

SPELTHORNE BOROUGH COUNCIL

DECISION NOTICE

in accordance with the LICENSING ACT 2003 s.39 & s.44

Licensing Sub-Committee – 3 February 2026

Application – Review of Premises Licence

In respect of – Tony’s Food and Wine, 149 High Street, Staines-upon-Thames, TW18 4PA

SUB-COMMITTEE DECISION WITH REASONS

Revocation of Premises Licence

1. This Sub-Committee has before it an application to review a Premises Licence on the basis of the licensing objective concerning the prevention of crime and disorder.
2. The Respondent is Praveen Vinayagamoorthy, the Designated Premises Supervisor (“DPS”), (Agent – Duncan Craig).

ATTENDANCE

3. The following people have attended the Sub-Committee hearing this morning in addition to the Democratic Services Manager and Legal Counsel. They are:
 - a. Hannah McCully, Licensing Enforcement Officer
 - b. Responsible authorities:
 - *Jacquie Clarke, Licensing Enforcement Officer 9143, Surrey Police*
 - *Stuart Bruce-Reid, Spelthorne Borough Council Licensing Department*
 - *Catriona Macbeth, Senior Trading Standards Officer*

BACKGROUND

1. Mr Praveen Vinayagamoorthy is the Designated Premises Supervisor (“DPS”) of the premises known as Tony’s Food and Wine located at 149 High Street, Staines-upon-Thames, TW18 4PA. The premises benefits from a premises licence issued on 17 August 2005. An application to transfer the licence and change the DPS to Mr Vinayagamoorthy was made on 21 November 2024. He has held the status of DPS since.
2. Mr Vinayagamoorthy is before the Licensing Sub-Committee today because on 29th October 2025, Buckingham and Surrey Trading Standards, being a Responsible Authority under the Licensing Act applied to review the premises licence on the basis of the licensing objective concerning the prevention of crime and disorder.
3. In response to this application for review, the Sub-Committee received written representations from three Responsible Authorities, namely the Licensing Authority, Child Employment from Surrey County Council and Surrey Police. The representations were in connection to the licensing objectives of prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.
4. The Licensing Sub-Committee has read all the paperwork, including documents provided today and draft conditions discussed between the licence holder and the licensing department. It has heard and considered the oral representations made this morning by Duncan Craig on behalf of the DPS, Catriona Macbeth from Surrey Trading Standards, Jacquie Clarke from Surrey Police and Stuart Bruce-Reed from Spelthorne Borough Council’s Licensing department.
5. The Sub-Committee has considered all of the evidence put before and in doing so has taken into account the Secretary of State’s Guidance issued under the Licensing Act 2003 and Spelthorne Borough Council’s Statement of Licensing Policy.
6. The Licensing Sub-Committee deliberated in private. The legal adviser and the Democratic Services Manager, save for assisting with legal advice, provision of documents and drafting the reasoning, played no part in the decision-making process.

The Licensing Sub-Committee is mindful of its duty to promote the licensing objectives and finds as follows:

Findings and Decision

7. Having reviewed the application and having taken into consideration the Licensing Act 2003, the Secretary of State’s Guidance issued under section 182 of that Act, the Council’s Statement of Licensing Policy, and having considered the likely effect of imposing each of the options available to the

Sub-Committee under the Secretary of State's Guidance upon the promotion of the four Licensing Objectives, and having read and considered the oral and written material presented to it, the Sub-Committee concluded that it was appropriate and proportionate to revoke the premises licence.

8. The DPS had been a licence holder since May 2021 and had received significant training pursuant to the licensing objectives.
9. The DPS had experience involving two premises and, despite his age, should have known both the seriousness of selling such products to children and the seriousness of selling illicit tobacco/vapes.
10. The issues of underage sales had been known to the DPS, by his own admission, as far back as January 2024.
11. The issues of illicit tobacco and illegal vapes had been known to the DPS and the owner, by their own admission, since April 2025.
12. The only reason for the illicit tobacco/vapes and under age sales to continue in August 2025 was for profit. That decision was taken in full knowledge of the risks being taken but was done for financial gain nevertheless.
13. The DPS admitted that he had personally purchased the illicit goods that had been found at the premises.
14. The two seizures of illicit tobacco/vapes took place in a relatively short period of time.
15. The DPS's assertion that he only understood the significance of the illegal conduct after the incident in August 2025 was not accepted. When considering this, it was noted that a Community Resolution was issued for the sale of alcohol to an underage person.
16. There had been many warnings about the need to improve staff training and working practices and they had not been heeded. Records were provided today of documents relating to staff training. It was noted, with concern, that staff members had been trained to use the Challenge 25 policy but that was clearly not used when the test purchase was failed. The Sub-Committee had little confidence, as a result, in the efficacy of staff training as recorded.
17. The DPS was not persuasive in stating that lessons had now been learned and that things would, permanently, change. The improvement in behaviour should have taken place previously if the premises was to be run in line with the licensing objectives.

18. When considering the appropriate course of action to take to ensure the licensing objectives are promoted, the Sub-Committee are not satisfied that adding conditions to the existing premises licence would adequately prevent crime and disorder and/or protect children from harm, particularly when considering the record of past failures. If the DPS was willing to purchase illegal tobacco and vapes then compliance with a licence condition would not be sufficient deterrent. Therefore, a suspension of any period of time and/or imposing conditions upon the licence would not allay the concerns.
19. The proportionate and reasonable way to promote the licensing objectives was, in the circumstances of this application, to revoke the premises licence.
20. The Sub-Committee finds the Responsible Authorities have exhausted their expertise in guiding the premises license holder to comply with the licence conditions and adhere to the licensing objectives.

Conclusion

21. You have the right to appeal against this decision to the Magistrates' Court within 21 days of receipt of this decision notice. The relevant provisions are set out in section 181 and Schedule 5 of the Licensing Act 2003.
22. 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.

Councillor S. Dunn - Chair

Councillor M. Lee

Councillor P. Woodward

Date of Decision: 3rd February 2026

Date of Issue: 5th February 2026