



LICENSING ACT 2003

Application for a New Premises Licence Decision Record

APPLICANT: Mr Ayman Ahmed Sharif

PREMISES: No. 3 Union Street, Aldershot, Hampshire

DATE OF HEARING: 14th July, 2016

MEMBERS SITTING: Cllrs Liz Corps, B. Jones and L.A. Taylor (Chairman)

DECISION

To grant the licence, subject to:

- The mandatory conditions imposed by the Licensing Act, 2003; and
- Conditions consistent with the premises licence operating schedule, including the conditions listed below under 'Other Conditions'.

The additional conditions have been imposed following consideration of the evidence and the submissions made to the Sub-Committee on behalf of the applicant, to promote the licensing objective of prevention of public nuisance.

The premises licence shall take effect immediately.

REASONS

In coming to its decision, the Sub-Committee has taken into account:

- The Licensing Act Section 18, which states that, having regard to relevant representations that are made, the Sub-Committee must take such steps it considers appropriate for the promotion of the licensing objectives;
- The Secretary of State's Guidance issued under section 182 of the Licensing Act 2003, particularly paragraph 2.1, which says that the licensing authority should look to the Police as the main source of advice on crime and disorder. Also paragraph 2.14, which states that licensing authorities should focus on the effect of the licensable activities at the specific premises on persons living and working in the area of the premises which may be disproportionate and unreasonable.
- The Council's Statement of Licensing Policy 2010–11. The Sub-Committee has taken into account the fact that the Council's Licensing Policy has yet to be revised following changes in the legislation and has disregarded any parts that are now out of date; and
- Written and oral evidence presented at the hearing.

The people who made representations did not appear but the Sub-Committee considered their statements. They did not explain how the activities would cause a public nuisance or how there would be an increase in crime and disorder.

The applicant explained that he would be running the business as an off licence and intended to work with the local community and would agree to make changes if they became necessary. He would not be selling cheap alcohol and did not anticipate any public nuisance.

He was willing to agree to restrictions on delivery times and also to keeping a written log of refusals.

The Sub-Committee has not taken into account the issue of crime and disorder. It was noted that the Police did not make any representations and the people who have made representations have not provided any evidence or explanation.

OTHER CONDITIONS

(New, amended and deleted conditions consistent with the operating schedule)

NEW CONDITIONS:

1. (i) A written log shall be kept of all refusals, including refusals to serve alcohol. The holder of the premises licence shall ensure that the refusals log is properly maintained and this shall involve, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
- (ii) Written records of any refusals shall be maintained at the premises for twelve months and be made available to the responsible authorities immediately on request.
2. All deliveries to the premises shall take place between 9.00 am and 5.00 pm on any day.