

BUCKINGHAMSHIRE COUNCIL LICENSING SUB-COMMITTEE HEARING

Members' Record of Determination

**RE: SETHJIT SINGH
16 STEWKLEY ROAD, WING,
BUCKINGHAMSHIRE LU7 0NE**

Application for new Premises Licence s.17 Licensing Act 2003

Date: 14 July 2020 at 10.00 am via Video Conference

Constitution of the Sub-Committee:	Cllrs Gary Powell and Sir Beville Stanier Bt
Chair:	Cllr Susan Renshell
Others present:	-

Legal Advisor:	Maria Damigos
Licensing Officer:	Kerryann Ashton-Licensing Officer
Applicant:	Sethjit Singh
Responsible Authority:	Licensing Authority - Simon Gallacher – Principal Licensing Officer
Interested Parties:	Adrian Coates Tom Siddall Emma Seabourne
Members of the Public:	-
Documentation:	Report and Appendices Bundle of additional information and representations from applicant and interested parties dated between 10 and 12 July 2020
Apologies:	None
Disclosures of Interest:	None

<u>FINDINGS OF FACT</u>
The Sub-Committee accepted the following findings of fact from the evidence available:
<ol style="list-style-type: none">1. This hearing relates to a New Premises Licence in respect of 16 Stewkley Road, Wing, Buckinghamshire LU7 0NE2. The premises are situated a short distance away from the A418 road at the end of a small parade of other business premises namely a chip shop, restaurant and garage. The premises are to be opened as a supermarket.3. There were no representations made by the Responsible Authorities: Thames Valley Police; Environmental Health; Bucks Fire and Rescue; Planning; Trading Standards; The Safeguarding and Child Protection Unit; or the Primary Health Care Trust. The Licensing Authority did have some objections which were included in the report in Appendix 4. As well as the mandatory conditions the Responsible Authority and the Applicant have agreed conditions and amendments to the conditions originally proposed by the Applicant to deal with these objections as set out in The Schedule to the report on pages 22 to 24 (the mandatory conditions) and pages 24 and 25 (the proposed conditions). The Applicant agreed that all of these mandatory and proposed conditions would form part of his Operating Schedule.4. There were 12 representations received, 8 of which were deemed not relevant under s18(6)(a) of the Licensing Act 2003. The remaining three representors attended to give evidence. The predominant objections were in relation to the potential for noise, nuisance and unsavoury behaviour in what is a residential area due to the lateness of the closing hours applied for, namely 10pm Monday to Sunday.5. The Applicant offered to reduce the hours of alcohol sales effectively to 8am to 9pm Monday to Friday and 10am to 9pm on Saturday and Sunday in response to the representations and concerns raised.6. The Applicant has many years experience of managing licensed premises in similar locations including within Wing.

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2. The premises are situated a short distance away from the A418 road at the end of a small parade of other business premises namely a chip shop, restaurant and garage. The premises are to be opened as a supermarket.
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4. There were 12 representations received, 8 of which were deemed not relevant under s18(6)(a) of the Licensing Act 2003. The remaining three representors attended to give evidence. The predominant objections were in relation to the potential for noise, nuisance and unsavoury behaviour in what is a residential area due to the lateness of the closing hours applied for, namely 10pm Monday to Sunday.
5. The Applicant offered to reduce the hours of alcohol sales effectively to 8am to 9pm Monday to Friday and 10am to 9pm on Saturday and Sunday in response to the representations and concerns raised.
6. The Applicant has many years experience of managing licensed premises in similar locations including within Wing.

Taking into account the application and representations received together with the relevant law, section 182 guidance, the Licensing Policy Statement (Nov 2015) the Sub-Committee **RESOLVED**:

Application Granted subject to conditions

Condition(s):

- Subject to those conditions which form part of the Operating Schedule
- Operating hours 8am to 9pm Monday to Friday and 10am to 9pm Saturday and Sunday

REASONS FOR DECISION

The Sub-Committee were concerned about the potential for increasing noise, litter and other public nuisance in the area in the future, however were mindful that the other businesses close to the Premises are open later than the times proposed by the Applicant. The hours of sale of alcohol were reduced as this was considered a proportionate response to the representations and concerns about future noise, litter and other public nuisance.

The Sub-Committee took into consideration that the Premises were not yet in operation and that there had been no representation by Thames Valley Police in relation to nuisance or anti-social behaviour and were also mindful that there is a review process where any future concerns can be raised.

The Sub-Committee did consider the management experience of the Applicant and were satisfied as to his capabilities to effectively manage an Off-Licence.

The Sub-Committee is satisfied that the above decision and reasons given are a reasonable and proportionate response to the representations made.

RIGHT OF APPEAL

An appeal against the decision of the Sub-Committee may be made by:

- a) The premises licence holder
- b) The person who made the relevant representations

Applications to appeal the decision of the Sub-Committee must be made to the local Magistrates' Court within 21 days from the receipt of this notice