

Crawley Borough Council

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Report to Licensing Sub Committee

Friday 15th June 2012

Application for the Grant of a New Premises Licence

For

'Best One'

4 The Broadway

Crawley, West Sussex

RH10 1DS

ANGELA TANNER

Head of Planning and Environmental Services

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| 1. Details of Application | <i>Reference Documents and Guidance</i> |
| 1.1 On the 24 th April 2012, Rajveer Juneja submitted an application to the Licensing Authority for the grant of a premises licence in respect of premises at 4 The Broadway, Crawley. The application was made in accordance with the provisions of the Licensing Act 2003, 'the Act'. | Appendix A
<i>Copy of the Application</i> |
| 1.2 The application is for the supply of alcohol <u>off</u> the premises. | Appendix A
<i>Copy of the Application</i> |
| 1.3 The applicant states in the application that it is intending to promote the four licensing objectives with the steps set out in the operating schedule. | Appendix A
<i>Application Form, Operating Schedule</i> |
| 1.4 The proposed 'Hours Open to the Public' as set out in the application are as follows:-
Monday – Sunday 06.00hrs – 23.00hrs | Appendix A
<i>Application Form Operating Schedule</i> |

- 1.5 The supply of alcohol is proposed to take place at the premises as follows;-
Monday - Sunday 07.00hrs - 23.00hrs Appendix A
Application Form
Operating Schedule
- 1.6 The proposed lay-out of premises is contained in the application. Appendix A
Copy of the Application
- 1.7 The premises is currently subject to an existing premises licence for the supply of alcohol off the premises. As referred to in Sussex Police's representation, this licence was the subject of a 'review' hearing applied for by West Sussex County Council Trading Standards. The decision of the Sub-Committee is currently under appeal.

2. Consultation

- 2.1 The current application was advertised in accordance with legislation and as a result of the consultation process, the following responses were submitted to the Council:

2.1.1 Responsible Authorities;

Sussex Police – Submitted a relevant representation stating the grant of a premises licence will not promote the licensing objectives specifically;-

- (i) Preventing crime and disorder
- (ii) Public Safety

Appendix B
Copy of Police
representation

- 2.2 No further relevant representations were received regarding this application including from any other responsible authorities.

3. Background

- 3.1 Crawley Borough Council ("the Council") is the relevant licensing authority in relation to any premises within the Borough of Crawley which is to be used for one or more licensable/qualifying activities in accordance with the Licensing Act 2003 "the Act".
- 3.2 Pursuant to the Licensing Act 2003 and regulations, an application for a premises licence must be made to the relevant licensing authority and be accompanied by an operating schedule, a plan of the premises to which the application relates in the prescribed form, and, if the licensable activities include the supply of alcohol, by a form of consent given by the individual whom the applicant wishes to be specified in the premises licence as the premises supervisor.

- 3.3 Where the Licensing Authority (“LA”) receives an application for a premises licence in accordance with legislation and no relevant representations are made within the prescribed time, the LA must grant the licence subject only to such conditions as are consistent with the operating schedule accompanying the application and any mandatory conditions.
- 3.4 Where relevant representations are made the licensing authority must hold a hearing to consider them, and, having regard to the relevant representations, take such of the steps (if any) as it considers appropriate for the promotion of the licensing objectives.
- 3.5 The steps so mentioned are;-
- (a) To grant the licence subject to the conditions mentioned in the ‘operating schedule’, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and any mandatory conditions.
 - (b) To exclude from the scope of the licence any of the licensable activities to which the application relates.
 - (c) To refuse to specify a person in the licence as the designated supervisor.
 - (d) To reject the application.

4. Statutory considerations and Guidance issued by Government

- 4.1 Section 4 of the Act provides that in carrying out its functions, a licensing authority must have regard to its licensing statement made under section 5 of the Act (ie. Crawley Borough Council’s policy) and to guidance issued by the Secretary of State under section 182, the current version of this guidance was issued in April 2012. The requirement is therefore binding on all licensing authorities to that extent. Some of the relevant sections of the Guidance are set out below. *Section 182 Statutory Guidance*
1.9
- 4.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. *Section 182 Statutory Guidance*
1.2
- 4.3 The licensing objectives are: *Section 182 Statutory Guidance*
1.3
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 4.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives are paramount considerations at all times. *Section 182 Statutory Guidance*
1.4

- 4.5 However, nothing in the Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on the authorities under human rights legislation). The Guidance does not in any way replace the statutory provisions of the 2003 Act or add to its scope and licensing authorities should note that interpretation of the 2003 Act is a matter for the courts. Licensing authorities and others using the Guidance must take their own professional and legal advice about its implementation. *Section 182 Statutory Guidance*
1.10
- 4.6 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken. *Section 182 Statutory Guidance*
1.9
- 4.7 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case. *Section 182 Statutory Guidance*
1.16
- 4.8 The licensing authority should only impose conditions on a premises licence or club premises certificate which are appropriate and proportionate for the promotion of the licensing objectives. If other existing law already places certain statutory responsibilities on an employer at or operator of a premises, it cannot be appropriate to impose the same or similar duties on the premises licence holder, or club. It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached. *Section 182 Statutory Guidance*
1.17
- 4.9 **CRIME AND DISORDER** *Section 182 Statutory Guidance*
2.1
- The steps which any licence holder or club might take to prevent crime and disorder are as varied as the premises or clubs where licensable activities take place. Licensing authorities should therefore look to the police as the main source of advice on these matters. They should also seek to involve the local Community Safety Partnership (CSP).
- 4.10 The essential purpose of the licence in this context is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. *Section 182 Statutory Guidance*
2.4

- 4.11 The designated premises supervisor is the key person who will usually be charged with day to day management of the premises by the premises licence holder, including the prevention of disorder. However, conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. A condition of this kind could only be justified as appropriate in rare circumstances where it could be demonstrated that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety. *Section 182 Statutory Guidance 2.13*
- 4.12 Conditions on a premises licence are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Conditions on licences must: *Section 182 Statutory Guidance 2.16*
- be precise and enforceable;
 - be unambiguous;
 - not duplicate other statutory provisions;
 - be clear in what they intend to achieve; and,
 - be appropriate, proportionate and justifiable.
- 4.13 **PUBLIC SAFETY** *Section 182 Statutory Guidance 2.17*
- As a part of their duties under the 2003 Act, licence holders have a responsibility to ensure the safety of those using their premises. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person’s health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority’s powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 4.14 **STEPS TO PROMOTE THE LICENSING OBJECTIVES;** *Section 182 Statutory Guidance 8.34*
- In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.

- 4.15 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises. *Section 182 Statutory Guidance*
8.40
- 4.16 The steps to be taken should be both realistic and within the control of the applicant and management of the premises. If a licence is granted with conditions attached requiring the implementation of such steps, the conditions will be enforceable in law and it will be a criminal offence to fail to comply with them (under section 136 of the Act). As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. *Section 182 Statutory Guidance*
8.43
- 4.17 **DETERMINING APPLICATIONS:** *Section 182 Statutory Guidance*
9.34
- In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - the statutory guidance;
 - its own statement of licensing policy.
- 4.18 The licensing authority should give its decision within 5 working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. *Section 182 Statutory Guidance*
9.35
- 4.19 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information *Section 182 Statutory Guidance*
9.36

- 4.20 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. *Section 182 Statutory Guidance*
9.38
- 4.21 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. *Section 182 Statutory Guidance*
9.39
- 4.22 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. *Section 182 Statutory Guidance*
9.40
- 4.23 **CONDITIONS** *Section 182 Statutory Guidance*
10.5
Conditions which relate to the four licensing objectives could be used where necessary and appropriate to the particular circumstances of an individually licensed premises. It is important that they should not be applied universally and treated as standard conditions irrespective of circumstances.
- 4.24 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. *Section 182 Statutory Guidance*
10.2
- 4.25 The courts have made it clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. *Section 182 Statutory Guidance*
10.4

- 4.26 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below. *Section 182 Statutory Guidance*
10.5
- 4.27 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from a prospective licensee's or certificate holder's risk assessment which applicants and clubs should carry out before making their application for a premises licence. *Section 182 Statutory Guidance*
10.6
- 4.28 Conditions should be appropriate, proportionate and justifiable in meeting the licensing objectives. They should be written in a prescriptive format and be readily understood and enforceable. *Section 182 Statutory Guidance*
10.8
- 4.29 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. *Section 182 Statutory Guidance*
10.14
- 4.30 If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be appropriate to impose the same or similar duties as conditions. *Section 182 Statutory Guidance*
10.16

5. Policy Considerations

- 5.1 Members must give due consideration to the merits of each individual case. Attention is drawn to the following sections of the 'Members' Information Pack':
- The Council's Licensing Sub-Committee Hearing Procedure *Section A*
 - LACORS Guidance on the Role of Elected Members *Section B*
 - Council's Licensing Policy *Section C*
 - Government Section 182 Guidance (April 2012) *Section D*
- 5.2 The aim of the policy is to promote the licensing objectives set out in the Act whilst securing the safety and amenity of residential communities and facilitating a sustainable entertainment and cultural industry. *CBC Alcohol Licensing Policy*
1.2
- 5.3 The overriding philosophy of the licensing regime is that there is a presumption that a licence will be granted unless there are compelling reasons to refuse the licence. *CBC Alcohol Licensing Policy*
1.2
- 5.4 The Council recognises both the needs of residents for a safe and healthy environment in which to live and work and the importance of safe and well run premises. *CBC Alcohol Licensing Policy*
1.7

- 5.5 The Council recognises that licensing is about control of licensed premises, qualifying clubs and temporary events, within the terms of the Act. The terms and conditions attached to various permissions will be focused on matters which are within the reasonable control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. *CBC Alcohol Licensing Policy*
2.4
- 5.6 The Policy states that the Council will primarily focus on the direct impact the activities taking place at licensed premises may have on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the reasonable control of the individual, club or business holding a licence, certificate or relevant permission. *CBC Alcohol Licensing Policy*
2.5
- 5.7 The policy is also intended to ensure that the provision of additional opportunities for licensable activities is matched by additional measures enabling the police and responsible authorities to act promptly to maintain public order and safety. *CBC Alcohol Licensing Policy*
2.7
- 5.9 In preparing 'Operating Schedules', the policy states that the Council expects that applicants should have regard to statements of licensing policy published by this authority for the Crawley area. *CBC Alcohol Licensing Policy*
3.20
- 5.10 The policy also states the Council expects that applicants will seek the views of key responsible authorities before formally submitting applications and having completed drafts of their own operating schedules (after considering the effect on the four licensing objectives). For example, on matters relating to crime and disorder, the police and local authority safety officers and local community groups might be consulted. *CBC Alcohol Licensing Policy*
3.21
- 5.11 Members will need to incorporate the provisions of the operating schedule into any licence granted by imposing on the licence the provisions of the operating schedule as conditions provided that, if Members believe that it is necessary to modify the provisions of the operating schedule in order to ensure that the licensing objectives are promoted, appropriate modifications or alternative conditions may be drafted and imposed.
- 5.12 If Members believe that the operating schedule fails to promote the licensing objectives in some way, conditions not covered by the provisions of the operating schedule may be drafted and inserted. Members may also exclude elements of the operating schedule which do not promote the licensing objectives by the imposition of negative conditions or conditions otherwise appropriately drafted. Members are reminded, however, that if conditions which do not precisely mirror the operating schedule are to be imposed, the Members must satisfy themselves that appropriate evidence exists to justify the imposition of these conditions.

- 5.13 The only conditions which should be imposed on a premises licence or club premises certificate are those which are appropriate and proportionate for the promotion of the licensing objectives. Accordingly, if other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties on the premises licence holder or club.

*CBC Alcohol Licensing
Policy
5.34*

6. Staffing, Equalities, Financial, and Legal Implications

- 6.1 There are no extra staffing or financial implications to the Council, save for those in respect of possible appeal(s)
- 6.2 The Council is required to consider the impact any decision may have on an individual's Human Rights, however as the premises licence holder is a company, this does not arise in this review.
- 6.3 The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998) which states as follows:
- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,
 - (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and
 - (b) the misuse of drugs, alcohol and other substances in its area; and
 - (c) re-offending in its area.
- 6.4 Where a licensing authority rejects an application for the grant of a premises licence or grants an application subject to conditions, the applicant may appeal against the decision to the local magistrates court.
- 6.5 The court, on hearing any appeal, may review the merits of the decision on the facts and consider points of law or address both. On determining an appeal, the court may:

*Section 182 Statutory
Guidance
12.6*

- (a) dismiss the appeal;
- (b) substitute for the decision appealed against any other decision which could have been made by the licensing authority; or
- (c) remit the case to the licensing authority to dispose of it in accordance with the direction of the court and make such order as to costs as it thinks fit.

*Section 182 Statutory
Guidance
12.7*

7. Recommendations

7.1 Having regard to the relevant representations the Sub-Committee must take such of the following steps mentioned (if any) as it considers appropriate for the promotion of the licensing objectives.

*Licensing Act 2003
S18(3)*

7.2 **The steps are:**

(a) Grant the application subject to:

*Licensing Act 2003
s18(4)(a)*

(i) conditions which are consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and

(ii) any relevant mandatory conditions;

(b) Exclude from the scope of the licence any of the licensable activities to which the application relates;

*Licensing Act 2003
Section 18(4)(b)*

(c) Refuse to specify a person in the licence as the premises supervisor;

*Licensing Act 2003
Section 18(4)(c)*

(d) Reject the application, giving reasons for doing so.

*Licensing Act 2003
Section 18(4)(d)*

8. Background Papers

8.1 All associated paper work regarding this application
The information pack

Contact Officer:- Mike Lyons Direct Line:- 01293 438698

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We RAJVEER JUNEJA D.O.B 10.12.1984

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description BEST ONE 4 THE BROADWAY			
Post town	CRAWLEY	Post code	RH10 1DS

Telephone number at premises (if any)	07983 523824
Non-domestic rateable value of premises	£31500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname JUNEJA			First names RAJVEER		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		48 TOWNSEND ROAD			
Post Town	SOUTHALL		Postcode	UB1 1EX	
Daytime contact telephone number			07983 523824		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note1)
GENERAL CONVENIENCE STORE WITH OFF LICENCE

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
-
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u>	
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed				
Thur			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	0700	2300						
	HRS	HRS						
Tue	0700	2300						
	HRS	HRS						
Wed	0700	2300						
	HRS	HRS						
Thur	0700	2300				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
	HRS	HRS						
Fri	0700	2300						
	HRS	HRS						
Sat	0700	2300						
	HRS	HRS						
Sun	0700	2300						
	HRS	HRS						

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

Name RAJVEER JUNEJA

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0600	2300	Non-standard timings: Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
	HRS	HRS	
Tue	0600	2300	
	HRS	HRS	
Wed	0600	2300	
	HRS	HRS	
Thur	0600	2300	
	HRS	HRS	
Fri	0600	2300	
	HRS	HRS	
Sat	0600	2300	
	HRS	HRS	
Sun	0600	2300	
	HRS	HRS	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

STRICTLY IMPLEMENT CHALLENGE 25 POLICY
SEPRATING ALCOHOL FROM CHILDRENS SECTION
ALL STAFF TO BE TRAINED IN RESPONSIBLE ALCOHOL RETAILING
EVERY SALE/SUPPLY OF ALCOHOL UNDER THE PREMISES LICENCE SHALL BE MADE,
OR AUTHORISED BY A PERSON WHO HOLDS A PERSONAL LICENSE
CCTV IN OPERATION 24 HOURS. RECORDING FACILITIES FOR 31 DAYS..

b) The prevention of crime and disorder

TRAIN ALL STAFF & DEVELOP THE RIGHT ATMOSPHERE WITH CUSTOMERS
WINDOWS, DOORS & FRAMES TO BE REINFORCED MAKING IT MORE DIFFICULT FOR
INTRUSION.
CCTV INSTALLED INSIDE AND OUTSIDE PREMISES.
KEEP A CLOSE WATCH ON ALL CUSTOMERS & KEEP CLEAR VIEW OF PREMISES
LIAISE WITH THE LOCAL POLICE
BE CALM AND DECISIVE & DO NOT REACT TO PROVOCATION
ALL PURCHASES MADE FROM WHOLESALERS/CASH AND CARRYS ONLY

c) Public safety

HEALTH & SAFETY RISK ASSESSMENTS TO BE CARRIED OUT REGULARLY
INSTALLATION OF APPROPRIATE & ADEQUATE SAFETY EQUIPMENT.
INSTALLATION OF EMERGENCY LIGHTING AND EVACUATION PROCEDURES BE IN
PLACE WITH WARNING SIGNS .
STAFF TO BE TRAINED IN FIRE EVACUATION PROCEDURE.
TO COMPLY WITH ALL CURRENT, FIRE AND HEALTH AND SAFETY LEGISLATION AS
REQUIRED BY THE LAW
ALL PURCHASES TO BE MADE FROM WHOLESALERS/CASH AND CARRYS ONLY

d) The prevention of public nuisance

A MANAGEMENT POLICY IN PLACE TO TAKE INTO ACCOUNT THE EXTERNAL AREAS
OF THE PREMISES AND THE CONDUCT OF THE CUSTOMERS.
NOTICE TO CUSTOMERS REGARDING CONSIDERATION FOR NEIGHBOURS.
TO MONITOR ANTI SOCIAL BEHAVIOUR BY USE OF CCTV
STRICT POLICY NOT TO SERVE DRUNKEN CUSTOMERS.
CHALLENGE 25 IN FORCE ALL THE TIME

e) The protection of children from harm

STRICTLY IMPLEMENT CHALLENGE 25 POLICY
ALCOHOL TO BE KEPT AWAY FROM CHILDRENS CONFECTIONERY SHELVES
SIGNS TO BE PUT ON SHELVES STATING TO NO ID NO SALE.
CIGARETTES & SPIRITS TO BE KEPT BEHIND THE COUNTER AWAY FROM CHILDREN.
STAFF FULLY TRAINED ON NO ID NO SALE CHALLENGE 25 SCHEME
HEALTH & SAFETY MEASURES ARE IN PLACE WHERE EQUIPMENT IS OF DANGER TO
YOUNG PERSONS.

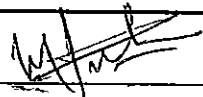
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

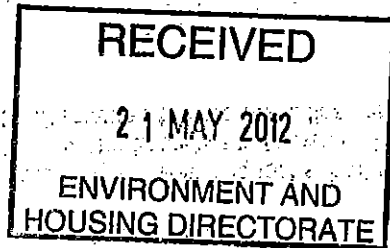
Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	11/04/2012
Capacity	AGENT

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
S.PANCHAL PERSONAL LICNECE COURSES LTD STUDIO 8 HAYES BUSINESS STUDIOS HAYES CAMPUS COLLEGE WAY			
Post town	HAYES	Post code	UB3 3BB
Telephone number (if any)	07952 990536		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) wensons@aol.com			

**Horsham Police Station**

Our Ref: BO/OBJ

Date: 17th May 2012.

Contact Name: Chris Boyle

Direct Dial No: 01293 583991

SUSSEX POLICE REPRESENTATION AGAINST THE APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE FOR Best One, 4 The Broadwalk, Crawley, RH10 1DS

Sussex Police wish to make representations against the grant of the above premises licence, the basis for this objection is Sussex Police believe that the grant of a premises licence will not promote the licensing objectives, specifically,

- Prevention of Crime and Disorder.
- Public Safety

Following a review request submitted by West Sussex Trading Standards for the premises trading as Best One, 4 The Broadwalk, Crawley, the licensing committee at Crawley Borough Council on the 22nd March 2012 revoked the premises licence. This decision has been appealed by the current Premises Licence Holder

Trading Standards submitted a Review Application stating that the premises were knowingly buying and selling cigarettes and "Granton" vodka which was not labelled in accordance with the relevant legislation. Furthermore, "Jacobs Creek" wine was on sale which was proved to be counterfeit after samples were analysed. As a result, licensing committee of Crawley Borough Council revoked the premises licence.

On the 20th April 2012 at Haywards Heath Magistrates Court the premises licence holder Wimhurst Ltd, t/a Best One, 4 The Broadway, Crawley pleaded guilty to seven charges under the Trade Marks Act, Food Safety Act, Food Labelling and General Food regs 2004. A fine of £33,219.17 was imposed by the Court

On the 25th April 2012 Sussex Police received an application submitted by Personal Licence Courses Ltd, College Way, Hayes on behalf of Mr Rajveer Juneja, 48 Townsend Road, Southall, UB1 1EX for the premises known as Best One, 4 The Broadwalk. Crawley, RH10 1DS.

Sussex Police have reason to believe that the applicant, Mr Rajveer Juneia is a known associate of the existing Designated Premises Supervisor and Premises Licence Holder Mr Preet Dhawan, and the granting of a Premises Licence to this applicant would again result in the Licensing Objectives being undermined.

Sussex Police therefore request that this application is refused due to the connection between the existing premises licence holder and the new applicant.

Mr M. Lyons
Licensing Department
Crawley Borough Council
Town Hall
The Boulevard
Crawley
RH10 1UZ



Sussex Police
Serving Sussex

www.sussex.police.uk | 101

Horsham Police Station

Yours sincerely

Jean Irving
Force Licensing & Public Safety Manager