

THE DISTRICT COUNCIL OF TANDRIDGE

LICENSING SUB COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 7 November 2022.

ATTENDEES:

Sub-Committee members:

Councillors Botten, Groves and Stamp

Council Officers:

Aneurin Hughes - Senior Licensing Officer (via Zoom)

Ian Garrod - Licensing Officer

Lidia Harrison - Head of Legal Services (via Zoom)

Vince Sharp - Democratic Services Officer

Relevant parties

Sukhbir Singh Bhandal - applicant

Louis Stelling (Coleridge Law – representing the applicant)

1. ELECTION OF CHAIR

Councillor Stamp was elected Chair of the meeting.

2. PREMISES LICENCE APPLICATION - SMALLFIELD WINE SHOP, 1-2 WOODBRIDGE, CHAPEL ROAD, SMALLFIELD

The Sub-Committee considered an application from Sukhbir Singh Bhandal for a premises licence to enable alcohol to be sold from the above premises (for consumption off the premises).

Ian Garrod presented his report. He confirmed that:

- this was the first time a premises licence had been sought for the premises
- no objections had been received from statutory authorities
- three objections were originally received from members of the public; one of which been withdrawn after a reduction in the hours of opening and alcohol sales had been made to the application.

Neither of the two remaining objectors were present to give oral evidence.

Louis Stelling presented the application and commented that:

- Sukhbir Bhandal had approximately 20 years' experience in the retail trade and that there had never been a review of any licence that he (Sukhbir Bhandal) had held or operated during that time

- parking problems were unlikely to occur given that five designated parking spaces were allocated to the premises
- Sukhbir Bhandal would happily demonstrate his commitment to implementing an effective Challenge 25 regime and would ensure that anyone who was, in his opinion, under age of inebriated, would not be served
- Mr. Bhandal would make arrangements for ensuring that the frontage of the premises was kept litter free.

In response to Members' questions:

- Louis Stelling considered that Sukhbir Bhandal's level of care and attention to detail in upholding the licensing objectives would be at least equal to that deployed by the neighbouring co-op
- Sukhbir Bhandal acknowledged that a decision regarding the location of CCTV equipment was still pending and would depend upon guidance from the Budgens team regarding the positioning of a fridge-freezer etc.

In his summing up, Louis Stelling confirmed that the applicant would co-operate with the Council regarding any additional requirements / conditions regarding CCTV facilities.

The hearing concluded at 6.50pm. The three Sub-Committee members remained in the Chamber to consider their decision, assisted by Lidia Harrison and Vince Sharp. These deliberations culminated in the decision notice attached at Appendix A.

Rising 6.50 pm

Tandridge District Council

**Licensing Decision Notice re premises licence application for
Smallfield Wine Shop, 1-2 Woodbridge, Chapel Road, Smallfield RH6 9NW**

Licensing Sub-Committee – 7th November 2022

MEMBERS OF THE SUB-COMMITTEE PRESENT: Councillors David Stamp (Chair) Chris Botten and Matthew Groves	
PREMISES:	1-2 Woodbridge, Chapel Road, Smallfield RH6 9NW
APPLICANT:	Sukhbir Singh Bhandal (represented at the hearing by Louis Stelling of Coleridge Law)
DATE OF HEARING:	Monday 7 th November 2022
DATE OF NOTICE:	Thursday, 10 th November 2022

Background:

At the hearing, the Sub-Committee heard from:

- the applicant (Sukhbir Singh Bhandal) who was represented by Louis Stelling; and
- the Licensing Officer.

Three representations were received from members of the public against the application being granted. One of these had been withdrawn after a reduction in the hours of opening and alcohol sales had been made to the application. Neither of the two remaining objectors were present to give oral evidence at the hearing.

No representations were received from the Responsible Authorities.

All relevant written submissions were considered.

Decision: That the premises licence application be granted, subject to:

- (i) the following additional condition regarding the operation of CCTV:

“the CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises”

- (ii) the applicant submitting a revised floor plan confirming the location of CCTV equipment; and
- (iii) the Licensing Officer being satisfied with the adequacy of the proposed CCTV arrangements.

Further to Section 52(11)(a) and (b) of the Licensing Act 2003, the decision of the Licensing Sub-Committee does not have effect until the end of the period given for appealing against the decision or if the decision is appealed against, until the appeal is disposed of.

Rights of appeal are set out at the end of this Decision Notice.

Reasons for Decision:

The Sub-Committee gave careful consideration to the submissions by the applicant and to the concerns raised by the objectors and concluded that:

- the licensing objectives would not be compromised by the granting of the licence; and
- the objections had raised no substantive issues regarding the sale of alcohol.

The Sub-Committee was assured by:

- the applicant's undertakings to:
 - implement measures to minimise the likelihood of littering
 - implement a Challenge 25 regime
 - install effective CCTV facilities
- Mr. Stelling's submission that the applicant had approximately 20 years' experience in the retail trade and that there had never been a review of any licence that he (the applicant) had held or operated during that time
- the applicant's explanation that the shop would be part of the Budgens operation.

Right of Appeal

Any party who has made a relevant representation may appeal to the Magistrates' Court within 21 days of notification of the decision.

On appeal, the Magistrates' Court may:

1. dismiss the appeal; or
2. substitute the decision for another decision which could have been made by the Sub Committee; or
3. remit the case to the Sub-Committee to dispose of it in accordance with the direction of the Court; and
4. make an order for costs as it sees fit.