

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 One of these had been withdrawn after a reduction in the hours of opening and alcohol sales had been made to the application.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.