



Waverley Borough Council
Council Offices, The Bury's,
Godalming, Surrey
GU7 1HR
www.waverley.gov.uk

To: All Members of the LICENSING SUB-COMMITTEE C
(Other Members for Information)

When calling please ask for:
Maureen Brown, Policy & Governance
Policy and Governance
E-mail: maureen.brown@waverley.gov.uk
Direct line: 01483 523225
Calls may be recorded for training or monitoring
Date: 11 September 2015

Membership of the Licensing Sub-Committee C

Cllr Maurice Byham
Cllr Mike Hodge

Cllr Carole King

Dear Councillors

A meeting of the LICENSING SUB-COMMITTEE C will be held as follows:

DATE: MONDAY, 21 SEPTEMBER 2015

TIME: 10.00 AM

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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NOTE FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. **ELECTION OF CHAIRMAN**

To elect a Chairman for the Sub-Committee C meeting.

2. **MINUTES**

To received the minutes of the meeting held on 30 March 2015 (to be laid on the table half an hour before the meeting)

3. **DISCLOSURE OF INTERESTS**

To receive from Members declarations of interest in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

4. **LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - PREMIER 4S CONVENIENCE STORE, 60-62 WEYHILL, HASLEMERE, SURREY. GU27 1HN (Pages 5 - 26)**

The purpose of the report is to enable the Sub-Committee to consider an application from Mr Sivapalan Sivapathasuntharam for a new premises licence for Premier 4S Convenience Store, 60-62 Weyhill, Haslemere, Surrey GU27 1HN, where one valid representation has been received.

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

Having regard to the representation 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.

5. **EXCLUSION OF PRESS AND PUBLIC**

That pursuant to Procedure Rule 20 and in accordance with Section 100A(4)

of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 3 or the appropriate paragraph(s) of the revised Part 1 of Schedule 12A to the Act (to be identified at the meeting).

6. LEGAL ADVICE

To consider any legal advice relating to any items in the agenda.

**For further information or assistance, please telephone
Maureen Brown, Democratic Services Officer, on 01483 523225 or by
email at maureen.brown@waverley.gov.uk**

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Agenda Item 4.

WAVERLEY BOROUGH COUNCIL
LICENSING SUB-COMMITTEE C
21 SEPTEMBER 2015

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE –
PREMIER 4S CONVENIENCE STORE, 60-62 WEYHILL, HASLEMERE, SURREY.
GU27 1HN

[Wards Affected: Haslemere Wards]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Mr Sivapalan Sivapathasuntharam for a new premises licence for Premier 4S Convenience Store, 60-62 Weyhill, Haslemere, Surrey GU27 1HN, where one valid representation has been received.

Background

2. An application has been received for a new premises licence for this retail premises (supermarket) selling a range of goods and services. The application proposes that the licence will authorise the premises to sell alcohol from Monday to Sunday 0700 hours to 2300 for consumption off the premises only.

Activities Sought under this Licence Application

3. 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. Also attached to this document at Annexe 2 is a plan showing the area of the premises and surrounding properties. 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:
0700 to 2300 Monday to Sunday (Box M)
- Opening hours:
0700 to 2300 Monday to Sunday (Box O)
- Box P to address the four licensing objectives is also reproduced.

Licensing Objectives

4. 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 under this legislation and/or any other persons.
 1. the prevention of crime and disorder
 2. public safety
 3. the prevention of public nuisance
 4. the protection of children from harm

Representations received

Responsible Authorities

5. There have been no representations from any of the responsible authorities.

Other Persons

6. Besides Responsible Authorities, “other persons” may make representations. There has been one valid representation from “other persons”. The representation is attached at Annexe 3.

What the Sub-Committee may do

7. 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 for the promotion of 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’s decision. The steps are:

- 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;
- Exclude from the scope of the licence any of the licensable activities to which the application relates;
- Refuse to specify a person as the premises supervisor;
- Reject the application.

8. Relevant Government Guidance to local authorities under Section 182 of the Licensing Act 2003 will be available for reference purposes at the meeting, in relation to:

- Hearings - paragraphs 9.30 to 9.43
- Conditions - paragraphs 10.1 to 10.61, 1.16-1.17- and 15.20-15.37
- The Licensing Objectives – paragraphs 2.1–2.35.

Recommendation

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

Having regard to the representation 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.

CONTACT OFFICER:

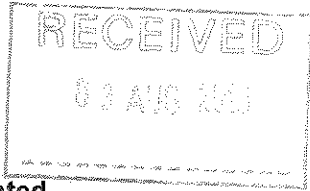
Name: Paul Hughes

Telephone: 01483 523189

E-mail: paul.hughes@waverley.gov.uk

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W4201504248
2/9/15



**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We **Mr Sivapalan SIVAPATHASUNTHARAM**
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Premier 4S Convenience Store			
60-62 Weyhill			
Post town	HASLEMERE, Surrey	Post code	GU27 1HN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£9,850

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname SIVAPATHASUNTHARAM			First names Sivapalan		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		49 Kilnmead Northgate			
Post Town	CRAWLEY, West Sussex			Postcode	RH10 8BD
Daytime contact telephone number			07414 872518		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name N/A
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0 2	0 9	2 0 1 5

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
□ □	□ □	□ □ □ □

Please give a general description of the premises (please read guidance note1)
The premises are situated in a bold trading location in the favoured West Surrey Town of Weyhill.

The commercial premises form part of an end terrace of retail shops (middle and end), and have been recently subject to an refurbishment which although extensive has been sympathetic to the local area. The refurbishment included amalgumating nos 60 and 62 to be used as one unit.

There is limited amount of parking on the street outside the premises and a free Public car park within 100m. Above the premises is residential accommodation which is accessed seperately.

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

0

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00			
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Sivapalan SIVAPATHASUNTHARAM	
Address 49 Kilnmead Northgate CRAWLEY West Sussex	
Postcode	RH10 8BD
Personal Licence number (if known) LN/201000300	
Issuing licensing authority (if known) Thanet District Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

No adult entertainment or services

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The applicant has held a Personal Licence for a number of years is aware of the importance in ensuring all four of the licensing objectives are met and understand that the Premises Licence will be subject to review if it is felt these objectives are undermined. All staff will be trained in all aspects of the Licensing Act 2003 (Appendix 1).

b) The prevention of crime and disorder

Staff will be carefully selected and trained to be 'non-confrontational' when dealing with potentially dangerous situations. The applicant will be pleased to liaise with local police to uphold the crime prevention initiative. A closed circuit television is installed, maintained and operated and records of data captured on the CCTV shall be kept for 31 days and be available for inspection by police and authorised officers of the licensing authority at all reasonable times. In the event that this is not the case, the applicant will ensure the police are informed within 24 hours.

c) Public safety

The applicant will ensure current legislation is adhered to in respect of Health & Safety, and will maintain a safe environment for customers and staff alike. The licensee will ensure that escape routes and exits including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. The licensee shall ensure internal gangways are kept unobstructed. The applicant will ensure an appropriate number of staff are First Aid trained, with an adequate supply of First Aid equipment and materials available on the Premises. The applicant will ensure a current Fire Risk assessment is in place.

d) The prevention of public nuisance

The applicant is aware of the responsibility upon the Licence Holders in respect of the prevention of public nuisance. This includes the awareness of not selling alcohol to a person who appears drunk. The applicant will ensure areas external to the front of the premises is kept litter-free as best as is reasonably practicable. Loitering will be discouraged. The applicant will inform the appropriate authorities should a situation arise endangering this licensing condition.

e) The protection of children from harm

The applicant is aware of the duties in respect of the protection of children from harm, including that alcohol shall not be served to anyone under the age of 18. Challenge 25 will be in operation and notices will be on display stating both this and the prohibition of the sale of alcohol and cigarettes to under age persons, service will be refused without valid identification. A refusals log (Appendix 2) will be kept at the premises for inspection if required. All staff will be trained in these requirements.


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	30-07-2015
Capacity	Duly Authorised Agent

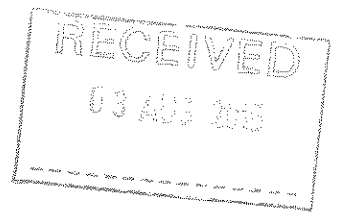
For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Julia Edwards - Duly Authorised Agent
63 Kingscroft Road
Woodmansterne

Post town	WICKFORD, Essex	Post code	SS11 7QT
Telephone number (if any)	0560 348 7341		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) exams@silvertraining.com			



Consent of individual to being specified as premises supervisor

Sivapalan SIVAPATHASUNTHARAM

I
[full name of prospective premises supervisor]

of

49 Kilnmead
Northgate
CRAWLEY
West Sussex
RH10 8BD

.....
[home address of prospective premises supervisor]

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

Premises Licence

.....
[type of application]

by

Sivapalan SIVAPATHASUNTHARAM

.....
[name of applicant]

relating to a premises licence **Application Pending**
[number of existing licence, if any]

for

Premier 4S Convenience Store
60-62 Weyhill
HASLEMERE
Surrey
GU27 1HN

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

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

Sivapalan SIVAPATHASUNTHARAM

[name of applicant]

concerning the supply of alcohol at

Premier 4S Convenience Store

60-62 Weyhill

HASLEMERE

Surrey

GU277 1HN

[name and address of premises to which application relates]

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

Personal licence number

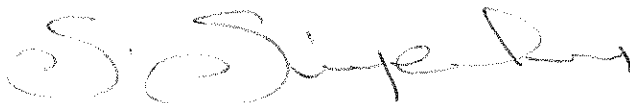
LN/201000300

[insert personal licence number, if any]

Personal licence issuing authority

Thanet District Council

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



Signed

Name (please print)

Sivapalan SIVAPATHASUNTHARAM

Date

27th July 2015

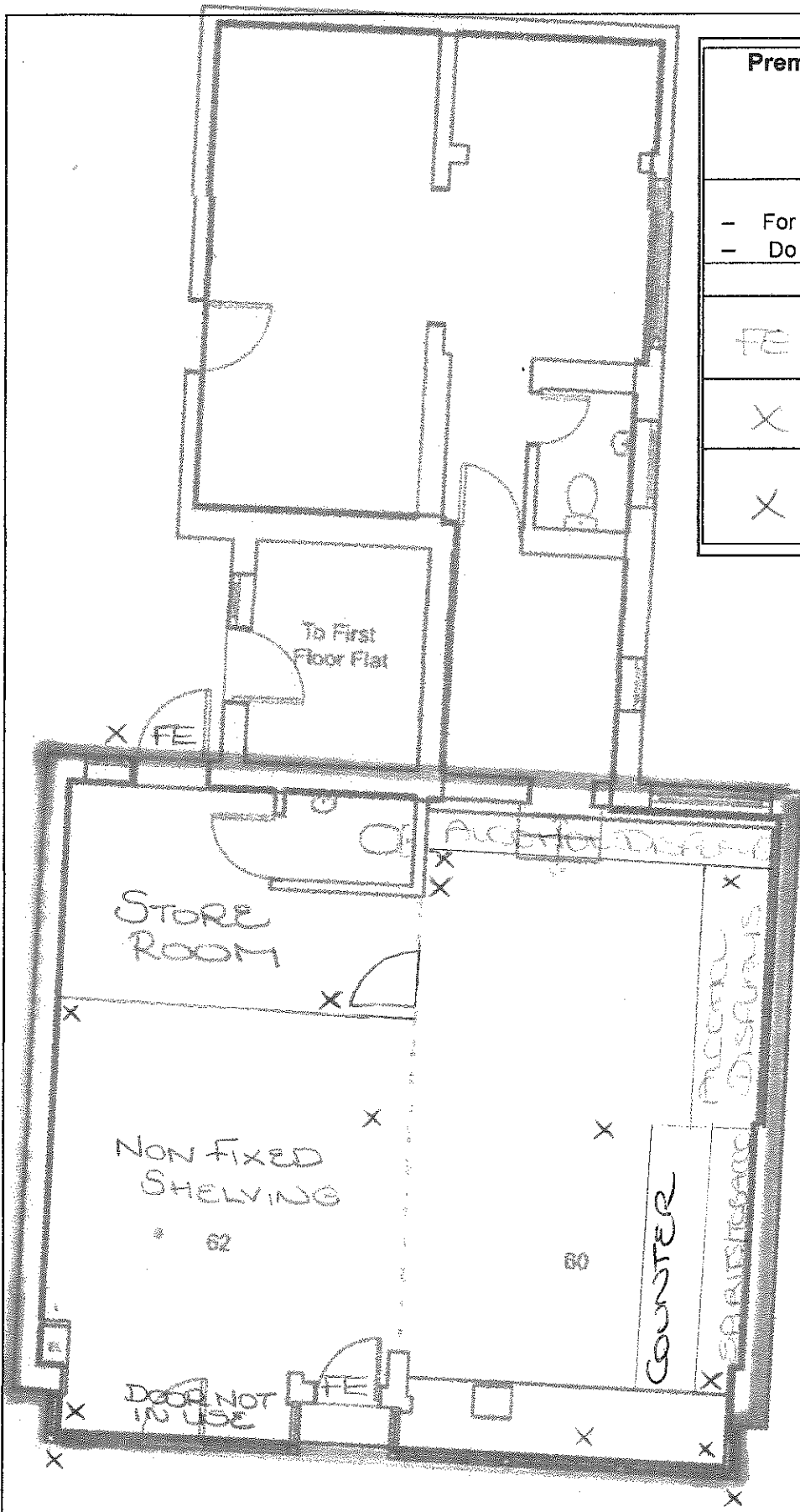
**Premier 4S Convenience Store
60-62 Weyhill
HASLEMERE
GU27 1HN**

1:100 scale @A4

- For Licensing Purposes Only
- Do not scale from this drawing

Key

FE	Fire Exits
X	Fire Extinguisher
X	CCTV camera locations



Appendix A - Training Log

Name of member of staff:

I confirm I have been given instruction and training in the following areas:

Licensing Objectives	Signed Staff	Date	Signed Trainer
The Prevention of Crime and Disorder <ul style="list-style-type: none"> - CCTV - Police inspection at any time - Refusal of service to drunk persons and on behalf of drunk persons - Police request for Closure of premises - Request Licensing Police assistance - Incident log 			
Public Safety <ul style="list-style-type: none"> - Risk assessments of hazards - Health and safety legislation 			
The Prevention of Public Nuisance <ul style="list-style-type: none"> - Refusal of service to drunk persons and on behalf of drunk persons - Litter - Loitering - Responsible retailing 			
The Protection of Children From Harm <ul style="list-style-type: none"> - Refusal of service to persons under 18 - Refusal to persons purchasing on behalf of under 18s - Identification Challenge 25 - Refusals log 			

Signed:

Date:

To be signed by staff member

All persons working in Licensed Premises have a duty to uphold all laws contained in the Licensing Act 2003, and CRIMINAL PROCEEDINGS may be taken against any person not doing so.

This record must be available for inspection on request of Police or persons authorised by the Licensing Authority.

Note: Staff members under 18 can only sell alcohol if **each and every sale** is authorised by someone over the age of 18.

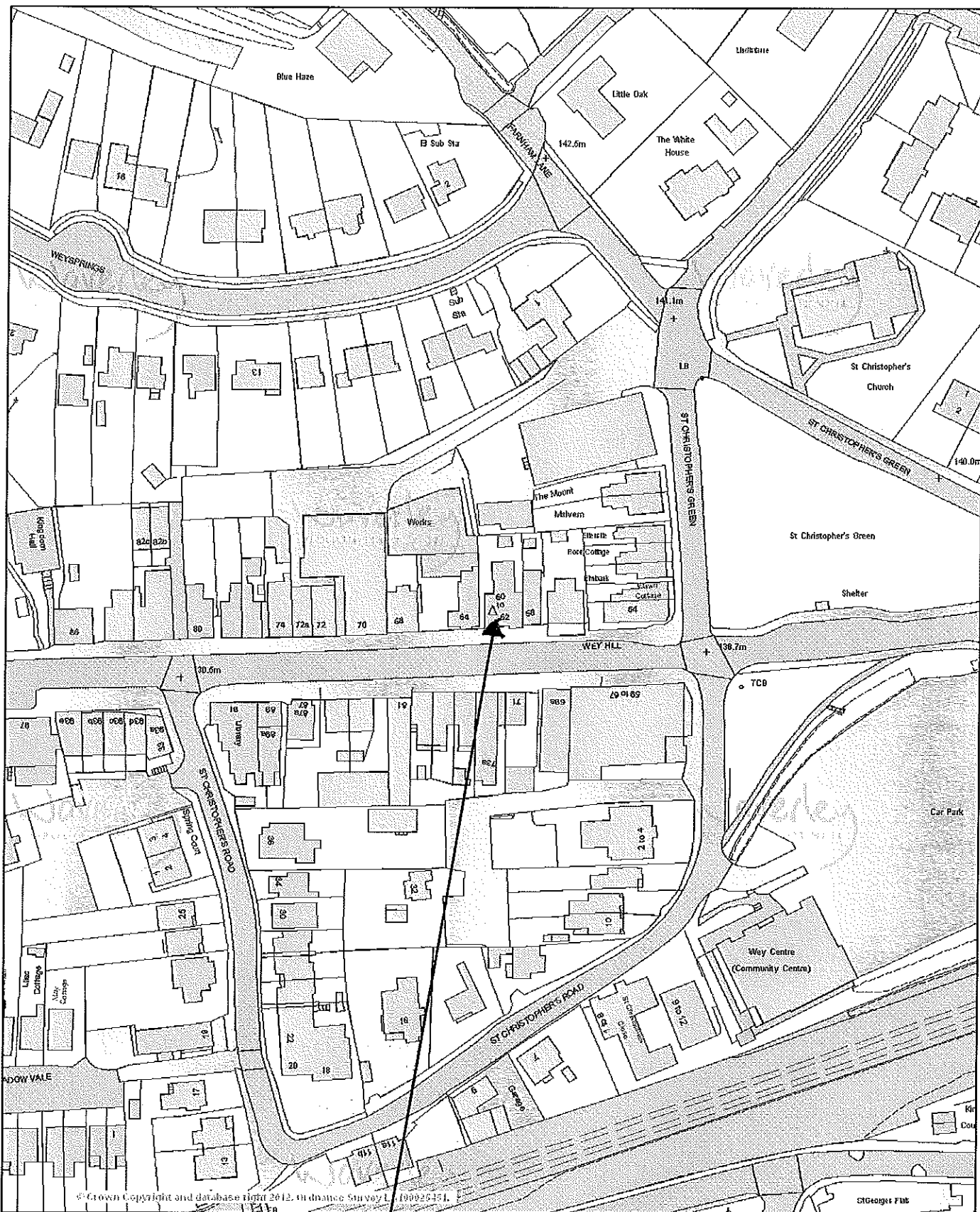
Appendix B - Refusals Log

Challenge 25 – You must not serve alcohol to anyone who looks under the age of 25 – they must first prove that they are over the age of 18 by giving PHOTOGRAPHIC Evidence only - PASSPORT, PHOTO DRIVING LICENCE OR PROOF OF AGE CARD CARRYING THE PASS LOGO. Please record details of any person refused service.

Date	Time	Description of Person	Item Refused

This record must be available for inspection on request of Police or persons authorised by the Licensing Authority.

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Waverley Borough Council
 The Burs, Godalming, Surrey
 GU7 1HR
 Telephone: 01483 523333
 Fax No: 01483 523118



Premier 4S, Weyhill, GU27 1HN

Scale 1/1250 Date 10/9/2015

Centre = 489216 E 132853 N



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Kate Halsall

From:
Sent: Monday 10 August 2015 19:07
To: Licensing Policy
Subject: 60-62 weyhill, Haslemere, surrey,gu271hn.



Objection to retail sale of alcohol consumption of premises 60-62 weyhill. I am concerned that this will encourage a young drinking problem, existing on weyhill high street. There are already four places to purchase alcohol within 350 yards of 60-62, Majestic wine, Tesco, Apple tree public house, esso garage, and the new Marks and spencer /that's five! Litter is also a major concern as to no litter bins. As we trade in weyhill very close to said shop, I am sick of picking up beer glasses and cans, litter from dominoes pizza left over night outside 9/ 6pm traders premises, not to mention the euronating inside the retail shop alleyways. Also the removal of plants pulled out from planted tubs, of which we make a donation for their maintenance. Also our tenants have expressed their already concern as to weyhill becoming an antisocial environment underneath their rented flat, Kind regards
Sent from my iPad

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