



## **LICENSING ACT 2003**

### **Application for a New Premises Licence**

### **Decision Record**

<b>APPLICANT:</b>	Jan Nazari
<b>PREMISES:</b>	Shop 7, Hippodrome House, No. 11 Station Road, Aldershot
<b>DATE OF HEARING:</b>	24th January, 2020
<b>MEMBERS SITTING:</b>	Cllrs J.B. Canty, Christine Guinness and S.J. Masterson (Chairman)

## DECISION

To grant the licence, subject to:

- Conditions consistent with the operating schedule, including those modified to the extent set out in the attached annex. The Sub Committee considers the modification(s) necessary for the promotion of the licensing objectives, and
- The mandatory conditions imposed by the Licensing Act 2003.

The Sub-Committee considered that, on a balance of probabilities, these were necessary for the promotion of the licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

## REASONS

In coming to its decision, the Sub Committee took into account:

- The Licensing Act Section 35, which states that the Sub-Committee must take such steps it considers necessary for the promotion of the licensing objectives;
- The Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003, particularly
  - Paragraph 1.17 which advises that each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy;
  - Paragraph 2.3 which advises that conditions should be target on deterrence and preventing crime and disorder;
  - Paragraph 4.2 – 4.3 which outlines the requirements for a personal licence;
- The Council's Statement of Licensing Policy and Guidance (Version 2 2018); and
- All the written representations and oral evidence presented at the hearing.

The Sub-Committee heard representations from the Licensing Officer on behalf of the Licensing Authority and from the Applicant and his representative. The Police did not attend the hearing but their written representations were considered by the Sub-Committee. The seven

members of the public who signed the petition did not attend the hearing but their written representations were also considered by the Sub-Committee.

All of the parties and the Sub-Committee had the opportunity to ask questions of all other parties.

The Sub-Committee was satisfied that the Applicant had no direct link with the previous occupiers of the premises.

The Applicant satisfied the Sub-Committee that concerns relating to crime, disorder and antisocial behaviour would be negated by enhanced use of CCTV cameras.

Furthermore, the Sub-Committee was content with the proposed location of the alcohol for sale within the premises and this has been secured by a condition.

The Applicant's representative confirmed his status as a personal licence holder and his role as the Designated Premises Supervisor. He ensured the Sub-Committee that all future staff would be appropriately trained by him and would attend training offered by the Licensing Authority where available and necessary.

In coming to its decision, the Sub Committee did not take into account the impact that granting the licence would have on surrounding businesses, beyond addressing the concerns about crime and disorder through the imposition of the conditions referred to above.

The Applicant is reminded that failure to comply with a condition is a criminal offence.

Interested Parties and Responsible Authorities may apply for a review of the licence in the future should there be any concerns about the operation of the licence or the running of the premises.

Finally, all parties have a right of Appeal to the Magistrates Court within 21 days of the date of the publication of this decision notice.

## **OTHER CONDITIONS (New, amended and deleted conditions consistent with the operating schedule)**

### **NEW CONDITIONS:**

- 1) CCTV
  - (i) A minimum of 10 (ten) digital CCTV cameras, linked to a recording facility which captures images of evidential quality, shall be operational at the premises during any period in which licensable activities are permitted.

- (ii) The CCTV system shall incorporate cameras covering both the internal areas of the premises and the external area immediately outside the front and the sides of the premises.
  - (iii) The CCTV system must be maintained to a standard acceptable to the relevant Police Licensing Department, in good working order at all times and shall be serviced at least every 12 months.
  - (iv) CCTV recordings and footage must be retained for a minimum period of 31 (thirty-one) days and be made available for review by the Police upon request (subject to the requirements of the Data Protection legislation in force at the time). Requested copies shall be made available within 24 (twenty-four) hours of the request.
  - (v) The CCTV system shall be stored and operated in a secure environment, controlled by the Designated Premises Supervisor, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.
  - (vi) All CCTV recorded images / footage and copies thereof shall display the correct time and date of each recording. The system clock shall be checked regularly for accuracy taking account of GMT and BST.
  - (vii) Warning signs shall be displayed in the public areas of the premises advising that CCTV is in operation at the premises.
  - (viii) An operator's manual shall be available at the premises to assist in replaying and exporting data from the CCTV system.
  - (ix) A written record shall be kept of any access made to the CCTV system and shall be made available to the responsible authorities on request.
- 2) All alcohol shall be located immediately adjacent to the main point of sale counter.
- 3) All employees shall be made aware of the conditions attached to this licence by a mechanism in writing.