



Please reply to:

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Date: 2 August 2017

Notice of meeting

Licensing Sub-Committee

Date: Thursday, 10 August 2017

Time: 10.00 am

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

To the members of the Licensing Sub-Committee

Councillors:

R.W. Sider BEM (Chairman)

S.A. Dunn

M.J. Madams

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

AGENDA

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1. Disclosures of Interest

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

2. To consider an application for a Premises Licence at TJ Food Hall, 21 Edinburgh Drive, Staines upon Thames, TW18 1PJ, in the light of representations

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The Report of the Deputy Chief Executive is attached.

A procedure note which explains what happens at a Licensing Sub-Committee, follows.

Licensing Act 2003

Hearing procedure for Licensing Sub-Committee – premises licence applications

	Introductions
1.	The Chairman will open the meeting, introduce members of the Sub-Committee and officers present and explain the nature of the decision to be taken and the procedure to be followed.
2.	The Applicant or their representative will introduce themselves to the Sub-Committee.
3.	Any Responsible Authorities and/or Other Persons will introduce themselves to the Sub-Committee.
	Summary of Application and Representations
4.	The Council's Licensing Manager will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. OR summarise the salient points of the report on the agenda.
5.	The Applicant or their representative may ask the Licensing Manager QUESTIONS arising from what he/she has said or relating to the application. (The Applicant will have the opportunity to state his/her case later).
6.	The Responsible Authorities may ask relevant questions of the Council's Licensing Manager.
7.	Any Other Persons may ask relevant questions of the Council's Licensing Manager.
8.	The members of the Sub-Committee may ask relevant questions of the Council's Licensing Manager.
9.	The Council's Licensing Manager may respond to any new issues raised.
	The Applicant's Case
10.	The Applicant or their representative will present their case.*
11.	The Responsible Authorities may ask relevant questions of the Applicant or their representative.
12.	Any Other Persons may ask relevant questions of the Applicant or their representative.

13.	The members of the Sub-Committee may ask relevant questions of the Applicant or their representative.
14.	The Applicant may respond to any new issues raised.
	The Responsible Authorities case
15.	The Responsible Authorities will present their case, in turn.*
16.	The Applicant or their representative may ask relevant questions of the Responsible Authorities.
17.	Any Other Persons may ask relevant questions of the Responsible Authorities.
18.	The members of the Sub-Committee may ask relevant questions of the Responsible Authorities.
19.	The Responsible Authorities may respond to any new issues raised.
	The Other Persons Case
20.	Any Other Persons will present their case, in turn.*
21.	The Applicant or their representative may ask relevant questions of the Other Persons.
22.	The Responsible Authorities may ask relevant questions of the Other Persons.
23.	The members of the Sub-Committee may ask relevant questions of the Other Persons.
24.	The Other Persons may respond to any new issues raised.
	Summing Up
25.	The Chairman will invite the Licensing Enforcement Officer to clarify any technical points.
26.	The Chairman will invite the Other Persons to briefly summarise their case if they so wish.
27.	The Chairman will invite Responsible Authorities to briefly summarise their case if they so wish.
28.	The Chairman will invite the Applicant or their representative to briefly summarise their case if they so wish.
29.	The Chairman will then ask all parties if they are satisfied they have said all they wish to.

	Decision
30.	The members of the Sub-Committee will retire to reach a decision in private, accompanied by the Council's legal officer and Committee Manager.
31.	Members of the Sub-Committee return. The Chairman will announce the decision of the Sub-Committee with (summary or full) reasons for the decision.
32.	Meeting closed.
33.	The Council's legal officer will remain in the room to assist all parties should they require clarification of the decision and/or next steps.

GUIDANCE NOTES

*The Licensing Authority will allow the parties an equal maximum period of time in which to address the Sub-Committee, but request that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency. However, the overriding principle for the Licensing Authority will be to ensure that all parties receive a fair hearing.

- (a) Cross examination of parties is at the discretion of the Sub-Committee.
- (b) When the Applicant questions the Licensing Manager or any other party he/she should not go into the merits of his/her case as he/she will have an opportunity to present it at Stage 10. He/she should only ask questions relating to what the Licensing Manager or other person has said or relating to the application as a whole.
- (c) The Applicant or any other party may be represented by a friend or a professional person to speak on his/her behalf who will follow the same procedure as described above and who may call the Applicant as a witness.
- (d) The order or proceedings may be varied by the Chairman if he/she thinks that it is necessary to do so in the interests of affording the Applicant a fair hearing or in order to take into account all relevant considerations.
- (e) If, after the Sub-Committee has withdrawn to make their decision, they decide that they need to ask a question of any of the parties involved in the proceedings or to clarify any matter then they shall do so in the presence of all parties.
- (f) Members of the Sub-Committee must be present throughout the hearing and must not communicate with any party involved in the proceedings except for when they are in the presence of all of the parties and the remainder of the Sub-Committee.

Licensing Sub-Committee

10 August 2017



Subject	Application for a Premises Licence for TJ Food Hall at 21 Edinburgh Drive, Staines upon Thames, TW18 1PJ		
Purpose	For determination		
Report of	Deputy Chief Executive	Ward	Staines South
Contact	Rob Thomas, Licensing Enforcement Officer, (01784) 446439		

Description and Location	TJ Food Hall is located in Edinburgh Drive, Staines upon Thames. A location plan is attached as Appendix A .
The Application	<p>The application is to permit sale of alcohol seven days a week from 05:30 to 23:00.</p> <p>The application is attached as Appendix B.</p>
Representations	<p>A relevant representation was received from a resident.</p> <p>It is attached at Appendix D.</p>
Options	<p>The Sub-Committee is asked to consider the application on its merits. Having had regard to the representation, the Sub-Committee must decide on one or more of the following options as it considers appropriate for the promotion of the licensing objectives:</p> <ul style="list-style-type: none">▪ To grant the application subject only to such conditions as are consistent with the operating schedule and the mandatory conditions; or▪ To grant the application and modify the conditions of the licence, by alteration, addition or omission or▪ To reject the whole or part of the application.

1. Background

- 1.1 An application for a Premises Licence at 21 Edinburgh Drive, Staines upon Thames, was received on 19 June 2017.

2. Application Summary

- 2.1 To permit sale of alcohol seven days a week from 05:30 to 23:00.
- 2.2 The required notices have been displayed and published in the Staines and Chronicle Informer on 30 June 2017.

3. Promotion of the Licensing Objectives

- 3.1 Applications made under the Licensing Act 2003 must set out what measures will be put in place to promote four statutory Licensing Objectives. These are set out below for information:

Prevention of crime and disorder

- Criminal behaviour on, or directly attributable to, the premises.
- Anti-social behaviour on, or directly attributable to, the premises.

Public safety

- E.g. overcrowding, fire safety, emergency exits and anything related to the safety of the public within the premises.

Prevention of public nuisance

- Noise/light or odour nuisance
- Litter

Protection of children from harm

- Including moral harm from unsuitable entertainment and also allowing underage persons to buy and consume alcohol

- 3.2 Objections that cannot be linked to one or more of the licensing objectives, such as parking, traffic need or the fact that a premises is in a conservation area, cannot be taken into account when making a decision under the Act.
- 3.3 Section 18 of the application form, at **Appendix B**, details the proposed steps to be taken to promote the licensing objectives. The application has outlined measures such as staff training, age restriction schemes, signage, CCTV, litter patrols and a refusals log.
- 3.4 Should the licence be granted, these will be translated, where appropriate for the promotion of the licensing objectives, into enforceable conditions which will be attached to the licence.
- 3.5 Surrey Police have been liaising with the applicant regarding amended wording for the condition about CCTV, and the applicant has agreed this new wording for inclusion in its place for such a time that the licence may be granted. The e-mail exchange between Surrey Police and the applicant's agent which details this proposed new wording is attached as **Appendix C**.

4. Representations

- 4.1 One relevant representation has been received from a resident and is attached at **Appendix D**.
- 4.2 The grounds for objection are self-explanatory but are mainly in relation to increased potential for noise nuisance and antisocial behaviour.
- 4.3 Environmental Health did not express concerns about noise nuisance, and Surrey Police did not corroborate the representor's allegations of antisocial behaviour.
- 4.4 No representations were received from any of the responsible authorities.

5. Licensing Policy

- 5.1 The following sections of the Council's Licensing Policy are relevant.
 - Section 8 gives advice on appropriate and proportionate use of conditions
 - 24.0 in relation to crime and disorder
 - 24.7.1 in relation to noise

6. National Guidance

- 6.1 The following sections of the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant in the consideration of this application:
 - 10.8 refers to conditions

To assist, these sections have been copied and are attached at **Appendix E**.

7. Making a decision

- 7.1 In making its decision the Sub-Committee must promote the licensing objectives only, taking into account National Guidance and Spelthorne's Statement of Licensing Policy.
- 7.2 The Sub-Committee must give reasons for its decision.
- 7.3 Additional conditions placed on licences must:
 - be precise and enforceable;
 - be unambiguous;
 - not duplicate other statutory provisions;
 - be clear in what they intend to achieve; and,
 - be appropriate, proportionate and justifiable.
- 7.4 It is important in considering the promotion of the licensing objective on prevention of public nuisance, that the Sub-Committee focuses on any disproportionate or unreasonable effect the licensable activities at the premises, have on persons living and working in the area around the premises.
- 7.5 In determining the application, the Sub-Committee will need to consider whether there is actual evidence of problems in relation to the licensing objectives at this premises. Where the representations are unable to provide evidence of observed problems, as in the case of a new licence application, the Sub-Committee should be convinced that there is a very real threat of the

fears or the dangers described in the representations actually occurring, before applying any conditions to address such fears or dangers.

Appendices:

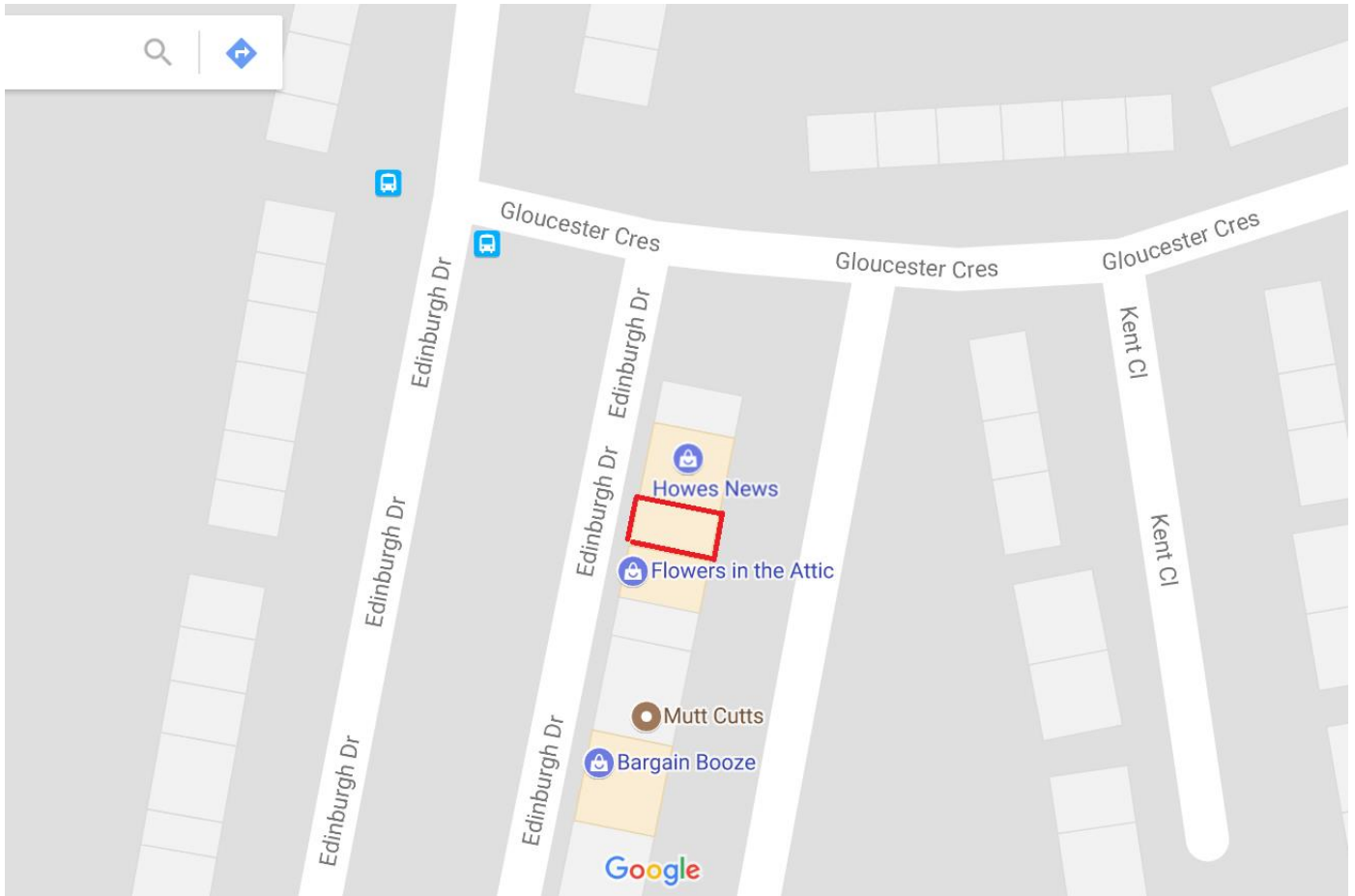
Appendix A – Location Plan

Appendix B – Application

Appendix C – Revised operating schedule condition regarding CCTV

Appendix D – Representation

Appendix E – Extracts from Licensing Policy and National Guidance



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Spelthorne
Application for a premises licence
Licensing Act 2003

For help contact
environmental.health.commercial@spelthorne.gov.uk
Telephone: 01784 444202

* required information

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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

Not Currently In Use

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

Your reference

spelthorne

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

TEERAT

* Family name

SINGH

* 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"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="ROBERT"/>
* Family name	<input type="text" value="JORDAN"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
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.

Agent Business

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

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

Registration number	<input type="text" value="5449933"/>
Business name	<input type="text" value="PR RETAIL CONSULTANTS"/>
VAT number	<input type="text" value="NONE"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="DIRECTOR"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House,

Building number or name	PUMP HOUSE
Street	OLD MEAD ROAD
District	HENHAM
City or town	BISHOP'S STORTFORD
County or administrative area	HERTS
Postcode	CM22 6JG
Country	United Kingdom

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PREMISES DETAILS

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	21
Street	EDINBURGH DRIVE
District	
City or town	STAINES-UPON-THAMES
County or administrative area	
Postcode	TW18 1PJ
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	3,550

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 Her 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

TEERAT

Family name

SINGH

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?

☒ Yes

☐ No

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

Building number or name	<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"/>
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?

☒ Yes

☐ No

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

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/>
* Nationality	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?	<input type="text" value="15"/> / <input type="text" value="07"/> / <input type="text" value="2017"/>
	dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end	<input type="text"/> / <input type="text"/> / <input type="text"/>
	dd mm yyyy

Provide a general description of the premises

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

Continued from previous page...

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

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PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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...

SATURDAY

Start 05:30

End 23:00

Start

End

SUNDAY

Start 05:30

End 23:00

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.

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.

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

Name

First name

TEERAT

Family name

SINGH

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's address

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"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="02544"/>
Issuing licensing authority (if known)	<input type="text" value="ealing"/>

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'.

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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.

NONE

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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 05:30

End 23:00

Start

End

WEDNESDAY

Start 05:30

End 23:00

Start

End

THURSDAY

Start 05:30

End 23:00

Start

End

FRIDAY

Start 05:30

End 23:00

Start

End

SATURDAY

Start 05:30

End 23:00

Start

End

SUNDAY

Start 05:30

End 23:00

Start

End

State any seasonal variations

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

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.

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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.

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks and street drinkers, licensing objectives and other relevant matters as regards the licensing act, and the responsibilities of staff
The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.. The refusal register shall be inspected on a regular basis by the DPS and signed by the DPS that they have checked the register
At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer

There shall be a documented reporting structure back to the Designated Premises Supervisor (DPS) and premises licence holder which shall include telephone contact numbers. This reporting document shall be immediately available upon request of an authorised officer

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Acceptable identification accepted shall be a passport, photo driving licence or PASS accredited identity card

Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly

Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years

b) The prevention of crime and disorder

There must be a suitable colour digital CCTV RECORDING system installed at the premises The CCTV system shall have coverage of all areas where the public have The system must be capable of providing 31 days recording. The images recorded are to be retained for 21 days and made available to the Police or other enforcement agencies upon reasonable request. DVD/USB copies of relevant footage to be provided to the Police or other enforcement agencies at no cost. The CCTV system shall be checked REGULARLY to ensure it is working in line with the requirements of the license. Any failure to be rectified within a two week period

c) Public safety

Adhere to legislation and covered in a) above

d) The prevention of public nuisance

Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, how to detect proxy sales, the consequences of underage sales (fines and punishment) , drunks and street drinkers, licensing objectives and other relevant matters as regards the licensing act, and the responsibilities of staff
LITTER PATROLS ON A REGULAR BASIS

e) The protection of children from harm

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Acceptable identification accepted by the premises licence holder, DPS, or other staff members shall be a passport, photo driving licence or PASS accredited identity card

Staff training in I.d procedure will be carried out on a regular basis.

The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.. The refusal register shall be inspected on a regular basis by the DPS and signed by the DPS that they have checked the register

Continued from previous page...

At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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.
- 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.

Continued from previous page...

- 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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.

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

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

Continued from previous page...

Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

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"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

[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/spelthorne/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

Thomas, Robert

From: ROBERT JORDAN [REDACTED]
Sent: 14 July 2017 11:59
To: Licensing
Subject: Re: FW: TJ Food Hall

Follow Up Flag: Follow up
Flag Status: Completed

Applicant can agree all conditions
Many thanks
Robert Jordan
PR Retail Consultants Ltd
[REDACTED]

-----Original message-----

From : licensing@spelthorne.gov.uk
Date : 03/07/2017 - 09:18 (GMTST)
To : [REDACTED]
Cc : licensing@spelthorne.gov.uk, [REDACTED]
Subject : FW: TJ Food Hall

Robert

Please could you confirm that your client would be agreeable to the wording below, suggested by Surrey Police?

Kind regards,

Katie

From: Clark, Jacquie 9143 [REDACTED]
Sent: 29 June 2017 14:13
To: Licensing <licensing@spelthorne.gov.uk>
Subject: TJ Food Hall

Good afternoon,

Re the new premises licence application to ensure that there is no ambiguity about the conditions that will be attached to the Premises Licence Surrey Police request the following amendments to the operating schedule. Please would you let me know whether the applicant is in agreement.

Refusal register the time period of inspection by the DPS to be amended from regular to at least fortnightly. The refusals register to consist of a bound book with sequential numbered pages.
Staff training in i.d procedure to be carried out at least every six months in line with the other training.

We also request that the condition related to CCTV is amended to as follows

CCTV system to consist of a colour digital recording and retrieval system and footage shall be kept for a minimum of 14 days and be capable of being downloaded onto a portable storage device, such as memory stick or DVD at no cost. The CCTV cameras shall cover the general public area and provide an image of all persons entering the premises through the public doors, to identification standard, that is frontal, rather than a profile, view of the face, with the person filling no less than 20% of the monitor screen and adequate lighting to ensure images are clear.


The premises licence holder shall ensure that the Information Commissioner's office is notified of the CCTV system, and that the data controller is aware of the information Commissioner's advice in relation to the storage and handling of personal data, including when it can be provided to third parties.

A staff member shall be on duty during the licensable hours who is able to retrieve and display images from the CCTV system upon a request by a police officer to do so. A downloaded copy of CCTV footage required in the investigation of a crime shall be provided to a police officer on request within any agreed timescale.

The CCTV system shall be checked weekly to ensure it is working in line with the requirements of the licence and an audit trail of these checks to be kept at the premises and shall be immediately available upon request of an authorised officer.

Kind Regards

Jacquie Clark 9143
Licensing Enforcement Officer
Community Safety Team Northern
Surrey Police


Surrey Police
PO Box 101
Guildford GU1 9PE

www.surrey.police.uk

Surrey Police - With You, Making Surrey Safer.

Spelthorne Means Business

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8.0 CONDITIONS

Measures offered by applicants on their operating schedule will normally become licence conditions. They must be enforceable and the meaning must be clear and unambiguous. The authority may therefore alter the wording of a condition to achieve this. The context or meaning of the condition will not be changed.

The Licensing Authority may only attach conditions to a premises licence where "relevant representations" have been received. Relevant representations are those that relate to the licensing objectives, are about the particular application and relate to the particular premises.

Conditions will only be attached to a licence where they are appropriate for the promotion of one or more of the licensing objectives. They will focus on matters that are within the control of individual licensees and that are relevant to the type of premises and licensable activities that take place.

When considering conditions, the Licensing Authority will take into account the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

Conditions that duplicate provisions in other legislation would not normally be added to licences.

- taken from Spelthorne Borough Council's Licensing Policy.

24.0 CRIME AND DISORDER

The following table provides statistics for alcohol-related crime in the Borough:

	2010 - 11	2011 - 12	2012 - 13
Public place violence	709	653	468
Alcohol related violence	382	357	315
Alcohol related offences	588	517	453
Total crime	6832	6468	5550

Staines Town Centre is no longer considered a hotspot for alcohol-related crime and disorder. However it has the strongest night-time economy in the Borough with a mixture of restaurants, bars, pubs, late night takeaways and a cinema.

What applicants include on their operating schedules will depend on the type of premises, the location, and the proposed activities.

Premises that are mainly concerned with the sale of alcohol for consumption on the premises (**pubs, bars, proprietary clubs**) will need to address the risks to crime and disorder with measures in their operating schedules to:

- Prevent disorder on the premises
- Prevent drunkenness
- Prevent under age sales of alcohol
- Ensure customers enter and leave in an orderly manner
- Exclude illegal drugs
- Exclude offensive weapons

Examples include:-

- Active membership of pubwatch schemes
- Use of licensed door supervisors
- Physical security features e.g. use of shatterproof drinking glasses
- Information on amount of seating to be provided
- Training given to staff in crime prevention measures
- Use of town centre radios (Staines Town Centre) to enable licensed premises to communicate to each other and police
- Search procedures
- Measures to prevent the use or supply of illegal drugs
- Details of CCTV video cameras

This list is not exhaustive and will not suit all applications. Applicants should seek advice from Surrey Police before preparing their operating schedules in relation to the prevention of crime and disorder.

It is recognised that late night takeaways can be the focus of anti-social behaviour, and in Staines Town Centre the use of CCTV, licensed door supervisors at peak times, and signing up to the town centre radio may be considered necessary to address this.

Shops and off licences applying to sell alcohol will need to address the risks to crime and disorder with measures in their operating schedules. Examples include:-

- That there will be regular staff training (whether or not staff are paid) in relation to sale of alcohol to under age people and that training records shall be kept.
- All refusals to be recorded in a refusals book. Refusals books shall consist of a bound book with consecutively numbered pages, and shall be held at the premises and available for inspection on demand at all times by the responsible authorities. Records shall include the reason for the refused sale, whether because the customer looked under 25 and could not provide ID, or the customer appeared to be intoxicated, or whether the sales assistant suspected that the sales may be made on behalf of someone who may be underage or intoxicated (known as proxy sales).
- Use of Electronic Point of Sale (EPOS) system to remind staff via a suitable visual prompt or audible warning. Alternatively stickers can be used over certain products to remind cashiers to check the customer's age.
- That there is CCTV coverage of the licensed premises and the immediate vicinity outside in accordance with Surrey Police's Operational Guidelines in the use of CCTV in licensed shops.
- That a personal licence holder may be required to be on duty at high risk times such as outside school hours and during the evenings, for example where a business has been prosecuted for underage sales and/or is a source of youth disorder.
- That staff shall not sell alcohol to any person they have reason to suspect may be buying the alcohol for a child and that there shall be signage to warn adults that it is an offence to buy alcohol on behalf of a child. This is known as "proxy sales". Where there is evidence of such sales taking place, consideration should be given to ensuring CCTV coverage outside the shop.
- In areas with problems with alcohol related youth crime and disorder, that licence holders shall participate in "Bottlewatch" schemes, if requested to do so by responsible authorities.

Appendix E

- In areas where there is an Offwatch scheme, that licence holders sign up to such a scheme.

This list is not exhaustive and applicants should seek advice from Surrey Trading Standards or Surrey Police before preparing their operating schedule.

- taken from Spelthorne Borough Council's Licensing Policy.

24.7.1 Noise

It is recommended that operating schedules contain sufficient information for officers to form a view as to whether noise from licensable activities is likely to cause a problem to people living nearby. Applicants should provide details of proposed noise control measures, particularly if premises are in residential areas where regulated entertainment is being applied for late at night, or where there is a history of noise complaints. The licensing authority will normally apply stricter conditions in these circumstances where relevant representations have been received. Whilst each application will be considered on its individual merits it should be noted that restricting the hours of regulated entertainment may be necessary to prevent public nuisance.

Measures could include:

- A simple requirement to keep doors and windows at the premises closed when music is being played
- Limiting amplified music to a particular area of the building
- Moving speakers away from external walls or walls that abut private premises, or adjusting the direction of the speakers
- Installation of acoustic curtains, seals to doorways, rubber speaker mounts
- Fitting self-closing devices on doors so that they do not stay open.
- Monitoring noise levels at the perimeter of premises and taking action to reduce the volume if it is likely to disturb nearby neighbours, e.g. it could be too loud if the words of the song are clearly audible
- Noise limiters on amplification equipment (if proportionate to the premises – noise limiters are expensive and are likely to be a burden for smaller premises)
- Prominent clear and legible notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly
- The placing of bottles and cans into bins outside the premises to take place at times that will minimise disturbance to nearby premises

- taken from Spelthorne Borough Council's Licensing Policy

Imposed conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

- taken from the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003