

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



To: Cllr Tony Sharps (Chairman)
Councillors: David Cox and Jim Falshaw

CS/NG

6 October 2014

Sharon Thomas 01352 702324
sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **FRIDAY, 10TH OCTOBER, 2014** at **11.00 AM** to consider the following items.

Please note that the meeting will start at 11am.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **APPLICATION FOR A PREMISES LICENCE** (Pages 1 - 16)
To request that Members determine an application for a Premises Licence

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **LICENSING SUB-COMMITTEE**
DATE: **FRIDAY, 10 OCTOBER 2014**
REPORT BY: **CHIEF OFFICER (PLANNING & ENVIRONMENT)**
SUBJECT: **APPLICATION FOR A PREMISES LICENCE**

1.00 **PURPOSE OF REPORT**

1.01 To request that Members determine an application for a Premises Licence.

2.00 **BACKGROUND**

2.01 The premises concerned is Sai Food and Wines, 4 Thornfield Avenue, Connah's Quay, Flintshire CH5 4HX. Its location can be seen in Appendix 1.

2.02 The applicants are Mr Sanjeeva Reddy Malga Reddy and Miss Laxmi Aparna Konthalapally.

2.03 The application was advertised in the correct manner.

3.00 **CONSIDERATIONS**

3.01 The application is for a new premises licence for the sale of alcohol for consumption off the premises only.

3.02 The hours applied for are :-

3.03 Monday to Sunday 08.00 – 23.00

3.04 The applicant discussed the application with neighbours who had approached them, and notified the Licensing Section on 27th August 2014 that they would like to reduce the hours in their application to :-

3.05 Monday to Sunday 08.00 – 22.00

3.06 The Responsible Authorities were notified of the change by the Licensing Section.

3.07 The steps that the applicant intends to take to promote the four licensing objectives are set out in Appendix 2.

3.08 Representations were received from North Wales Police and residents living in the vicinity of the premises. These can be seen in Appendix 3, 4, 5, 6 & 7.

4.00 RECOMMENDATIONS

4.01 That Members determine the application for a Premises Licence for Sai Food and Wines, 4 Thornfield Avenue, Connah's Quay, Flintshire CH5 4HX.

5.00 FINANCIAL IMPLICATIONS

5.01 None in respect of this report.

6.00 ANTI POVERTY IMPACT

6.01 None

7.00 ENVIRONMENTAL IMPACT

7.01 The prevention of crime and disorder and the prevention of public nuisance are two of the statutory licensing objectives.

8.00 EQUALITIES IMPACT

8.01 None

9.00 PERSONNEL IMPLICATIONS

9.01 None

10.00 CONSULTATION REQUIRED

10.01 None

11.00 CONSULTATION UNDERTAKEN

11.01 None

12.00 APPENDICES

12.01 See attached

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Licensing Act 2003
Section 182 Guidance for Licensing Authorities
Flintshire County Council's Statement of Licensing Policy

Contact Officer: Jacqui Dale
Telephone: 01352 703377
Email: Jacqui.dale@flintshire.gov.uk



| Map Legend | |
|-------------------|---------------------|
| Cash Offices | ☆ Cash_Offices |
| Council Offices | ▲ Council_Offices |
| Council Tax Bands | □ Council_Tax_Bands |
| Flintshire Wards | □ Flintshire_Wards |



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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

a/ no selling of alcohol to underage people

b/ no drunk and disorderly behavior on the premises area

c/ vigilance in preventing the use and sale of illegal drugs at the retail area

d/ no violent and anti-social behaviour

e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available
- Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

Continued from previous page...

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

y
Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises above opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit.

Log Book will be kept upon the premises all the time.

Nothing belong existing Health & Safety requirements.



HEDDLU GOGLEDD CYMRU
Gogledd Cymru diogelach

NORTH WALES POLICE
A safer North Wales

27th August, 2014

Mrs. Gemma Potter,
Licensing Team Leader,
Flintshire County Council,
County Hall,
Mold.
CH7 6NF

Dear Mrs. Potter,

APPLICATION FOR A PREMISES LICENCE –
4 THORNFIELD AVENUE, CONNAHS QUAY, DEESIDE CH5 4HX

I write with reference to the above application which has been discussed with Police Sergeant 1461 Steve Arnold, the officer responsible for this area.

North Wales Police make no objections to this application. However, it is requested that the following conditions be attached to the premises licence, under the licensing objective of Prevention of Crime and Disorder:-

- **A digital, colour hard disc CCTV system to be installed and maintained in a good working order. Recordings are to be kept for a minimum of 28 days and made available for inspection by Police or Local Authority, upon request.**
- **There must be a member of staff trained and available to download evidence at the request of the Police or Local Authority.**

Yours faithfully,

Ann Williams
Eastern Licensing Officer

www.heddlu-gogledd-cymru.police.uk

www.north-wales.police.uk

Cont/...

Swyddog Trwyddedu'r
Gorsaf Heddlu,
Bodhyfryd, Wrexham. LL12 7BW
E [mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)
Ffon – 01978 348553
Svmudol - 07896172313

Page 7 E [mail-ann.williams@nthwales.pnn.police.uk](mailto:ann.williams@nthwales.pnn.police.uk)

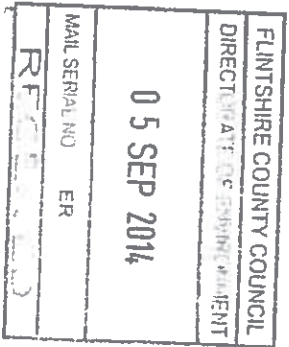
Licensing Officer
Police Station
Bodhyfryd, Wrexham LL12 7BW
Tel – 01978 348553
Mobile - 07896172313

cc

Jacqui Dale, Flintshire County Council Licensing Officer
Police Sergeant 1461 Steve Arnold, North Wales Police, Flintshire North
Sanjeeva Reddy – sanjaymalga@gmail.com

4.9.2011

41 Richmond Road,
Carmen's Quay,
Deeside,
Flintshire,
CH45 4JB.



Dear Sirs,
 Regarding the application for a licence at the 41 Thornfield Rd, Carmen's Quay, Deeside.
 For SAI food and wine shop.

We want to appeal against this application on the grounds that in the past years when this shop was a wine shop. We of the above address, were ready to sell upward wine because of the jobs

2

That hung around the shop area, they heard noise and abusive language broken bottles and cans, throwing them into our gardens and hedge and vandalising our gate coping stones and plants also throwing things at our lounge windows.

It was a hell time every day hiding up litter from the street and our front garden. We

used to complain to the Flint office nearly every week. Since the wine

shop and fast food shops closed things have improved, we get less trouble and litter.

Always attracts trouble, and these

~~the~~ Shops are near residents houses, residents have a lot of friends in their houses.

And are entitled to live in this area with out STRESS and worry in their own area.

Will you please try to understand what we have had is not up with in the past, we just want a bit of peace and quiet.

Take the just food and alcohol licence from this area.

could you please let us know what SAI Food is?

Thanking you
Mr D G M
and Mrs A P

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| FLINTSHIRE COUNTY COUNCIL |
| DIRECTORATE OF ENVIRONMENT |
| 05 SEP 2014 |
| RECEIVED |

96 RICHMOND ROAD,
 CONNAHS QUAY,
 DEESIDE,
 FLINTSHIRE CH5 4JD.

4/9/14

DATA SERVICES. ER

RE: OFF LICENCE IN THORNFIELD AVENUE

WE VERY STRONGLY OBJECT TO THE
 OPENING OF AN OFF LICENCE IN THORNFIELD AVENUE,
 HAVING LIVED HERE WHEN THE PREVIOUS ONE WAS OPEN.
 WE WERE CONTINUALLY HAVING TO CLEAR
 OUR FRONT GARDEN AND PAVEMENT OF CANS AND
 BOTTLES WHICH HAD BEEN THROWN BY TEENAGERS.
 WE EVEN HAD CANS AND BOTTLES THROWN AT OUR
 WINDOWS.

WE HAD ABUSE FROM THEM IF WE WENT
 OUT TO COMPLAIN TO THEM ABOUT IT.

THE OFF LICENCE WAS CLOSED DOWN
 BECAUSE OF THESE PROBLEMS AND WE CANNOT SEE
 ANY SENSE WHATSOEVER IN OPENING ANOTHER FOR
 IT TO START ALL OVER AGAIN.

THE POLICE DID A VERY GOOD JOB IN
 MAKING THE AREA INTO A QUIET PLACE TO LIVE.

ALCOHOL HAS BEEN BANNED IN WEPRE
 PARK BUT YOU STILL SEE IT BEING TAKEN UP THERE.

MANY OF OUR NEIGHBOURS ARE ELDERLY
 AND LIVE ON THEIR OWN AND CAN DO WITHOUT
 HAVING TO PUT UP WITH LITTER AND THE NOISE
 AS THEY GO PAST.

YOURS FAITHFULLY

Paula M. Jones

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86 Richmond Road
Connah,s Quay
Deeside
Flintshire
CH5 4JD

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|--------------------|---------|
| FLINTSHIRE COUNCIL | INCL |
| DISTRICT | DEESIDE |
| 09 SEP 2014 | |
| MAIL SERIAL NO | ER |
| RECEIVED | |

7th September 2014

Interim Public Protection Manager
Flintshire County Council
County Hall
Mold
Flintshire
CH7 6NF

Dear Sirs

Re: Application for Premise Licence at 4 Thornfield Avenue, Connah's Quay.

With reference to the above Application, I write to object most strongly against this application being approved. These premises have in the past been operated as an Off Licence and the residents in this immediate area had their lives made an absolute misery and we do not want this to happen again.

We endured groups of individuals gathering outside the premises in the evenings, arguing and shouting, using obscene language, intimidating members of the public and playing loud music from vehicles into the early hours. This was combined with enormous amounts of litter strewn in the streets and private gardens, urinating in shop doorways and private gateways, damage to garden and garden fencing and drinking in public places i.e. surrounding streets and Wepre Park, which is an alcohol free zone. I would also point out that no other premises in this parade of shops is open after 21.00 hours.

We have a CCTV camera in this area but the situation was so bad that at one time the Police also needed a mobile CCTV unit to try and identify those responsible for all the damage and disruption. The number of complaints and reported incidents by residents to the Police was huge and all of the above can be verified by Police records.

I sincerely hope that we do not have to return to a similar scenario in the future and would stress that the granting of this application will make the residents lives an absolute misery. I strongly urge all concerned to refuse this request in the interests and well-being of the local residents.

Yours faithfully



Mrs I Gorst.

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|----------------------------|----|
| FLINTSHIRE COUNTY COUNCIL | |
| DIRECTORATE OF ENVIRONMENT | |
| 11 SEP 2014 | |
| MAIL SERIAL NO | ER |
| RECEIVED | |

88 Richmond Rd
 Connah's Quay
 Flintshire
 CH54 5D.
 September 2nd 2014

Dear Sir,

I wish to request that you do not allow the application for a Premises Licence to be issued to Applicants Mr Malga Reddy Sanjeeva Reddy and Miss Lakmi Apama Konthalapally, Business name Sai Food and wine Premises at 4 Tranfield Avenue Connah's Quay, Flintshire for the sale of alcohol (off sales only) due to the fact that crowds gathered in the area last time an off licence was open on these premises.

The crowds can be noisy and people can feel intimidated by the noise and the number of people involved

Thank you
 Lila Griffiths
 Yours faithfully

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