PREMISES ADDRESS</b>	NEW HUB & OFF LICENCE 25A HIGH STREET CHESHAM HP5 1BG	
<b>OUR REF. (FILE NO).</b>	C1604A	FSEC Cat. L

**SECTION A – THIS AUTHORITY DOES NOT WISH TO MAKE “RELEVANT REPRESENTATION” UNDER THE FOLLOWING SECTION OF THE ABOVE ACT**

- Application for a premises licence under section 17**
- Application for a premises licence under section 18(6) and 18(6)b**
- Variation of a premises licence under section 34 and or section 35(5) or 36(6)**
- Application for a club premises certificate under section 72(3)**
- Application for variation of a club premises certificate under section 85(3)**

**THE GROUNDS FOR “RELEVANT REPRESENTATION” ARE: -**

NO REPRESENTATION

**NOTES**

A fire risk assessment must be completed by the Responsible Person in accordance with the Regulatory Reform (Fire Safety) Order 2005

Signature and Role of officer: *CMoore*

Carrie-Anne Moore

Date: 02/02/2024

Business Fire Safety Inspector

Correspondence address: Buckinghamshire Fire & Rescue Service  
Headquarters, Stocklake  
Aylesbury  
Bucks HP201BD

Telephone Numbers

Office: 01296 744417

Mobile:

07771973739

Email address: cmoore@bucksfire.gov.uk

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## Web comments:

1. Received: 16/02/2024  
Name: Valerie Quinnell

The location of an off-license (& vape shop) so close to a children's nursery is inappropriate. Chesham High Street has previously had public nuisance issues with anti-social behaviour from youths congregating near Sainsbury's. The presence of an off-license (in a pedestrianised area) which is open from 8am-11pm 7 days a week will create an environment which is likely to cause public nuisance for local residents. Also the long licensing hours are very likely to increase the cumulative stress of noise or nuisance for local residents. With a pre-existing off-licence a few hundred meters away (8 Red Lion St, Chesham HP5 1HF) & two licensed bars (Trekks & Mad Squirrel) in VERY close proximity the presence of another off-licence at this end of the High Street will result in the area being saturated with alcohol retail businesses which will undermine the councils Licensing Objectives (particularly the prevention of public nuisance & the prevention of crime & disorder).

2. Received: 19/02/2024  
Name: Rob Tokoholic

We already have enough off-license and pubs in the area and could use charity shops like british heart foundation and hardware stores as there are none left on street. Any more of these shops would ruin our area and could put children at risk too. Strongly against this application.

3. Received: 19/02/2024  
Name: Wiktorja Turley

Its way too close to my kids school. I would rather not have my kids walk out of school to a shop that sells vapes and alcohol. there is already concern and government stance on banning vape products for children such shops should not be opening so easily.

4. Received: 19/02/2024  
Name: Mark Gordon

Why is there still application being considered. There is already an off-license within 3 mins walk from this location barely 100 meters away and a pub as well. Letting more of same business is not good for either the businesses or the public especially children. Bad competition could lead to alcohol, vapes and cigarettes into hands of young people.

5. Received: 19/02/2024  
Name: Jill

Hello its already too many pubs in high street. we saw a lot peoples leave empty cans and glass bottles in our street. please no more off licence.

6. Received: 20/02/2024  
Name: Georgina Daw

Not in support of another convenience store in the area. Too much litter already thanks to the ones already there and drunks from pubs are nuisance enough. Already so many shops selling alcohol down the square we don't want the whole market turn into a black market where children would get easy access to vapes and other harmful products. Licensed and off-license premises should be at some distance from each other to avoid bad competition resulting in harm to community especially minors.

7. Received: 23/02/2024  
Name: Amanda Hornsby Bond

I am writing to object to the alcohol license. I don't see any good coming from this and only more problems re litter and noise. I believe the cumulative impact policy needs to be upheld for the good of the area. Please bring the policy into effect and take appropriate measures.

8. Received: 23/02/2024  
Name: Hazel Hopkinson

Dear Sirs, I am writing with objection to the application for opening another Convenience and Off Licence, Mobile and Vape Store. Our High Street already has at least 6 establishments which have all of these categories serving our community, some better than others. There are also plenty on the periphery of the High Street as well. We are slowly seeing our lovely High Street turn into a very cheap & tacky area. A lot of our independent traders (myself being one of them) have worked very hard to turn Chesham into a destination town. But, I can only see this being rapidly undone. Particularly if Poundland occupies the M&Co building. This will not continue to attract the Londoners who have started to live in our town. This convenience shop is in a Pedestrian Zone, so I am concerned how this will create an increase in illegal vehicular traffic along the High Street. I note with interest in the application that there is a section covering the ?Prevention of public nuisance as well as crime/disorder?. How many people are going to be told to be quiet when they leave this establishment? In the application it states that Alcohol will be sold on Sunday from 8am. I understood that alcohol ca not be sold until 10am on Sundays? Can this be checked. Yours hopeful Mrs Hazel Hopkinson



## APPENDIX 9

**From:** [g.singh](#)  
**To:** [Licensing Mailbox](#)  
**Subject:** [EXTERNAL] Objecting application no.PR202401-339919  
**Date:** 21 February 2024 15:23:22

---

You don't often get email from mrsinghhp5@gmail.com. [Learn why this is important](#)

Dear sirs,

I have noticed an application for a new off-license planned to be opened at :  
25A HIGH STREET, CHESHAM, HP5 1BG.

Application no. PR202401-339919

I would like to point out that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The application proposes that alcohol will be sold for consumption off the premises between 8:00am and 11.00pm, seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

There are 4 pubs  
Red lion  
Trekks bar  
The drawing room  
The george  
And other Alcohol shops

There is already many drunks people walking the street at night and late night swearing and shouting. As such residents in this area already suffer noise nuisance and antisocial behaviour. It is totally unacceptable to escalate the situation.

There are also many cracked bottles cracked left on street which pose a significant threat. Also some people also end up vomiting near the residences causing hygiene issue.

Considering there are elder vulnerable people and young children who often use the high stree. Too many alcohol shops makes the place attractive to drunkards and druggies, that can increase crimes against the aforementioned.

Hence, I would urge the Licensing Authority to refuse the application.

Yours kindly

Gurmeet Singh  
8 red lion street  
Chesham  
HP51HF

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**From:** [g.singh](#)  
**To:** [Stacey Bella](#)  
**Subject:** [EXTERNAL] Re: Notice of Hearing - New Hub & Off Licence, 25a High Street, Chesham, HP5 1BG  
**Date:** 21 March 2024 10:20:43  
**Attachments:** [AlcoholOutletsAffectViolence.pdf](#)

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Hello,

I have attached below the reports from PIRE prevention research centre and general impact review carried regarding the effects that many alcohol shops in close proximity to each other have on public and health services.

I have provided photos as evidence of current state of area to provide an insight into how it will worsen the situation with more off-licenses being allowed to pop-up in close proximity.

There is a day care few doors away from purposed premises.

Two alleys where cases of vomiting and pissing have recently been noticed at nights nearby proposed premises.

Cans of alcohol disposed of incorrectly with one dented can that was full which could have fallen into young hands. Also glass bottles are dumped into streets.

On Thu, Mar 14, 2024, 14:49 Stacey Bella <[Stacey.Bella@buckinghamshire.gov.uk](mailto:Stacey.Bella@buckinghamshire.gov.uk)> wrote:

Dear Sir/Madam,

Please find attached the notice of hearing for the above premises, along with a copy of the procedural rules.

Please do not hesitate to contact me if you have any questions.

Kind Regards,

**Stacey Bella**

Licensing Officer

Commercial Licensing

Directorate for Communities

Buckinghamshire Council

01296 585336 or 01296 585605

[Stacey.bella@buckinghamshire.gov.uk](mailto:Stacey.bella@buckinghamshire.gov.uk) or [licensing@buckinghamshire.gov.uk](mailto:licensing@buckinghamshire.gov.uk)



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Flower Pots  
Day Nursery

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TAP YARD

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## How Alcohol Outlets Affect Neighborhood Violence

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Kathryn Stewart



Prevention Research Center  
PACIFIC INSTITUTE FOR RESEARCH AND EVALUATION

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*Pacific Institute for Research and Evaluation is one of the nation's preeminent independent, nonprofit organizations merging scientific knowledge and proven practice to create solutions that improve the health, safety and well-being of individuals, communities, nations, and the world.*



## Introduction

Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together suffer more frequent incidences of violence and other alcohol-related problems, according to research by the Prevention Research Center and others. The strong connection between alcohol and violence has been clear for a long time – but now we know that this connection also relates to the location of places that sell alcohol.

Government agencies with authority over land-use and/or liquor licenses can help fight crime and blight and improve quality of life by controlling licenses to sell alcohol and the location of licensees. Governments can make rules that set minimum distances between alcohol outlets; they can limit new licenses for areas that already have outlets too close together; they can stop issuing licenses when a particular location goes out of business; and they can permanently close outlets that repeatedly violate liquor laws.

This paper presents some of the questions and answers about alcohol sales outlets and alcohol problems – especially the relationship between outlet location and violence.

## What is the relationship between outlet density and violence?

A number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence. That is, when bars, liquor stores, and other businesses that sell alcohol are close together, more assaults and other violent crimes occur.

Some of the important findings about outlet density and violence are described below.

- In a study of college campuses across the U.S., the density of both on-premise outlets (such as bars) and off-premise alcohol-outlet (such as liquor stores) were associated with the campus rape and assault rates.<sup>1</sup>
- Greater numbers of off-premise outlets such as liquor stores or grocery and convenience stores that sell alcohol were associated with greater injuries from accidents, assaults, and traffic crashes for both underage and of-age young adults. Among of-age young adults greater number of restaurants related to traffic crash injuries and greater numbers of bars related to assault injuries. Underage youth are more affected by off-premises establishments like liquor and grocery stores.<sup>2</sup>

- Alcohol outlet density, especially the density of liquor stores, was found to be associated significantly with rates of domestic violence, including violence against intimate partners and child abuse and neglect.<sup>345</sup>
- In a study of Camden, New Jersey, neighborhoods with alcohol outlet density had more violent crime (including homicide, rape, assault, and robbery). This association was strong even when other neighborhood characteristics such as poverty and age of residents were taken into account.<sup>6</sup>
- In a six-year study of changes in numbers of alcohol outlets in 551 urban and rural zip code areas in California, an increase in the number of bars and off-premise places (e.g., liquor, convenience and grocery stores) was related to an increase in the rate of violence. These effects were largest in poor, minority areas of the state, those areas already saturated with the greatest numbers of outlets.<sup>78</sup>
- Violence committed by youth was more common in minority neighborhoods where there are many outlets that sell alcohol for consumption off the premises (such as liquor and convenience stores).<sup>9</sup> This finding makes sense because underage drinkers are more likely to purchase alcohol in a store than in a bar or restaurant.

A larger number of alcohol outlets and a higher rate of violence might be expected in poorer neighborhoods or in neighborhoods with a larger population young people. But as the research described above shows, even when levels of poverty and the age and the ethnic background of residents are taken into account, a high density of outlets is strongly related to violence regardless of a neighborhood's economic, ethnic or age status.

All of the characteristics of alcohol outlet location can be important. It is easy to see that a town with many bars, restaurants, and stores that sell alcohol could be different from one that has fewer outlets. It is also easy to see that a neighborhood that has a bar on each corner and a liquor store on each block has a completely different environment than one that has few outlets or none at all. Other characteristics of the environment make a difference, too. For example, a strip of bars near a college campus presents a different environment from a similar density of bars in an upscale city center and also different from a similar density in a poor neighborhood. But in each case, some form of increased violence would be expected as compared to comparable areas with fewer alcohol outlets. A study of changes in outlet density over time as related to violence in California found that regardless of other neighborhood characteristics, an increase in outlets increased violence. In neighborhoods with a high minority

population and low incomes, the effect was more than four times greater than for the statewide sample of communities.<sup>10</sup>

### **What accounts for the relationship between outlet density and violence?**

The research that has been done so far cannot pinpoint exactly why having more outlets in a small area seems to result in more violence. Various explanations have been proposed. One is that alcohol outlets can be a source of social disorder. A liquor store parking lot full of people drinking in their cars or on the curb and broken bottles littering the area outside a bar may send a message that this is a neighborhood in which normal rules about orderly behavior are not enforced. Another possible explanation is that a neighborhood with a large number of outlets acts as a magnet for people who are more inclined to be violent or more vulnerable to being assaulted. It is also possible that a high number of outlets results in a large number of people under the influence of alcohol – which makes them both more likely to be violent and less able to defend themselves.<sup>11</sup> It is most probable that all of these factors come into play.

### **What is the relationship of outlet density to other alcohol problems?**

The density of alcohol outlets has also been found to be related to other alcohol problems such as drinking and driving, higher rates of motor vehicle-related pedestrian injuries, and child abuse and neglect.<sup>1213</sup>

### **How do governments regulate outlet density?**

States and communities can regulate the number of bars, restaurants, and stores that sell alcohol in a given area. Sometimes the number and location of alcohol outlets is not limited at all. In some jurisdictions, the number of alcohol outlets is limited based on the population of the area – only so many outlets per thousand residents, for example. In other cases, the location of outlets is regulated – for example, some states or communities set minimum distances from schools or churches. Research increasingly finds, however, that geographic density is the key aspect of outlet location – that is, the distance between outlets. Where over-concentrations of outlets occur, greater problems arise.

Governments can use their regulatory powers to reduce violence by:

- Making rules that set minimum distances between alcohol outlets;
- Limiting new licenses for areas that already have outlets too close together;

- Not issuing a new license when a particular location goes out of business;
- Permanently closing outlets that repeatedly violate liquor laws (such as by selling alcohol to minors or to intoxicated persons or allowing illicit drug sales or prostitution on the premises).

### **What implications do these findings have for state and local licensing policies?**

The research strongly suggests that limits on outlet density may be an effective means of reducing alcohol problems, especially violence. States and communities can use controls on the number and location of alcohol outlets as a tool for reducing violence, creating a safer and healthier alcohol environment, and improving the quality of life of a community.

### **What other alcohol policies are important?**

Alcohol is a legal and widely consumed commodity; but it is also a commodity that can create a variety of serious health and social problems. Alcohol policies are an important tool for preventing these problems. Every day, states and communities make decisions about the sale of alcohol: who can sell it, when and where it can be sold, who it can be sold to. State and local laws and policies control many aspects of the system by which alcohol is manufactured, marketed, sold, purchased, and consumed.

Regulations serve a variety of purposes, for example, they help ensure that tax revenues are collected. But the regulation of the business of selling alcohol goes beyond economic concerns. Each element of the regulatory system provides opportunities for creating a healthier social environment with respect to alcohol. For example, regulations can prevent unsafe sales practices – such as prohibiting all-you-can-drink specials that encourage intoxication. Regulations can control advertising and promotion that appeals to minors and establish the minimum age and training qualifications for people who sell and serve alcohol. Each type of regulation has the potential to ensure that alcohol is consumed in a safe and healthy manner.

### **What aspects of alcohol availability can be regulated?**

The regulation of alcohol sales can have an impact on the availability of alcohol – that is, how easy and convenient it is to buy. Some states and communities try to make alcohol less available by selling it only in limited places – for example, state liquor stores. Other communities sell it more freely – making it available in grocery stores, convenience stores, gas stations, laundromats, drive-through windows, and so forth. States and communities can also limit the hours and days of sale, and other aspects of the

conditions of sale. The regulation of availability is important because research generally shows that when alcohol is more easily available, people drink more and more alcohol problems occur.

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## Summary of evidence

This briefing paper summarise the evidence from a number of scientific studies from the UK and from high-income countries that strongly suggest that increases in heavy drinking have marked negative consequences on both physical and mental health. A number of studies have shown that longer on-premise alcohol availability leads to overall increases in alcohol consumption in the form of heavy drinking and that this, in turn, has detrimental effects on individual mental and physical health through increased heavy drinking. There is also a clear association between alcohol outlet density and violence and that suggest that the issues of alcohol availability and access are important to the prevention of alcohol-related problems within communities.

In light of this evidence, several scientific reviews have concluded that restricting the hours of alcohol sales is an effective strategy for reducing excessive alcohol consumption and related harms.

## UK studies

Two related issues in public policy with respect to alcohol are how increased availability influences consumption and what effect excess consumption has on individual health outcomes. A review paper from Green et al (2015)<sup>1</sup> examined one particular source of variation in availability, bar opening hours, and how this influences consumption, physical and mental health. Authors focused on the extension of opening hours in England and Wales that occurred in 2005, and reported various sources of evidence demonstrating a marked increase in consumption, which appears to be concentrated in heavy drinking.

Within the UK, extensions of the hours of alcohol sales have been associated with increased per capita consumption of beer, increases in the number of alcohol-related diagnoses in hospitals, and increases in violent crime. Within London, increases in alcohol-related overnight attendances to the ED and alcohol-related admission rates were associated with the 2005 implementation of the 2003 Act. A study by Newton et al (2007)<sup>2</sup> reported that overnight alcohol related emergency attendances to St Thomas' hospital increased significantly (as consequence of injury and assault) after the introduction of new alcohol licensing legislation. If reproduced over longer time periods and across the UK as a whole, the additional burden on emergency care could be substantial.

Excessive alcohol consumption has a substantial impact on public health services. A key element determining alcohol availability is alcohol outlet density. A national small-area level ecological study (Maheswaran et al; 2018)<sup>3</sup> investigated the relationship between on-trade and off-trade outlets and hospital admission rates found that higher densities of on-trade outlets (pubs, bars and nightclubs; restaurants licensed to sell alcohol; other on-trade outlets) and convenience stores were associated with higher admission rate ratios for acute and chronic wholly attributable conditions.

The main finding of another study conducted in Wales (Fone et al; 2016)<sup>4</sup> was that change in walking outlet density was associated with alcohol-related harms: consumption, hospital admissions and violent crime against the person each tracked the quarterly changes in outlet density.

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