

## LICENSING SUB COMMITTEE

6 October 2022

Present: Councillor G Saffery (Chair)  
Councillors K Rodrigues and B Stanton

Also present: Mr Sheetal Mohammad, Applicant  
Mr Panchal, Applicants representative  
Ms Alison Comber, Interested Party  
Ms Leena Dattani, Interested Party  
Mr Amer Hassan, Interested Party  
Mr Asif Hassan, Interested Party  
Cllr Rabi Martins

Officers: Senior Licensing Officer (AY)  
Licensing Officer (PS)  
Senior Solicitor  
Democratic Services Officer  
Democratic Services Officer (LM)

### 1 **Committee membership/ election of a Chair**

The Democratic Services Officer confirmed that the Sub-Committee would comprise Councillors Saffery, Stanton and Rodrigues.

The Sub-Committee was asked to elect a Chair for the Hearing.

RESOLVED –

that Councillor Saffery be elected Chair for this Hearing.

### 2 **Disclosure of interests (if any)**

There were no disclosures of interest.

### 3 **Application for a new premises licence - SSS Food & Drinks, 98 Queens Road Watford WD17 2NX**

The Licensing Officer confirmed that all parties expected were present. There were several preliminary matters for members' attention:

- One objector would have to leave by 11.30.
- Part B of the agenda, which was comprised of photos to be distributed to the sub-committee, applicant and interested parties. The photos were to be returned to Democratic Services at the end of the committee.
- An omission in the report, appendix 3R and appendix 4C.
- In support of the application, four letters had been received. They were circulated to the committee, and all parties were notified.
- A video link received as part of an objection was circulated to the committee and legal representative via a secure transfer portal.
- The interested parties had decided to represent themselves, and therefore Councillor Martins was no longer a representative on behalf of the residents.

There was a short adjournment for the photos to be reviewed by those present.

### **Introduction to the application**

The Sub-Committee received a report of the Licensing Officer, which outlined an application for a new premises licence for SSS Food & Drink, 98 Queens Road, Watford, under section 17 of the Licensing Act 2003 for the sale of alcohol for retail consumption off the premises. The officer directed the committee to page six of the report, which had further detail on the application. Following a discussion with the Police, the applicant had amended the opening hours to 8 am to 11 pm. The conditions of the application were outlined in paragraph 9.4.

Under policy LP2, the premises fell within a residential area. The area was a mix of commercial and residential properties with residential flats opposite the premises. The premises fell within the Queens Road Sensitive Licensing Area (policy LP4).

The Licensing officer concluded that there was no presumption for the application to be refused.

There were 30 representations received from members of the public with concerns regarding the following: public nuisance, protection of children from harm and public safety. Also, four representations were received in favour of the application. There had been no representations from any of the Responsible Authorities.

The Licensing Officer summarised the three options for the licensing sub-committee; to grant the application in full, modify the conditions of the licence or reject the whole or part of the application and to provide the reasons for this decision.

There were no questions from members to the Licensing Officer.

In response to questions from the applicant's representative, Mr Panchal, the Chair responded that the relevance of the photos submitted was that it was part of representation 3AC, it was for the committee to attach weight to the photos as they saw fit.

There were no questions from those making representations to the Licensing Officer.

There were no questions from the council's legal advisor to the Licensing Officer.

### **Representations**

Mr Amer Hassan introduced his representation. He raised an issue regarding the second location at Ascot Road, which would supply alcohol to the Queens Road address. His concern was regarding the regulation of the second address and the impact on the prevention of crime objective at Queens Road. The Chair responded that the Ascot Road location had a licence and that the discussion should focus solely on SSS Food & Drink on Queens Road. Mr Hassan alerted the sub-committee that the other businesses in the area closed earlier and that a licence to 11 pm would affect the character of the area. Councillor Stanton answered that the other businesses had been granted licences to 11 pm but had decided to close before then.

Ms Leena Dattani introduced her representation. She noted that there had been a history of street drinking and illegal drugs in the area, which had led to anti-social behaviour and harassment of the residents. She had concerns that new premises could exacerbate the issue. Mr Panchal responded that when the premises opened, Mr Mohammad intended to provide his personal phone number to residents to enable them to express any concerns.

Councillor Martins addressed the sub-committee concerning the local resident's concerns around public safety and public nuisance and the worry that the new premises could exasperate this. He added that there were no controls in place for after the sale of alcohol and the effect on the local area.

There were no questions from the applicant to those making representations.

There were no questions from members to those making representations.

There were no questions from the Licensing Officer to those making representations.

There were no questions from the council's legal advisor to those making representations.

### **Address by the Applicant**

The Applicant's representative, Mr Panchal, presented the application to the Sub-Committee.

- Mr Mohammad had held a personal licence since 2020 and had previous experience as a restaurant manager.
- Initially, Mr Mohammad had applied for a 24-hour licence but, in consultation with the Police, had reduced the hours.
- He also had links to the community as he lived and worked nearby and planned to display his phone number on the premises so the local community could contact him directly.
- The premises would offer the sale of groceries and would be able to deliver to local residents.
- In consultation with the Police, Mr Mohammad had agreed on the following: no sale of strong beer and no sale of miniatures.
- In addition, the following would be implemented: 31 days of CCTV recording, all staff to be trained on the use of CCTV, an incident book on-site, a refusal book on-site, nominated DPS, challenge 25, posters displayed regarding leaving the premises quietly in consideration of the neighbours.

In response to questions from Ms Alison Comber regarding the historical issue of street drinking and anti-social behaviour, Councillor Stanton responded that he understood the resident's concerns; however, the commercial demand was not an issue for the licensing sub-committee. He expanded the issues surrounding a public house that would differ from an off-licence when alcohol would not be consumed on the premises. Mr Panchal also responded to residents' concerns with an assurance Mr Mohammad would run a family-orientated business, that no strong ciders or beers would be sold, and that all four Licensing Act objectives had been covered. Residents could submit their concerns to the council and Police if an issue arose. The licensing sub-committee could then review the licence. Ms Comber reiterated her concerns regarding the new premises and the fear of increased street drinking. Mr Panchal responded that Mr Mohammad had committed to working with the community and was happy to work with the Police on a possible Alcohol-Free Zone (AFZ). The Senior Licensing Officer

clarified that the AFZ did not make street drinking an offence; however, it was an offence to fail to surrender a drink if requested by the Police.

In response to a question from Mr Hassan, Mr Panchal responded that the applicant had consulted with the Police and changed the opening hours of 24 hours to fixed hours of 8 am to 11 pm. There was also a possibility of a change to the closing time to 10.30 pm. The Chair added that the other licences in the area were to 11 pm, and the Licensing Officer confirmed this. The Senior Licensing Officer added that there were three tests used by Licensing, if hours were different, litter from a takeaway and sale to children. In this case, there were no objections that followed on from the tests.

In response to a question from Councillor Martins, the council's legal advisor stated that the application must be viewed on its own merits, and the opening hours of an existing business were not linked to this application. The Chair added that the concerns of residents had been noted.

In response to questions from the council's legal advisor, Ms Alison Comber replied that the CCTV had been installed due to the anti-social behaviour the area previously experienced. Mr Panchal added that the CCTV installed at SSS Food & Drink would be manned, and the Police would have access.

There were no questions from members to the Applicant.

There were no questions from the Licensing Officer to the Applicant.

In response to questions from the Council's Legal Advisor, Mr Panchal confirmed that the applicant would accept a change to the opening hours to 8 am to 10.30 pm.

### **Objectors Summary**

Ms Alison Comber expressed her concerns regarding the anti-social behaviour and street drinking experienced when the public house had previously operated in the area.

The Sub-Committee retired to consider its decision.

### **Decision**

RESOLVED –

Having heard the evidence from the applicant, interested parties, and Councillor Martins and taking into account the written representations of the interested

parties, the sub-committee grants the application for the premises licence requested with the terminal hour of 10.30pm.

The sub-committee also attaches the conditions as agreed with the police to the licence. In reaching this decision, the committee is of the view that granting the application as requested and attaching the conditions agreed with the police would not undermine any of the four licensing objectives. In reaching the decision, the sub-committee had regard to the provisions of the Licensing Act, the Secretary of State's guidance and the Council's Statement of Licensing Policy.

Chair

The Meeting started at 10.40 am  
and finished at 11.45 am