

WAVERLEY BOROUGH COUNCIL
LICENSING SUB-COMMITTEE A – 13 MAY 2013

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – 55-56
WILLOW WAY, FARNHAM, SURREY, GU9 0NT

[Wards Affected: Farnham Hale & Heath End]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Mr Deluxchem Rajkumar, for a new premises licence for 55-56 Willow Way, Farnham, Surrey GU9 0NT where 26 valid representations have been received.

Background

2. An application, attached at Annexe 1, has been received for a new premises licence from Mr Deluxchem Rajkumar, for a convenience store and off-licence in a small parade of shops. A floor plan is attached at Annexe 2.
3. The application proposes that the licence will allow the premises to sell alcohol for consumption off the premises only.

Activities Sought under this Licence Application

4. The applicant seeks to license the premises as shown below. An extract of the relevant pages from the application form is attached at Annexe 1. Attached to this document at Annexe 3 are some amendments to the application following discussions between the applicant and Surrey Police. Attached at Annexe 4 is a plan showing the area of the premises and surrounding properties.
5. In brief summary, the applicant seeks the following activities in the new licence, if granted. Please see application for activities in full.

- **Sale of Alcohol**

Monday to Sunday 0600 to 2300

- **Opening hours**

Monday to Sunday 0600 to 2300

Licensing Objectives

6. The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives, and representations must be from the responsible authorities and/or from any persons under this legislation.

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. Protection of Children from Harm

Representations received

Responsible Authorities

7. There have been no representations from Responsible Authorities, however Surrey Police have been in negotiation with the applicant and an amendment to the application was submitted and is reproduced at Annexe 3.

'Other Persons'

8. Besides Responsible Authorities, "other persons" may make representations. There have been 26 valid representations from "other persons". The representations are attached at Annexe 5

What the Sub-Committee may do

9. The Sub-Committee, after hearing from the applicant and those making representations, must take one or more of the steps listed below (if any) as it considers appropriate in order to promote the Licensing Objectives. Reasons must be given by the Sub-Committee for any decision made, since there is an opportunity for any applicant or any objector to appeal to the Magistrates' Court against the Licensing Sub-Committee decision. The steps are:
 - Grant the application as submitted (subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions);
 - Exclude from the scope of the licence any of the licensable activities to which the application relates;
 - Refuse to specify a person as the designated premises supervisor;
 - Reject the application

Recommendation

The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.

1. Having regard to the representations made, the Sub-Committee must take such of the steps outlined below (if any) as it considers appropriate for the promotion of the Licensing Objectives. Those steps are:
 - To grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives and any mandatory conditions;
 - To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - To refuse to specify a person as the premises supervisor;
 - To reject the application.

Background Papers

Application referred to above, representations referred to above.

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