



**WATFORD
BOROUGH
COUNCIL**



LICENSING SUB COMMITTEE

**DKSR, 164 Whippendell Road, Watford
WD18 7NB**

6 March 2023

10.30 am

Annexe, Town Hall, Watford

Please note the start time of this meeting

Contact

Laura MacMillan
democraticservices@watford.gov.uk
01923 278376/278323

For information about attending meetings please visit the council's [website](#).

Publication date: 24 February 2023

Committee Membership

Councillors D Allen-Williamson, M Devonish, S Feldman, P Hannon, M Hofman, A Khan, L Nembhard, T Osborn, K Rodrigues, G Saffery, R Smith, B Stanton, S Trebar, D Watling and R Wenham

The Sub-Committee to comprise 3 members from those listed above.

Agenda

Part A – Open to the Public

1. **Committee membership/ election of a Chair**
2. **Disclosure of interests (if any)**
3. **Application for a new premises license - DKSR 164 Whippendell Road, Watford WD18 7NB (Pages 3 - 51)**
4. **Exclusion of Press and Public**

The Chair to move: that, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of the item there would be disclosure to them of exempt information as defined in Section 100(1) of the Act for the reasons stated below in terms of Schedule 12A.

Note: if approved, the Chair will ask members of the press and public to leave the meeting at this point.

PART A

Report to: Licensing Sub Committee
Date of meeting: Monday, 6 March 2023
Report of: Senior Licensing Officer
Title: Application for a new Premises Licence - DKSR, 164 Whippendell Road, Watford WD18 7NB

1.0 Summary

- 1.1 An application has been made by Mr Srithas Sundralingham for a new premises licence for the premises at 164 Whippendell Road, Watford WD18 7NB. The premises trades as DKSR.
- 1.2 During the consultation period representations against this application were received from the Police and the council’s Community Safety Manager.
- 1.3 Members are reminded that representations are only relevant if they relate to one or more of the licensing objectives. The four licensing objectives are:
- the prevention of crime and disorder
 - the prevention of public nuisance
 - public safety
 - the protection of children from harm

2.0 Risks

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(Treat, tolerate, terminate, transfer)</i>	Risk Rating (the combination of severity and likelihood)
Appeal against decision by applicant or objector	Decision overturned by the courts with potential of costs being awarded against council if decision is not justified or legal	Determination of application given with detailed reasons and after considering evidence before the committee,	Treat	2

		the Council's licensing policy, statutory guidance, and legislation		
Judicial review of decision by applicant, objectors, or consultees	Negative perception of the council and its licensing system	Treat in accordance with the legislation, the statutory guidance, and the council's licensing policy, with both applicants and objectors being given fair chance to present their arguments to the committee.	Treat	1

3.0 Recommendations

- 3.1 That the Licensing Sub-Committee determines whether to grant the application (amended as appropriate for the promotion of the licensing objectives) as set out in the report.

Contact Officer:

For further information on this report please contact: Austen Young telephone: 01923 278474 email: austen.young@watford.gov.uk

Report approved by: Alan Gough Director of Partnerships

4.0 Application

4.1 Type of application

- 4.2 Application for a new premises licence. The original application is attached at appendix 1.

4.3 **Description of premises**

4.4 The premises is situated on Whippendell Road and is not currently licensed.

4.5 Under policy LP1, the premises is defined as an off-licence.

4.6 Under policy LP2, the premises is defined as falling within a residential area. The area is a mix of commercial and residential properties with residential properties both above and opposite the premises.

4.7 The premises does fall within the Whippendell Road Sensitive Licensing Area (policy LP4).

4.8 A map of the location of the premises is attached at appendix 2.

4.9 **Licensable activities**

This application is requesting permission to provide the following licensable activities

Licensable activity	Requested
Plays	
Films	
Indoor sporting events	
Boxing or wrestling entertainment	
Live music	
Recorded music	
Performances of dance	
Entertainment of a similar description to live or recorded music, or dance	
Provision of late night refreshment	
Sale of alcohol for consumption on the premises	
Sale of alcohol for consumption off the premises	✓

4.10 **Licensable hours**

The hours proposed in this application are detailed in the following table:

	Off-sales of Alcohol	Opening Hours
Monday	10:00 – 23:00	08:00 – 23:00
Tuesday	10:00 – 23:00	08:00 – 23:00
Wednesday	10:00 – 23:00	08:00 – 23:00
Thursday	10:00 – 23:00	08:00 – 23:00
Friday	10:00 – 23:00	08:00 – 23:00
Saturday	10:00 – 23:00	08:00 – 23:00
Sunday	10:00 – 23:00	08:00 – 23:00

4.11 The application does not request any non-standard timings or seasonal variations to the trading hours stated above.

5.0 **Background information**

5.1 The following background information is known about the premises.

5.2 **Proposed Designated Premises Supervisor**

5.3 Mr Srithas Sundralingam

5.4 **Closing date for representations**

5.5 8 February 2023

5.6 **Public notice published in newspaper**

5.7 20 January 2023

5.8 **Visits and Enforcement action**

5.9 The committee have requested that we note the history of visits and enforcement actions. There is no recent history of visits or enforcement action against this premises, although it must be noted that the premises are not currently licensed and have not been licensed since March 2013.

5.10 The representations do mention previous enforcement action and applications. Officers can confirm the following facts since these are a matter of public record:

1 March 2010 – a licensing Sub Committee revoked the existing premises licence having considered a review brought by Hertfordshire Constabulary. This decision was appealed but the appeal was dismissed, upholding the original decision of the Sub-Committee.

21 March 2011 – a licensing Sub-Committee refused an application for a new premises licence for the premises. This decision was not appealed.

1 November 2011 – a licensing Sub-Committee refused an application for a new premises licence for the premises. This decision was not appealed.

6 November 2012 – a licensing Sub-Committee granted an application for a new premises licence for the premises. This decision was not appealed.

12 March 2013 – a licensing Sub-Committee was convened to consider a review of the premises licence brought by Hertfordshire Constabulary. The premises licence

was surrendered prior to the review hearing, meaning that with no licence in force the hearing was abandoned. Since the licence was surrendered, there was no right of appeal.

24 November 2016 – a licensing Sub-Committee refused an application for a new premises licence for the premises. This decision was not appealed.

2 February 2022 – a licensing Sub-Committee refused an application for a new premises licence for the premises. This decision was not appealed.

6.0 **Promotion of the licensing objectives**

6.1 The operating schedule submitted by the applicant to describe the steps that they intend to take to promote the licensing objectives is included within the application form attached at appendix 1.

7.0 **Representations**

7.1 **Responsible Authorities**

7.2 Representations were received from the Police acting as a responsible authority. These are attached at appendix 3.

7.3 No other responsible authority submitted representations against this application or agreed any steps with the applicant during the consultation process.

7.4 **Other Relevant Bodies**

7.5 Representations have been received from the persons listed below.

Name	Address	Representative Body (Yes/No)	Relevance to which licensing objective(s)
Liam Fitzgerald	Watford Borough Council, Town Hall	No	Prevention of crime and disorder

7.6 These representations are attached at appendix 4.

8.0 **Policy considerations**

8.1 **Licensing Act 2003**

8.2 The following provisions of the Licensing Act 2003 apply to this application:

- Sections 17 and 18 (Application for premises licence)

Section 17 details the process which the applicant must have followed for the application to be considered valid. Section 18 describes the process by which an application for a premises licence is determined, including where relevant representations have been made as in this case

- Sections 19 and 19A (mandatory conditions)
These sections detail the mandatory conditions that would apply if the Sub-Committee was minded to grant a licence authorising the supply of alcohol.
- The Licensing Act 2003 (Hearings) Regulations 2005 (as amended)
These regulations detail how hearings should be conducted to determine applications submitted under the Licensing Act

8.3 **Statutory guidance**

The following provisions of the Secretary of State's guidance (December 2022) apply to this application:

- Paragraphs 8.41 – 8.49
These paragraphs explain how steps should be taken to promote the licensing objectives. It is for the Sub-Committee to decide in the light of this guidance whether the measures offered by the applicant are appropriate to promote the licensing objectives. It is equally important to use the same measures when looking at any steps requested by a party making representations against an application.
- Paragraphs 9.11 and 9.12
These paragraphs explain the general role of responsible authorities in considering licence applications. Although certain responsible authorities may be more of an expert in their relevant fields than others, licensing authorities must consider all relevant representations from responsible authorities carefully. It is the responsibility of all responsible authorities to ensure that their representations can withstand scrutiny to which they would be subject to at a hearing.
- Paragraphs 9.31 – 9.41
These paragraphs explain that hearings should be focussed on the steps considered appropriate to the promotion of the licensing objectives, as well as how appropriate weight must be attributed to the steps to promote the licensing objectives, the representations presented by all parties, the statutory guidance, and the licensing authority's statement of licensing policy.
- Paragraphs 9.42 – 9.44
These paragraphs explain that when determining applications, the authority's determination should be evidence-based, as well as how to assess if a step is 'appropriate' for the promotion of the licensing objectives.

- Chapter 10
This chapter looks at best practice in relation to conditions that may be attached to a premises licence should it be believed that such conditions are appropriate to promote the licensing objectives. Any additional conditions requested by any party should be considered with reference to this chapter.

8.4 **Statement of licensing policy**

The following paragraphs of the licensing authority's statement of licensing policy apply to this application:

- Policy LP1 – Premises definitions
Under this policy, officers would define this premises as an off-licence
- Policy LP2 – Location and operation of premises
This policy sets out the approach to licensing premises when relevant representations are received, notwithstanding that each application is considered on its own merits.

This policy states that off-licences 'will generally be allowed alcohol sales in accordance with the normal opening hours of the shop'

- Policy LP4 – Sensitive Licensing Areas
The premises are located on Whippendell Road within a Sensitive Licensing Area (SLA). SLAs were originally introduced to recognise community concerns about the impact that a concentration of licensable activities in a small geographical area has on the licensing objectives. This includes:
 - (1) availability of stronger-strength alcohol to street drinkers leading to anti-social behaviour in the immediate vicinity of the premises
 - (2) alcohol and/or late night refreshment being available at times that are significantly different from other premises in that area likely to have an adverse impact on the licensing objectives
 - (3) litter and other nuisances from a concentration of late-night take-aways

Where an application for alcohol sales or late night refreshment has been received within an SLA, this policy states that the licensing authority will consider making representations and will strictly apply policies LP6, LP7, LP8 and LP9 in relation to those premises.

Where additional representations have been made by other parties, our strict starting point in these areas will be to consider whether conditions will be appropriate to address those concerns or whether a refusal is justified on the basis that the licensing objectives would be undermined

- Policy LP6 – Prevention of crime and disorder

Under this policy the committee will consider any appropriate measures to deal with the potential for crime and disorder where relevant representations have been received, and this policy highlights areas of particular concern.

- Policy LP7 – Public safety

Under this policy, the committee will consider any appropriate measures to mitigate risks to public safety where relevant representations have been received. This policy highlights particular measures that the committee may address through conditions, while also stating that conditions should not seek to duplicate existing health and safety requirements.

- Policy LP8 – Prevention of public nuisance

Under this policy the committee will consider any necessary measures to deal with the potential for public nuisance and/or antisocial behaviour where relevant representations have been received.

- Policy LP9 – Protection of children from harm

This policy details the approaches expected from applicants to promote this licensing objective, and what factors the subcommittee will take into account when considering concerns under this objective.

- Policy LP11 – Representations against applications

This policy recommends the type of information that should be included in a representation. It also explains how representations will be dealt with.

8.5 The Sub-Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

8.6 The Sub-Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

9.0 **Conditions**

9.1 Members will be aware that an operating schedule forms part of the licensing process. This document outlines what activities are proposed, the opening hours, and how the activities will be managed particularly in respect of the licensing objectives.

9.2 The most critical part of the operating schedule is the steps taken by the applicant to promote the four licensing objectives. Applicants are always reminded to take

careful consideration as to what is entered in this section as whatever is proposed will be translated as conditions on the licence.

9.3 Applicants should give consideration to the local area and reflect this in their application. It should demonstrate an awareness of the local community, local crime and disorder issues, and the local environment.

9.4 The applicant's original operating schedule for this application can be found in their application attached at appendix 1.

9.5 **Conditions agreed with responsible authorities**

9.6 No conditions have been proposed by a responsible authority or agreed with the applicant.

9.7 **Conditions proposed by other objectors**

9.8 There are no conditions proposed by any other parties to this application.

9.9 **Conditions consistent with the operating schedule**

9.10 Officers propose that the following conditions would be appropriate to attach to the licence to promote the licensing objectives, and are consistent with the applicant's operating schedule:

1. All staff will be trained in the law regarding the sale of alcohol to underage persons, how to prevent such sales, and the premises' age verification policy. This training will be documented and include the date the training, the name of the person who gave the training, the person who received the training and signatures of both the trainer and trainee. All staff training records shall be made available for inspection upon request by the Police or an authorised officer of the licensing authority. All staff to receive training and refresher training every 6 months on their responsibilities under the Licensing Act 2003, including responsible alcohol sales. The training is to be documented and made available to an authorised officer of a responsible authority upon request.
2. The premises licence holder shall ensure that all members of staff involved in the sale of alcohol receive training with regards to age restricted sales. This training must include the following:
 - The licensing objectives
 - Recognising signs of drunkenness
 - Challenge 25 and appropriate forms of identification
 - Refusals logs including when how to use them

This training will be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and kept for a minimum of 6 months following the event. No person shall sell alcohol until they have received the training and signed the training document and made available upon request of the Police or an authorised member of the licensing authority.

3. The designated premises supervisor shall attend and pass a formal training course on avoiding underage sales and provide evidence of attendance if requested. No alcohol to be sold from the premises until such training has been successfully completed.
4. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available to a Police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 day period, providing that such requests are in connection with the prevention or detection of crime.
5. 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 are open to the public. This staff member shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.
6. The premises shall keep a suitable store of necessary recording media (such as DVDs, SD cards or similar) to enable footage to be recorded from the CCTV system and provided to an authorised officer of the licensing authority of Police officer upon request.
7. All faults/defects in the CCTV system must be reported to the Hertfordshire Constabulary within one day of the fault being discovered. The notification must be made to the Hertfordshire Constabulary non-emergency telephone number of 101 and a log number obtained from the Police and recorded in the premises' incident log. The Watford Police Licensing Unit must also be notified as soon as reasonably practicable.
8. All faults/defects with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative, no licensable activities shall take place without the agreement of the Watford Police Licensing Unit and the licensing authority until the fault is rectified.

9. All sales of alcohol shall be in sealed containers only.
10. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors to the satisfaction of the Watford Police Licensing Unit or the licensing authority.
11. No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
12. No single cans or single bottles of beer, lager or cider shall be sold at the premises.
13. No sales of miniature spirits (25cl or under) of any kind shall be permitted.
14. There shall be no self-service of spirits on the premises. All spirits are to be displayed behind the counter only.
15. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
16. An incident log (which may be electronically recorded) shall be kept at the premises, and made available upon request to an authorised officer of the licensing authority or the Police. It must be completed within 24 hours of any incident and will record the following:
 - all crimes reported to the venue
 - all ejections of customers
 - any complaints received concerning crime and disorder
 - any incidents of disorder
 - any official visits by a responsible authority or emergency service
 - all refused sales of alcohol, including the date and time of the refusal and the name of the staff member who refused the sale
17. The premises shall implement a 'Challenge 25' policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence, or Proof of Age Scheme (PASS) approved identification before being allowed to purchase alcohol.
18. A sign advising customers that if they are unable to produce proof of age then there shall be no sale of alcohol shall be displayed at all points of sale.

9.11 **Pool of Model Conditions**

9.12 In addition to any conditions proposed by the responsible authorities or objectors, the licensing authority also has its own pool of model conditions that may help mitigate the concerns raised in the representations.

9.13 Having considered the operating schedule submitted as part of the application, officers do not propose any additional conditions from the pool of model conditions.

9.14 This does not restrict the Sub-Committee's power to attach conditions from the pool (amended or otherwise) if they consider that they are appropriate, proportionate, justifiable and within the applicant's power to comply with.

9.15 A draft premises licence which reflects this application and the conditions which are proposed in the preceding paragraphs is attached at appendix 5.

10.0 **Officers' observations**

10.1 This application falls within the Whippendell Road Sensitive Licensing Area under Policy LP4. This policy states that the strict starting point for determining this application, and considering any representations against the application, will be to consider if conditions will be appropriate to address the concerns raised against the application, or whether a refusal is justified on the basis that the licensing objectives will be undermined.

10.2 Members are able to depart from policy in circumstances where there are justifiable reasons for doing so, and after considering the individual merits of the application before them.

10.3 Members will see from the representations that reference is made to the history of the premises. Paragraph 5.10 provides detail of this history. Members must not re-examine the original decisions and whether it was right or wrong for the original decisions to be made. This information is provided here as factual background information.

10.4 Members are reminded that they must consider this application on its own merits, based upon the submissions put before them. Prior enforcement action against any premises does not mean that there is an automatic presumption for refusal, and Members must consider the application without prejudice. Any person has the right to apply for a licence providing that they are over 18 and propose to use the premises for carrying on licensable activities. Where representations have been made, as in this case, applicants have the right to an open and fair hearing, where they can put forward an argument as to why their application should be granted. This same right of a fair and open hearing is also extended to those parties making representations against this application. The history of the premises is mentioned in

the representations and is presented as evidence, and it will be for Members to attach such weight to this evidence as they see fit.

- 10.5 The applicant has proposed conditions relating to training staff on preventing underage sales and checking customer identification. Members may wish to investigate what training, if any, the applicant may have undertaken prior to this hearing, or what other evidence the applicant may wish to present as proof of suitability. Members may also wish to enquire if the proposed designated premises supervisor has already completed a formal training course on avoiding underage sales as proposed in the application. Any responses will need to be considered in line with the promotion of the licensing objectives, and Members may attach such weight as they see fit.
- 10.6 The representations refer to anti-social behaviour from street drinkers. Members are reminded of paragraph 2.21 of the Statutory Guidance, which states that beyond the immediate area surrounding a licensed premises, individuals are responsible for their actions. If a customer of any premises decides to engage in anti-social behaviour either while, or as a result of, consuming alcohol, but that alcohol was purchased legally, then it is the customer that is liable for their behaviour, and not the licensed premises. If Members are satisfied that there are additional steps that the premises could take in order to assist dispersal from the immediate area, and that such steps are appropriate for the promotion of the licensing objectives, and not excessively onerous on the premises to implement, then these steps may be confirmed by being attached to the licence as conditions.
- 10.7 Members are reminded that both applicants and objectors have the right to expand upon their original submissions, but should not introduce new evidence unless provided and circulated before the hearing, or introduced at the hearing with the agreement of all parties present.
- 10.8 The officers' observations and the comments regarding the representations are in no way meant to bind Members. They are for guidance only and Members may attach whatever weight they see fit.
- 10.9 Members are also to attach whatever weight they see fit to both the submissions of the applicant, and to the submissions of the objectors, when considering this application.
- 10.10 The Sub-Committee is reminded that it has a duty to "have regard" to the licensing policy but is not bound by it. However, should Members wish to depart from the policy then detailed reasons for this must be given as part of any decision.
- 10.11 In determining this application, the Sub-Committee must have regard to the representations and take such steps as it considers appropriate for the promotion of licensing objectives. The steps are:

- (a) grant the application in full.
- (b) modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding them.
- (c) reject the whole or part of the application.

10.12 It is important that a licensing authority should give reasons for its decision in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

Appendices

Appendix 1 – Application

Appendix 2 – Location plan

Appendix 3 – Police representations

Appendix 4 – Watford Borough Council representations

Appendix 5 – Draft premises licence

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Amended guidance issued under section 182 of the Licensing Act 2003 (Home Office December 2022)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy (April 2021 – November 2023)

Watford Borough Council Pool of Model Conditions (January 2018)



Watford
Application for a premises licence
Licensing Act 2003

For help contact
licensing@watford.gov.uk
 Telephone: 01923 278476

* required information

Section 1 of 21

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="SGL2023:001"/>	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?	<input checked="" type="radio"/> Yes <input type="radio"/> 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	<input type="text" value="Srithas"/>	
* Family name	<input type="text" value="Sundralingham"/>	
* E-mail	<input type="text" value="REDACTED"/>	
Main telephone number	<input type="text" value="REDACTED"/>	Include country code.
Other telephone number	<input type="text"/>	
<input checked="" type="checkbox"/> 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

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

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.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

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	<input type="text" value="DKSR"/>
Street	<input type="text" value="164 Whippendell Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Watford"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="WD18 7NB"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="8,700"/>

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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

Family name

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?

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.

Yes No

Building number or name	<input type="text" value="69"/>
Street	<input type="text" value="Ascot Gardens"/>
District	<input type="text"/>
City or town	<input type="text" value="Southall"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="UB1 2SB"/>
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?

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.

Yes No

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="01923242722"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="[REDACTED]"/> dd mm yyyy
* Nationality	<input type="text" value="Danish"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

The premises trades as a small grocery store seeking to retail the sale of alcohol for consumption off the premises in addition to the sale of the existing sales mix.

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

Section 7 of 21

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

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

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.

n/a

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.

n/a

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

Name

First name

Family name

Date of birth
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

Issuing licensing authority
(if known)

London Borough of 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'.

Section 16 of 21

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.

n/a

Section 17 of 21

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	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

n/a

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.

n/a

Section 18 of 21

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.

All relevant staff will be trained in the law regarding the sale of alcohol to underage persons and Challenge 25. This training will be documented and made available upon request of the police or authorised member of the licensing authority. All staff to receive training and refresher training every 6 months on their responsibilities under the Licensing Act 2003, including responsible alcohol sales. The training is to be documented and made available to an authorised officer of a responsible authority upon request.

The licence holder shall ensure that all members of staff involved in the sale of alcohol receive training with regards to age restricted sales. This training must include the following:

- The licensing objectives
- Recognising signs of drunkenness
- Challenge 25 and appropriate forms of identification
- Refusals logs including when and how to use them

This training must be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and kept for a minimum of 6 months following the event. No person shall sell alcohol until they have received the training and signed the training document.

The designated premises supervisor shall attend and pass a formal training course on avoiding underage sales and provide evidence of attendance if requested. No alcohol to be sold from the premises until such training has been successfully completed.

b) The prevention of crime and disorder

The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition.

The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises.

All recordings shall be stored for a minimum of 31 days with date and time stamping.

Recordings shall be made available to a Police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 day period, providing that such requests are in connection with the prevention or detection of crime.

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 are open to the public. This staff member shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.

The premises shall keep a suitable store of necessary recording media (such as DVDs, SD cards or similar) to enable footage to be recorded from the CCTV system and provided to an authorised officer of the licensing authority or Police officer upon demand.

All faults/defects in the CCTV system must be reported to Hertfordshire Constabulary within one day of the fault being discovered. The notification must be made to the Hertfordshire Constabulary non-emergency telephone number of 101 and a log number obtained from the Police and recorded in the premises' incident book. The Watford Police Licensing Unit must also be notified as soon as reasonably practicable.

All faults with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative no licensable activities shall take place without the agreement of Watford Police Licensing Unit and the licensing authority until the fault is rectified.

Continued from previous page...

All sales of alcohol for consumption off the premises shall be in sealed containers only.

Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors to the satisfaction of Watford Police Licensing Unit or the licensing authority.

No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.

No single cans or single bottles of beer or cider shall be sold at the premises.

No sales of miniature spirits of any kind shall be permitted (25cl or under)

There shall be no self-service of spirits on the premises. All spirits to be displayed behind the counter only.

Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- o all crimes reported to the venue
- o all ejections of patrons
- o any complaints received concerning crime and disorder
- o any incidents of disorder
- o any official visits by a relevant authority or emergency service

The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police.

All relevant fire procedures are in place for a premises of this size.

An in house accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years

d) The prevention of public nuisance

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for the neighbouring properties.

Sufficient waste bins will be provided to ensure customers can dispose of their waste products safely without causing a litter issue to the highway

e) The protection of children from harm

In addition to any other training, staff shall receive regular training in how to prevent underage sales and training in the premises' age verification policy.

Training shall be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee.

Continued from previous page...

All staff training records shall be available for inspection upon request by the Police and authorised officers of the licensing authority.

A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.

The log shall be available for inspection at the premises by the Police or an authorised officer of the licensing authority at all times whilst the premises is open.

The premises must implement a 'Challenge 25' policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (PASS) approved identification before being allowed to purchase alcohol

A sign advising customers that if they are unable to produce proof of age then there shall be no sale of alcohol shall be displayed at all points of sale

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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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 <https://www.tax.service.gov.uk/business-rates-find/search>.

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

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I

Continued from previous page...

* understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

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

* Capacity

* Date / /
dd mm yyyy

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/watford/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.

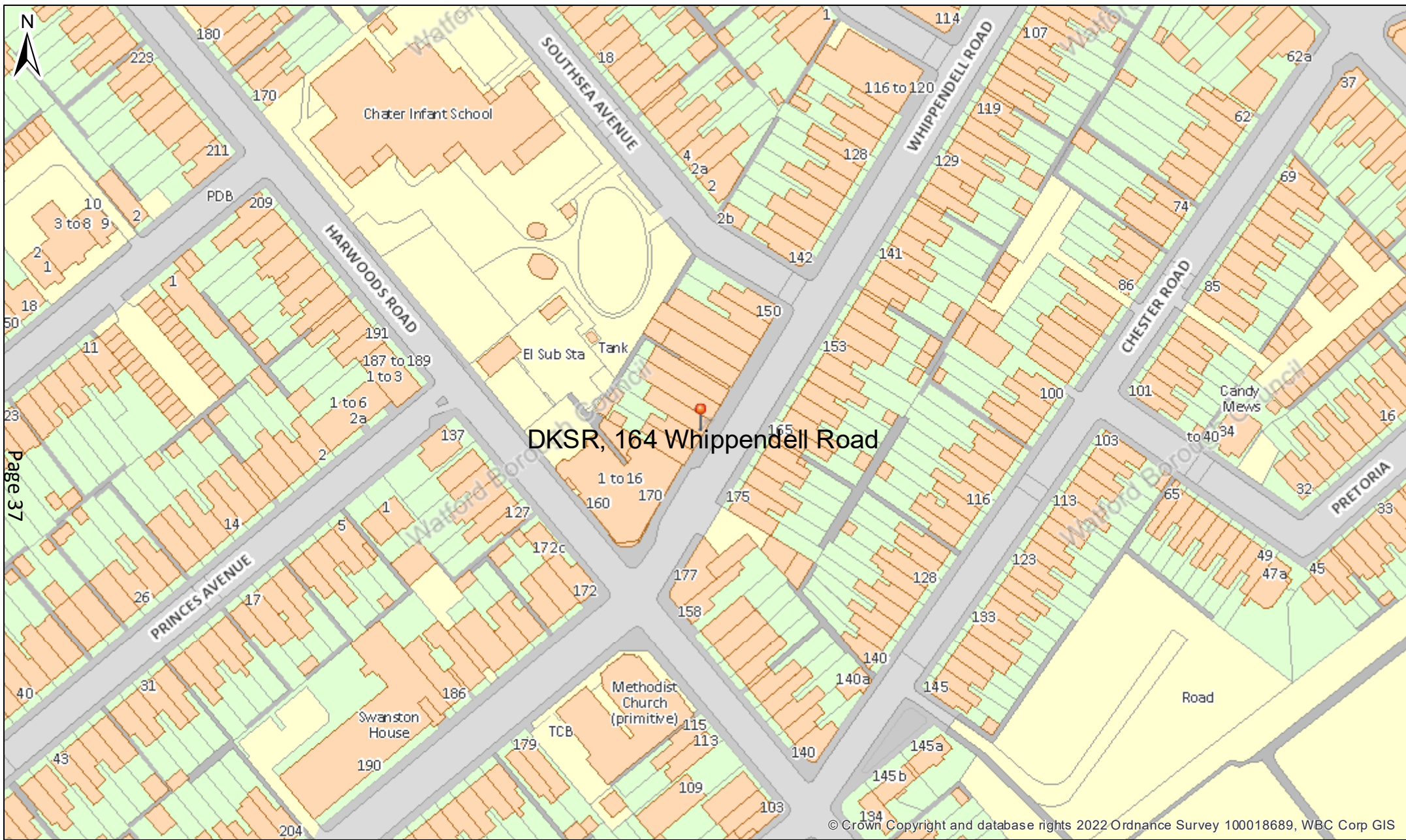
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

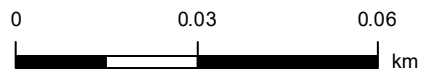
OFFICE USE ONLY

Applicant reference number	<input type="text" value="SGL2023:001"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >



Title: Appendix 2
 Date: 20/02/2023
 Author: Austen Young



Scale: 1:1,250

WATFORD LICENSING AUTHORITY
Licensing Act 2003.

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

Police - On behalf of The Chief Constable

Your Name	Jo Tomkins
Job Title	Police Licensing Officer
Postal and email address	Community Safety Unit, Watford Police Station, Watford, Herts WD17 1DD

Name of the premises you are making a representation about	DKSR Supermarket (also known as Whippendell Food & Wine)
Address of the premises you are making a representation about	164 Whippendell Rd, Watford, Herts, WD18 7NB

Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To Prevent Crime and Disorder	Yes	<p>An application has been received from Mr Srithas Sundralingham for a new Premises Licence in the name of DKSR Supermarket, 164 Whippendell Rd, Watford, Herts, WD18 7NB to open between 08:00 – 23:00 Monday to Sunday and sell 'off sales' of alcohol between 10:00 – 23:00 Monday to Sunday. The Agent Mr Stewart Gibson (the Licensing Agent acting for Mr Sundralingham) has emailed the Police Licensing Officer prior to this application being submitted to the Council, and the Police Licensing Officer replied that the Police shall be submitting a Representation objecting to their application based on a long negative history with the Police and Watford Borough Council Licensing Team. The Police Licensing Officer did then call the Agent back, but has not managed to speak with him, so instead she sent an email back to the Agent explaining a brief history as their rationale for objecting.</p> <p>The history starts:</p> <p>In 2010, DKSR had their Premises Licence revoked for repeat breaches of their licence. This was on the back of a 10 year old being served alcohol. Mr Srithas Sundralingham had been warned, advised, and cautioned on numerous occasions by Watford Council Licensing Officer and the Police, all of which he chose to ignore. This revocation was appealed by Mr Srithas Sundralingham at Magistrates Court but was upheld.</p> <p>In March 2011, a new Premises Licence application was again refused by the Watford Council Licensing Committee. The Police evidenced that since the shop has had their premises licence removed there, had been a reduction in ASB and that</p>
Public Safety	Yes	
To Prevent Public Nuisance	Yes	
The Protection of Children from Harm	Yes	

this shop was the root cause of the problems that had occurred in the area.

1st November 2011, a further application for a new Premises Licence was heard. Neither the applicant nor representatives attended the hearing. The application was **rejected**.

6th November 2012, after a number of refusals from Watford Council Licencing Committee the Premises Licence was **granted** to Miss Mounisha Srithas, Mr Srithas Sundralingham's daughter. The Premises Licence had 20 new conditions added to it including no high strength beer, cider or lager and no single cans, no sales of miniatures or quarter bottles.

Sergeant Marie White introduced the Police's Representation. She noted that this was the fourth application by the family to have their licence reinstated, and each had so far been refused. The Premises Licence had been revoked on 1st March 2010 and the revocation was upheld on appeal. Sergeant White was concerned why this family should be given a second chance. The premises had sold alcohol outside their licensed hours, to street drinkers, to intoxicated persons and to minors including a 10 year-old. Sergeant White added that the Policy LP4 was written due to the irresponsible management of this premises. If the premises were granted another licence, the conditions would be breached. The breaches in the past had not been isolated incidents and she did not believe that any conditions could address this. Given the history of the premises, there should be no second chance. **Conclusion** – Premises Licence was granted. The family were given their second chance.

12th March 2013 - Review of Premises Licence by Police

- Sgt Marie White outlines that a new Premises Licence was issued in November 2012 and strict conditions were put in place by the Sub-Committee.
- Within 10 days of this being issued the venue had breached its conditions several times.
- 2 offences recorded in Dec 2012 of selling alcohol to children.
- Counsel for the family at the Council Hearing had said that the family deserved a second chance.
- In 2012 the Police said that Miss Mounisha Srithas (the daughter of the owner Mr Srithas Sundralingham) was controlled by her father and although she was meant to be the new face of the business, in reality nothing had changed.
- **16th November 2012** - Special Sgt Jennings entered the shop in plain clothes, single cans and bottles were on sale for £1.00. Special Sgt Jennings was able to purchase a can of lager.
- **19th November 2012** – A Police Licensing Officer purchased a single bottle of Magners without challenge.

- **23rd November 2012** – A Police Licensing Assistant attended the store and was able to buy super strength lager. Another breach.
- **On 13th December 2012** - Police used a 16-year-old child to try and purchase alcohol. The child was refused, this is positive, however this was not logged in their refusals book and therefore another breach.
- **27th December 2012** - a 15-year-old male managed to buy a 75cl bottle of Vodka, this was recorded on CCTV.
- **On the same date,** it was noted via CCTV that a male was served SKOL alcohol, 9% ABV super strength from a stash held below the counter.
- **28th December 2012** – Special Sergeant Jennings attended the shop in plain clothes. Desperado beer at 5.9% ABV was on sale (no alcohol over 5.5% ABV should be sold). Again he was able to buy a single bottle of beer. Another breach.
- **31st December 2012** – A Police Licensing Officer attended the shop to look at CCTV. Whilst in the shop he noticed Desperado beer still on display, he also noticed miniature bottles of spirits. As he went around to the till area, he noticed shop assistant Mr Rajeswaran kicking away cans of special brew lager which were 9% ABV under the till area.
- **8th January 2013** - Miss Mounisha Srithas denied all allegations in interview and said the Police were bullying her and the officers involved were lying.

On the back of this overwhelming evidence the Premises Licence was **surrendered by Miss Mounisha Srithas just minutes before the Licensing Review Hearing.**

An application for a new Premises Licence was **rejected in November 2016** by Watford Licensing Committee.

On **4th Dec 2017**, Miss Mounisha Srithas contacted the Police and asked for a meeting to discuss reapplying for their alcohol licence, due to workload we asked if we could meet in the 2018 New Year to discuss.

On **16th Jan 2018**, Police met with Miss Mounisha Srithas and her father Mr Srithas Sundralingham at Watford Police Station, where Miss Srithas pleaded with the Police Licensing Officer and Sergeant not to object to her new application. Within this meeting there was no evidence that things had or would change, she merely stated the need to sell alcohol to ensure the business was viable. At this time she said that only her family would be working in the shop. Due to the language barrier we couldn't effectively communicate Mr Srithas Sundralingham, her father.

On **13th April 2018**, Miss Mounisha Srithas phoned Watford Police Station and asked to speak to PCSO Marc Abbott. She asked him for his support in their application, again giving no

substance as to how they would promote the Licensing Objectives. He said that he wouldn't get involved but agreed to see her in the shop if he was passing. PCSO Abbott attended the shop the following day and met with the father who again tried to get him to support the application, he said, "It was very hard to run two shops and that the Police should support him."

When issuing a Premises Licence it's very important that the Police and Council have the confidence that a Premises and DPS can manage the sale of alcohol and that it doesn't have an impact on the community and the demand on services such as the Police or Council Licensing Team. The Police concerns are that this premises, if granted a Premise Licence is going to need and expect a very large amount of Police time and resources, and this is something that we can't and won't offer. We are not here to supervise, train or manage a premises, these are things we expect a competent DPS to operate and manage responsibly.

On **19th April 2018**, Police were made aware that Mr Srithas Sundralingam had purchased a bottle of spirit from a homeless male. Police observed a video of the male in question saying that he had sold it to this male. Police attended the store and asked for the CCTV from DKSR. Mr Srithas Sundralingam said he couldn't work it. On speaking to Mr Srithas Sundralingam again he explained that his daughter worked at Audi, and she wasn't contactable during the day. We did try and ring her without any success. An email was sent to her, and she responded two days later saying the CCTV came up with an error message after her father had tried to obtain the recording, therefore there is no footage available. Police had a report of a large number of spirits stolen from a nearby nightclub a week or so beforehand and have seen CCTV of the male trying to sell the item at nearby shops. It's alleged this male sold it in DKSR, however without their CCTV we're unable to prove or disprove this allegation. What is very clear that despite the history of this store, the fact they when they submitted a new Premises Licence application, they still did not have a workable CCTV system, nor were they able to use it. Crime and ASB has increased in Watford over the years, and this premises and family have had a huge amount of support over the years from the Authorities. Despite this support, it resulted in them having no option but to surrender their licence in 2013 for numerous breaches and a catalogue of problems. Having met with the family, the Police do not feel reassured by the conditions they had proposed and feel that given their vast negative history they are far from suitable from having a Premise Licence to sell alcohol, etc.

On **3rd December 2021** we received another Premises Licence application from Mr Srithas Sundralingam requesting to sell alcohol between 08:00 – 22:00 Monday to Sunday. Police represented against this application due to the previous conduct of the applicant and his family when operating a licensed premises in the past. Watford Licensing Committee **refused** the Premises Licence saying the applicant had failed to show a clear understanding of the Licensing Legislation and the

	<p>requirements of Licensing, and that the Licensing Objectives would be undermined.</p> <p>Watford has an ever-increasing issue with street drinkers and alcohol related Anti-Social Behaviour and has resulted in ASB calls in and around this location of Whippendell Road. Police have worked hard to manage the premises in this area and ensure conditions are adhere to. The Police fail to see how giving an irresponsible DPS and a family who refuse to conduct themselves in a responsible manner when it comes to the Licensing Act and Licensing Legislation, a Premises Licence to sell alcohol is going to support the needs of the community, and help us to Prevent Crime and Disorder, To Prevent Public Nuisance, The Protection of Children from Harm and not undermine Public Safety.</p> <p>This premise is currently within the Sensitive Licensing Area (LP4) of Whippendell Road, between its junction with Cassio Road and Hagden Lane. This means that the area suffers greatly with street drinkers and ASB which is likely to have an adverse impact on the Licensing Objectives.</p> <p>In summary, we feel if this Premises Licence were to be granted it would be extremely detrimental to policing in Watford and the community in its entirety. This therefore raises strong concerns of how this would impact the wider community in terms of increased Anti-Social Behaviour and Crime and Disorder.</p> <p>The Constabulary have concerns regarding this application and accordingly on behalf of the Chief Constable I represent against it.</p>
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<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	
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Signed: LO 8690 Jo Tomkins

Date: 16/1/2023

Please return this form along with any additional sheets to: Watford Licensing Authority, Town Hall, Watford, Herts WD17 3EX, or email to envhealth@watford.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Unit on 01923 278503.

APPENDIX 4

From: Liam Fitzgerald
Sent: 02 February 2023 09:55
To: Austen Young <Austen.Young@watford.gov.uk>
Subject: DKSR

Austen,

I would make objection to the current application for license made by Mr Srithas Sundralingham to allow for off sales at DKSR whippendell road Watford .

I make formal objection to the application on behalf of the Community Safety Partnership on the grounds that I believe Mr Srithas Sundralingham. while holding a license previously posed a risk to, public safety and the protection of children from harm and his actions he created crime not reduced it and caused the public nuisance by his trading practice leading to an increase in ASB in the immediate area.

His actions have be of criminal negligence in the past and he has therefore had his license twice removed . His abject failure to adhere to the licensing act and his duplicitous explanation of his failings when questioned by offices compound his unsuitability to hold license again.

I have seen nothing in this or his last applications to give any assurance that we are not opening ourselves up to further risk if his application is for license is granted .I believe the best protection we can offer the community via the licensing act is to not grant a new license Mr Srithas Sundralingham.

Regards.

Liam Fitzgerald
Chairman of the Joint Authorities Group (JAG)
Community Safety.
Watford Borough Council.
Town Hall Watford.WD24 3EX.





APPENDIX 5

**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number	23/00024/PRE
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
DKSR 164 Whippendell Road Watford WD18 7NB	
Telephone number	

Where the licence is time limited, the dates
From 6th March 2023

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities
Sale of Alcohol by Retail (for consumption off the premises only) Monday to Sunday 10:00 - 23:00

The opening hours of the premises
Monday to Sunday 08:00 - 23:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Srithas Sundralingham
69 Ascot Gardens
Southall
UB1 2SB

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Srithas Sundralingam
[Redacted for the purpose of this report]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the sale of alcohol

Personal licence number: [Redacted for the purpose of this report]
Licensing Authority: London Borough Of Ealing

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition -

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
5. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 6. (1) Sub-paragraph (2) applies where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

The following conditions have been identified as being consistent with the applicant's operating schedule by officers:

1. All staff will be trained in the law regarding the sale of alcohol to underage persons, how to prevent such sales, and the premises' age verification policy. This training will be documented and include the date the training, the name of the person who gave the training, the person who received the training and signatures of both the trainer and trainee. All staff training records shall be made available for inspection upon request by the Police or an authorised officer of the licensing authority. All staff to receive training and refresher training every 6 months on their responsibilities under the Licensing Act 2003, including responsible alcohol sales. The training is to be documented and made available to an authorised officer of a responsible authority upon request.
2. The premises licence holder shall ensure that all members of staff involved in the sale of alcohol receive training with regards to age restricted sales. This training must include the following:
 - The licensing objectives
 - Recognising signs of drunkenness
 - Challenge 25 and appropriate forms of identification
 - Refusals logs including when how to use themThis training will be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and kept for a minimum of 6 months following the event. No person shall sell alcohol until they have received the training and signed the training document and made available upon request of the Police or an authorised member of the licensing authority.
3. The designated premises supervisor shall attend and pass a formal training course on avoiding underage sales and provide evidence of attendance if requested. No alcohol to be sold from the premises until such training has been successfully completed.
4. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available to a Police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 day period, providing that such requests are in connection with the prevention or detection of crime.
5. 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 are open to the public. This staff member shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.
6. The premises shall keep a suitable store of necessary recording media (such as DVDs, SD cards or similar) to enable footage to be recorded from the CCTV system and provided to an authorised officer of the licensing authority of Police officer upon request.
7. All faults/defects in the CCTV system must be reported to the Hertfordshire Constabulary within one day of the fault being discovered. The notification must be made to the Hertfordshire Constabulary non-emergency telephone number of 101 and a log number obtained from the Police and recorded in the premises' incident log. The Watford Police Licensing Unit must also be notified as soon as reasonably practicable.
8. All faults/defects with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative, no licensable activities shall take place without the agreement of the Watford Police Licensing Unit and the licensing authority until the fault is rectified.

9. All sales of alcohol shall be in sealed containers only.
10. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors to the satisfaction of the Watford Police Licensing Unit or the licensing authority.
11. No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
12. No single cans or single bottles of beer, lager or cider shall be sold at the premises.
13. No sales of miniature spirits (25cl or under) of any kind shall be permitted.
14. There shall be no self-service of spirits on the premises. All spirits are to be displayed behind the counter only.
15. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
16. An incident log (which may be electronically recorded) shall be kept at the premises, and made available upon request to an authorised officer of the licensing authority or the Police. It must be completed within 24 hours of any incident and will record the following:
 - all crimes reported to the venue
 - all ejections of customers
 - any complaints received concerning crime and disorder
 - any incidents of disorder
 - any official visits by a responsible authority or emergency service
 - all refused sales of alcohol, including the date and time of the refusal and the name of the staff member who refused the sale
17. The premises shall implement a 'Challenge 25' policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence, or Proof of Age Scheme (PASS) approved identification before being allowed to purchase alcohol.
18. A sign advising customers that if they are unable to produce proof of age then there shall be no sale of alcohol shall be displayed at all points of sale.

Annex 3 – Conditions attached after a hearing by the licensing authority

No conditions have currently been proposed to be attached to this licence by the objectors to this application, and no conditions have been identified from the pool of model conditions.

However, this does not restrict the Sub-Committee’s power to attach conditions from the licensing authority’s pool of model conditions (amended or otherwise), to modify any conditions which have been proposed by the responsible authorities, or to compose their own conditions if they consider that they are appropriate, proportionate, justifiable, and within the applicant’s power to comply with.

Annex 4 – Plans

DKSR 164 Whippendell Road Watford WD18 7NB

