



■ SURREY ■
POLICE

Appendix D

Northern Licensing Unit,
P O Box 101,
Guildford,
Surrey,
GU1 9PE,

Licensing Act 2003
Representation in respect of a
Premises Licence Application or Variation or a
Club Premises Certificate Application or Variation.
And Temporary Event Notice.

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance note at the end of the form. If you are completing this form by hand please print. Please ensure your answers are inside the boxes and written in black ink. You may use additional sheets if necessary. You may wish to keep a copy of the completed form for use by you at any hearing held by the Council or the Magistrates Court as a result of this representation.

I, the undersigned, hereby make representations against the following application.

Details of premises or club premises whose application you wish to make representations against.

Name of Premises or Club	
Bakshish	
Address of Premises or Club	
Unit 5 Thames Edge Court, Clarence Street	
Post town	Post code (if known)
Staines upon Thames	TW18 4BU

Type of application

Please tick ✓

Premises Licence application	<input checked="" type="checkbox"/>
Variation to a Premises Licence	<input type="checkbox"/>
Club Premises Certificate application	<input type="checkbox"/>
Variation of a Club Premises Certificate	<input type="checkbox"/>
Temporary Event Notice	<input type="checkbox"/>

This representation relates to the following licensing objectives(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

✓
✓
✓

If your representation does not relate to one of the above objectives your representation will be invalid.

Please tick ✓

- I understand that this representation may result in a hearing before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing in the Magistrate's Court.
- I understand that this representation will become a public document and will be included in the agenda for any Licensing Sub-Committee hearing that may be held as a result of this representation.

✓
✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISHABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.

This representation must be signed by:

a person making a representation or

a person authorised to do so by a Responsible Authority.

Signed



TC/INS 2070

Date 20/02/2018

Address for correspondence

Contact address for correspondence if different from that given in Sections A or B, above.

LICENSING ENFORCEMENT OFFICER

ADDRESS AS ABOVE

Post town

Post code

Daytime Telephone number (if any) 01483 - 631146

e-mail address (optional)

licensingnorthern@surrey.pnn.police.uk

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please use additional blank sheets if necessary. Appendix D

Dear Sirs,

Surrey Police object to the application submitted on the 23rd January 2018 in relation to Bakshish at Unit 5 Thames Edge Court, Clarence Street, Staines upon Thames TW18 4BU.

The guidance for the Licensing Act 2003 stipulates that all operating schedules should be precise and clear about the measures that they propose to promote each of the licensing objectives and to seek the views of the responsible authorities before formally submitting their application. Applicants are expected to include positive proposals in their application on how they will manage any potential risks and make enquiries about the locality that will assist them in determining the steps that are appropriate for the promotion of the licensing objectives.

The conditions in the operating schedule submitted are ambiguous and in some cases contradictory, for example the one mentioned in section e of the operating schedule. In this section, the operating schedule states "Limitations on the exclusion of the presence of children under certain ages when particular activities are taking place. Full exclusion of those people under 18 from the premises when any licensable activities are taking place. Especially request of age of proof cards for children." "Full exclusion of those people under 18 from the premises when any licensable activities are taking place will also apply during the hours of supply of alcohol as this is a licensable activity." As the applicant has stated this premises is to be a family dining establishment, this condition offered does not make sense.

The operating schedule is not clear as to the steps they are going to take to promote the licensing objectives and there is some confusion as to what type of premises this will be. In section 17 of the application they have stated "20-30 nights in a year (only on Fridays and Saturdays), will be opened for the public till 3am for special events." As written by the applicant this condition will not be enforceable and we have also noted that they have not requested seasonal variations to the individual licensable activities so this seasonal variation requested would only apply to the opening hours. We have been trying to negotiate conditions with the applicants that will make it clear as to the nature of the premises and relevant conditions to that format. They have informed us that the basement will not be a nightclub but that it will be a lounge as well as a fine dining establishment.

Prior to this application the premises was known as Soiree and was operating as a late night drinking venue which regularly attracted large numbers of young people. At closing time Police would receive calls regarding anti-social behaviour related to large groups of customers who would congregate outside the premises, many of them drunk, waiting for taxis.

The location of this premises is not ideal for a late night drinking establishment as there is no location where people can smoke without obstructing the highway or disturbing the local residents.

We do not want to prohibit new licensed premises opening but we do need to ensure that the licence granted will have clear enforceable conditions that promote the licensing objectives especially in relation to the prevention of crime and disorder and that will therefore assist the applicants in managing a responsible premises.

We have met with the applicants to find out more about the format of the premises and therefore what conditions will need to be in place to ensure that this licensed premises does not have an adverse impact on the area and the local residents. We drew up conditions to promote the licensing objective regarding the prevention of crime and disorder based on the information that the premises would be a fine dining establishment downstairs, which does have an impact on the number of SIA registered door staff required.

I have attached the conditions that we feel are necessary to promote the prevention of crime and disorder and as the applicants have not agreed to these conditions fully, we object to the application as we do not feel that they have demonstrated a full understanding of the potential risks at this locality. I have attached their response to the conditions we recommended for your information.



Bakshish2.docx



Bakshish2 - our
reply v17th Feb18.docx

The basement of the premises shall only operate as a restaurant.

- a) in which customers are shown to their table,
- b) where the supply of alcohol is by waiter or waitress service only,
- c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery and cutlery,
- d) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premise as ancillary to taking such meals.

The premises shall install and maintain a comprehensive CCTV system.

All entry and exit points will be covered enabling evidential identification of every person entering in any reasonably expected lighting condition and fitted to the standard as required by the Surrey Police operational requirement. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping including GMT and BST.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. Viewing of recordings shall be made available immediately upon the request of Police throughout the entire 31 day period. A staff member must be able to provide Police with CCTV images or data when requested.

All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale and lighting shall be sufficient in these areas so that staff can easily check ID. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time and reason for the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police at all times when the premises is open and the record to be verified by the DPS weekly.

Maintain active membership of any local Pubwatch.

Maintain a radio system that is compatible with other systems being used by licensed premises in Staines town centre.

There shall be a personal licence holder on duty on the premises from 21:00 hours until to the premises is closed for business and patrons dispersed from close proximity on Friday and Saturday nights and function nights and seasonal variations.

The licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway and are not affecting nearby residential accommodation. The number of patrons temporarily permitted to leave to smoke, shall be limited to ten persons after 22:00 hours.

An incident log shall be kept at the premises and made available on request to police. It must be completed within 24 hours of the incident and will record the following:

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any complaints received concerning crime and disorder
- d) All drugs seized or found
- e) Any incidents of disorder
- f) Any faults in the CCTV system, including action taken to remedy