

**Minutes of the Licensing Sub-Committee  
8 February 2022**

**Present:**

Councillor A.C. Harman, R.A. Smith-Ainsley and B.B. Spoor

Councillor B.B. Spoor attended as a substitute for Councillor J. Vinson who was unable to attend.

**In attendance:** Councillor Robin Sider BEM – Ward Councillor

**Parties to the hearing:**

**In attendance for the applicant:** Sokol Petriti - Applicant

**In attendance for the local licensing authority:**

Lucy Catlyn, Principal Licensing Officer

Julianna Belinfante, Solicitor

Beejal Soni, Senior Contracts and Procurement Solicitor

Karen Hollands, Licensing Enforcement Officer

Yvette Lanham, Licensing Enforcement Officer

Laura McCulloch, Licensing Enforcement Officer

**1/22      Disclosures of Interest**

There were none.

**2/22      To consider an application for a Premises Licence at 4  
Thurlestone Coffee and Restaurant, 4 Thurlestone Parade,  
Shepperton, TW17 9AR, in the light of representations**

The Chairman introduced the members and officers present and welcomed everyone to the meeting.

The Chairman asked the applicant to introduce themselves. He then explained the procedure to be followed at the hearing.

The Council's Principal Licensing Enforcement Officer summarised the application which was set out in full in the report of the Deputy Chief Executive.

The hearing continued in accordance with the procedure.

Having heard the evidence presented, the Sub-Committee retired to consider and determine the application, having regard to the licensing objectives on prevention of crime and disorder and prevention of public nuisance.

Upon reconvening, the Chairman gave the Sub-Committee's summary decision.

The full decision with reasons would be notified to the applicant and other parties within 5 working days of the hearing.

**Resolved** that the application for a Premises License at 4 Thurlestone Coffee and Restaurant, 4 Thurlestone Parade, Shepperton TW17 9AR be granted subject to conditions as set out in full in the attached Decision Notice.

*Please reply to:*

Contact: Christeen Abee  
Service: Committee Services  
Direct line: 01784 444229  
E-mail: c.abee@spelthorne.gov.uk  
Our ref:  
Date: 14 February 2022

## **SPELTHORNE BOROUGH COUNCIL**

### **DECISION NOTICE**

**In accordance with the LICENSING ACT 2003 s.23**

**Date of Licensing Sub-Committee:** 08 February 2022

**Applicant:** Mr. Sokol Petriti

**Premises:** 4 Thurlestone Coffee and  
Restaurant  
4 Thurlestone Parade  
Shepperton  
TW17 9AR

**REASON(S) FOR HEARING:** Relevant representations received from other parties concerning Crime and Disorder and Prevention of Public Nuisance:-

- potential for increase in anti-social behaviour
- potential for increase in noise

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### **DECISION**

Granted subject to modification of conditions  
With effect from 08 February 2022

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## REASONS FOR DECISION

1. The application is for a premises licence at 4 Thurslestone Parade, Shepperton, TW17 9AR

### Attendance

2. The Applicant, Mr Sokol Petriti, was the only party to attend the Sub-Committee hearing to make representations.

### Evidence

3. The Licensing Sub-Committee considered all of the relevant evidence made available to it at the hearing including:
  - The Report and attached appendices of the Licensing Manager outlining the matter to be considered
  - Written representations from two interested parties.
  - The Applicant's verbal submission at the Hearing.
4. In considering all of this evidence, the Sub-Committee has taken into account the Regulations and National Guidance under the Licensing Act 2003 and Spelthorne Borough Council's Statement of Licensing Policy.

### Application

5. An application for a Premises Licence at 4 Thurlestone Parade, Shepperton, TW17 9AR, was received on 13 December 2021. The application was to permit the sale of alcohol seven days a week from 12h00 to 23.00 for on site. The application did not include off sales of alcohol.
6. The public was consulted in accordance with the Licensing Act 2003. The required notices were displayed and published in the Surrey Advertiser on 24 December 2021.
7. The application generated two representations from other parties. No representations were received from any of the Responsible Authorities.

## EVIDENCE

### Background

8. The premises forms part of a parade of shops situated in a primarily residential area of Staines-upon-Thames.

9. Following the receipt of relevant representations, the Licensing Manager liaised with the Applicant who agreed additional licence conditions to address the concerns raised in relevant representations.

10. The agreed condition reads:

**“The prevention of crime and disorder**

The premises shall maintain a CCTV system covering the licensable area. 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

**Public safety**

All staff (paid or unpaid) shall be trained in respect of the law relating to the sale of alcohol, acceptable forms of ID, Challenge 25 and the procedure on handling and record refusals. Written records to be kept to document that all staff have had training. All staff to receive refresher training on all of these aspects every six months. Training documentation to be made available to Responsible Authorities on request.

**The prevention of public nuisance**

Prominent, clear and legible notice are displayed at all exits, requesting patrons to respect the needs of local residents and leave the premises and the area quietly.

Disposal of empty bottles into receptacle will not be permitted between the hours 23:00 and 7:00.

**The protection of children from harm**

The premises will operate an age verification scheme, such as Challenge 25, in relation to the sale of alcohol. Posters shall be clearly displayed at the entrance to the premises as well as at least one location behind the till advising customers that such a scheme is in operation.

Children under 13 must be accompanied by an adult over the age of 18 years of age.”

**Applicant**

11. The Applicant advised that there were no similar premises offering the licensing services that he had applied for. He stated his intention to provide

something new He confirmed that all staff would be trained in licensing matters. He also advised that CCTV would be available and recording at the premises.

12. The Applicant also confirmed that he had agreed to accept the conditions set out in the application report.
13. In response to queries from the Sub-Committee, the Applicant confirmed:
  - The premises would ensure that alcohol was locked in refrigerated units behind the bar;
  - That alcohol would be stocked prior to peak times. If a bar tender was required to leave the bar to replenish stock, another member of the staff would be present to ensure children were not able to access alcohol;
  - That signage would remind patrons to be considerate of noise levels;
  - The bar area was intended to be used as a seating area before patrons were ushered to tables;
  - That there would be no Deliveroo or similar take away services offered to patrons;
  - That CCTV was already in operation at the premises covering the entrance, bar area, main area of the restaurant and kitchen;

## **Representations**

14. Written representations were received from two parties raising the following objections to the application under the licensing objectives:

### ***Prevention of crime and disorder***

- Fear of anti-social behaviour

### ***Prevention of public nuisance***

- Concern over the times applied for the sale by retail of alcohol may lead to noisy entrance and exits from the premises late in the evenings, rowdy behaviour and therefore, some disturbances to local residents.
- The location is close to residential premises and there is a fear that car doors will be slammed up to midnight.

## **Findings**

15. The Sub-Committee has considered the representations made by the Applicant and other parties and finds as follows: -

16. The applicant has demonstrated to the Sub-Committee that he has procedures in place to promote the licensing objectives on the prevention of crime and disorder and public nuisance including: CCTV inside the premises and a Challenge 25 policy in operation. Mr. Petriti will also keep a refusals book and report any problems to the police. Comprehensive staff training will be carried out every six months and the shop will display notices to customers asking them to leave the premises quietly.
17. The Sub-Committee has noted the arrangements that are in place at the premises to promote the licensing objectives, including CCTV, security of alcohol on the premises and a regular training program for staff.
18. The Sub-Committee has considered the written representations about the potential for problems of noise and anti-social behaviour.
19. The Sub-Committee can only determine this application on its own merits and must ensure that its decision promotes the licensing objectives.
20. The Sub-Committee has considered whether there is a very real threat that the concerns described in the representations will materialize. The absence of the Interested Parties from the licensing hearing meant that the Sub-Committee had limited scope to fully test the basis for the concerns and the likelihood of them arising from the licensed activities.
21. Furthermore, the Sub-Committee notes that none of the Responsible Authorities made any representations against the application, indicating there were no serious concerns about the grant of a premises licence.
22. The Sub-Committee is not persuaded that there is a real threat of the concerns described in the written representations occurring.
23. Consequently, the Sub-Committee considers that the conditions agreed with the Council's Licensing Manager, amended to ensure clarity and the ability to enforce the conditions, will address the concerns related to the this licensing application. In reaching this conclusion, the Sub-Committee has regarded Spelthorne Borough Council's Statement of Licensing Policy and paragraph 9.39 of the National Guidance which states that "any conditions imposed must be appropriate for the promotion of the licensing objectives."
24. The Sub-Committee is also mindful of paragraph 16.2 of Spelthorne Borough Council's Statement of Licensing Policy:

**16.2 Shops, stores and supermarkets**

Shops, stores and supermarkets will generally be permitted to sell alcohol during the normal hours they are open for shopping. However, there may be very good reasons for restricting those hours. For example, a limitation

on the hours that alcohol can be sold may be appropriate, following police representations, for shops known to be the focus of disorder and disturbance, or where youths gather and behave anti-socially.

25. The Sub-Committee therefore considers on the basis of the evidence that it has heard and the findings of fact that it has made, that there is no need to take further action for the promotion of the licensing objectives at these premises or depart from the Spelthorne Borough Council Statement of Licensing Policy or National Guidance.

## **Decision**

26. For the reasons stated above, the Sub-Committee confirms that the application for a premises licence be granted subject to modification to the conditions as set out below:
- I. The premises shall maintain a CCTV system covering the licensable area. 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.
  - II All staff (paid or unpaid) shall be trained in respect of the law relating to the sale of alcohol, acceptable forms of ID, Challenge 25 and the procedure on handling and record refusals.
  - III All staff to receive refresher training on all of these aspects every six months.
  - IV Up to date training logs are to be maintained and held on the licensed premises.  
confirming the name of staff, date of training and topics addressed during the training.
  - V Training logs must to be made available to Responsible Authorities immediately upon on request.
  - VI An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or Responsible Authorities. It will record the following: (a) all crimes reported to the venue (b) any complaints received concerning crime and disorder (c) any incidents of disorder (d) any faults in the CCTV system, (e) any refusal of the sale of alcohol (f) any visit by a relevant authority or emergency service.
  - VII Prominent, clear and legible notice are displayed at all exits, requesting patrons to respect the needs of local residents and leave the premises and the area quietly.
  - VIII Disposal of empty bottles into receptacle will not be permitted between the hours 23:00 and 7:00.



- IX The premises will operate an age verification scheme, such as Challenge 25 in relation to the sale of alcohol. Posters shall be clearly displayed at the entrance to the premises as well as at least one location behind the till advising customers that such a scheme is in operation.
- X Children under 13 must be accompanied by an adult over the age of 18 years of age.

### **Conclusion**

- 27. That is the decision of the Sub-Committee. A copy of this decision has been provided to all parties concerned within 5 working days of the Sub-Committee hearing.
- 28. You have the right to appeal against this decision to the Magistrates' Court within 21 days of receipt of this decision notice.
- 29. If you decide to appeal, you will need to submit your appeal to Guildford Magistrates Court. You should allow sufficient time for your payment of the relevant appeal fee to be processed. For queries, Guildford Magistrates Court can be contacted on 01483 405 300.

Cllr A.C. Harman, -Chairman  
Cllr R.A. Smith-Ainsley  
Cllr B.B. Spoor

Date of Decision: 08 February 2022  
Date of Issue: 14 February 2022

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