

Supplemental Items for Licensing Sub-Committee

Tuesday 29 July 2025 at 10.00 am
In The Council Chamber Council Offices
Market Street Newbury

Part I

Page No.

- (1) **27192 - Best Buy Foods, 51 London Road, Newbury, West Berkshire, RG14 1JN** 3 - 22
- Proposal:** An application for a premises licence to be granted under the Licensing Act 2003
- Location:** Best Buy Foods, 51 London Road, Newbury, West Berkshire, RG14 1JN
- Applicant:** Sivudsan Sooriyakumar



Sarah Clarke

Executive Director - Resources

For further information about this/these item(s), or to inspect any background documents referred to in Part I reports, please contact Ben Ryan (Democratic Services Officer) on (01635) 503973

e-mail: benjamin.ryan1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at

www.westberks.gov.uk

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Agenda Item 2(1)

Conditions for Best Buy Foods, 51 London Road, Newbury, West Berkshire, RG14 1JN

1. Prominent, clear notices shall be displayed at every public entrance stating the actual operating hours of the premises.
2. Crime prevention notices and advice shall be displayed in order to support local crime prevention initiatives.
3. All alcohol on display will be in such a position so as not to be obscured from the constant view of the staff.
4. No single cans of beer, lager or cider at any time.
5. The premises licence holder shall advertise their age verification policy and inform customers before the sale is completed that age and identity verification may be required at delivery in accordance with the premises licence holder's age verification policy.
6. Notices asking customers to respect the local neighbourhood and keep the noise to a minimum
7. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
 - ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
 - iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - iv. Recognising the signs of drunkenness.
 - v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
 - vii. All staff, including supervisors and managers must be trained in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol.
8. Training shall be signed and documented recorded and shall be regularly refreshed at no greater than 6-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records will be retained for 2

years and should specify the time, date and details of the persons both providing the training and the person receiving the training.

9. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i. Any incidents of disorder or of a violent or antisocial nature
- ii. All crimes reported by the venue to the police
- iii. Any complaints received
- iv. Any faults in the CCTV system
- v. Any visits by a responsible authority (under the Licensing Act 2003) or emergency services.

10. All entries must be made preferably at the time of the incident but no later than when the member of staff involved leaves the premises at the end of their shift, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for 2 years following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

11. A telephone number shall be made available and displayed in a prominent location where it can conveniently be read from the exterior of the premises by the public for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises during opening hours.

12. The telephone number will be a direct number to the management who are in control during opening hours.

13. A record of all calls and complaints received, including the time, date and information of the caller, including action taken following the call will be entered into the incident log. Records will be kept for two years and made available for inspection and copying by an authorised officer of a responsible authority at all reasonable times even when the premises is closed.

14. If the incident records are to be maintained in paper format, then these will be in a bound book with each page individually numbered or dated (such as a A4 day-to-day diary)

15. The premises shall install, operate, and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police. All public areas of the licensed premises including entry and exit points will be covered. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition. The CCTV system will continually record whilst the

premises are open for licensable activities and during all times when customers remain on the premises. All equipment must have a constant and accurate time and date generation. All recordings will be stored for a minimum period of 31 days with date and time stamping. Recordings will be made available immediately upon the request of an authorised officer of a responsible authority throughout the entire 31-day period. The CCTV system will be capable of downloading images to a recognisable viewable format. The CCTV system will be fitted with security functions to prevent recordings being tampered with, i.e., be password protected.

16. There must always be someone on duty who is able to download any CCTV footage if requested by an authorised officer of a responsible authority.

17. If the CCTV system breaks down, then the premises are to report this to the West Berkshire and Thames Valley Police Licensing teams by email with the time and date and a date when the fault is expected to be rectified, and this is to be entered into the incident book.

18. If when reporting this to Thames Valley Police by phone, then a call reference number is to be obtained, and this information is to be entered into the incident book.

19. When the fault has been rectified the West Berkshire and Thames Valley Police Licensing teams are to be informed.

20. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

21. In the event that an incident occurs for which the police have been called, the crime scene shall be preserved to enable police to carry out a full forensic investigation

22. There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- i. A photo driving licence,
- ii. Passport,
- iii. Military ID
- iv. An identification card carrying the PASS hologram.

Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18

23. The premises shall display prominent signage indicating at any point of sale that a Challenge 25 scheme is in operation.

24. An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

25. The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made preferably at the time of the refusal but no later than when the member of staff involved leaves the premises at the end of their shift.

26. If the refusals register is to be in written format, then it is to be in a bound book with each page individually numbered or dated (such as a A4 day-to-day diary) and all records are to be retained for 2 years.

27. A sign stating “No proof of age – No sale” shall be displayed where alcohol is displayed and at the point of sale.

28. No deliveries (in relation to licensable activities) to the premises shall take place between 23:00 hours and 07:00 hours.

29. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 07:00 hours on the following day.

30. All alcohol shall be purchased from AWRS registered cash & carry and wholesalers.

31. When the premises is open for business the licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises and checks are to be made on at least an hourly basis.

32. These checks are to be recorded in a separate ‘Litter Checks’ register. If the Litter Checks register is to be in written format, then it is to be in a bound book with each page individually numbered or dated (such as a A4 day-to-day diary) and all records are to be retained for 2 years.

33. In particular, where necessary the premises licence holder shall ensure that there is a minimum of 1 (one) receptacle for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.

Condition agreed with Thames Valley Police

34. Before any person is employed or trialled at the premises, sufficient checks will be made of their bona fides to ensure they are legally entitled to employment in the UK. Such checks shall include:

- i. Proof of identity (such as a copy of their passport)
- ii. Nationality
- iii. Current immigration status

Employment checks will be subject to making a clear copy of each document in a format which cannot manually be altered and retain the copy securely: electronically or in hardcopy. You must also retain a secure record of the date on which you made the check of any relevant documents produced by the employee. These will be retained on the premises and kept for the duration of their employment and for two years afterwards, the copy must then be securely destroyed. Employment records as they relate to the checking of a person's right to work will be made available to an authorised officer of West Berkshire Council, Thames Valley Police or the Home Office Immigration service upon request. All requirements will be in line with the current Home Office Employer's Right to Work checks at the time.

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From: [REDACTED]
Sent: 27 July 2025 18:07
To: [Mark Groves](#)
Subject: Re: Best Buy Foods, 51 London Road, Newbury RG14 1JN

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Mr. Groves,

Thank you for your extremely informative email.

I appreciate the lengths to which you wish to alleviate my concerns regarding this application. In particular, I am relieved to know that the applicant no longer wishes to apply for 'Late night refreshment'

However, I still have reservations. There still remains the critical issue of (lack of) parking outside the establishment. It is imperative for the committee to consider that inconsiderate parking could easily block entry to the Cul-de-sac of Clarendon Gardens, should any of the emergency services need to gain access.

Therefore, I am unable to withdraw my objection.

Kind regards

[REDACTED]

On Thu, Jul 24, 2025 at 2:47 PM Mark Groves

<Mark.Groves1@westberks.gov.uk> wrote:

Dear Mr [REDACTED]

Thank you for taking the time to email the licensing team with regards to your concerns with the application for a premises licence at the Best Buy Foods, 51 London Road, Newbury RG14 1JN.

Please find attached a list of conditions that the applicant for the above premises has agreed with the Licensing Authority and with Thames Valley Police. These conditions would be attached to the licence if granted for which the applicant would have to always abide by at times when the premises is open for business. There were no objections to the application raised by any of the responsible authorities in relation to this application.

I note from your objection that you have concerns regarding the opening of this premises which I will try to address if I may.

1. The premises serving late night refreshment and alcohol until the early hours.

The applicant is prepared to reduce the operating hours from 01:00 to Midnight on all days and remove the application for late night refreshment altogether. It is also worth noting that the Cross Keys PH a short distance along the road (soon to be called the High Horse) is permitted to sell alcohol on and off the premises until 02:00 Friday and Saturday and midnight on Sunday – Thursday and they are also permitted to serve late night refreshment until midnight Monday to Thursday and until 02:00 Friday and Saturday.

2. There are no facilities for parking outside the premises.

The area outside of the premises is private land and is believed to be used by staff and customers of Ripples (business between the premises and the Travelodge). The applicant is currently working with the Landlord to resolve this matter however any action taken is solely the responsibility of the landlord and not the applicant for the premises. The applicant can only ask any customers to park considerably when using the premises. The parking

area also does not fall under the jurisdiction of West Berkshire Council who also cannot take any action (except the double yellow lines on the main road). The Travelodge advise their customers to use the car parks situated in the town centre however they are unable to control any customers who choose to use this area if a space is free and again this is a matter for the landlord to control.

3. Generation of litter.

As you will see in the attached conditions Nos 31-33 regarding the depositing of litter outside of the premises the applicant has agreed to conditions to deal with litter from his customers. However, the applicant cannot be held responsible for litter deposited by those passing by or due to any prevailing weather conditions. The applicant will ensure the litter accumulating outside the shop will be cleared up when the business is open and is required to record these actions in either written or electronic format for inspection by a member of a responsible authority.

For your information if the licence was granted this would mean that the applicant would be monitored by all the responsible authority's either in joint visits or visits undertaken by each individual responsible authority with the visits on most occasions being unannounced. The licensing team work closely with Thames Valley Police, Trading Standards and Environmental Health and regularly carry out unannounced visits and operations including underage sales on premises and to ensure they are complying with legislation and any conditions that are attached to the licence and that will be no different for the applicant of Best Buy Foods.

The applicant will have to comply with the conditions on the licence at all times that the premises is open, or enforcement action in various forms could be taken against him which includes the review of the premise licence which carries the sanction that the premise licence could be revoked, or the applicant could face prosecution for offences that have been found to have taken place if that action was deemed necessary.

As a member of the public, you are also permitted to bring a review of the premises licence asking for action to be brought against the premises as, long as this is not frivolous and you have the evidence to support your application for a review.

If there are incidents of anti-social behaviour in the area then can I ask that this is reported to both the Police via 101 or via their online reporting system and West Berkshire Council at westberksbct@westberks.gov.uk. There are three main types of ASB and these are:

Nuisance - incidents where an act, condition, thing or a person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims.

Environmental - incidents where individuals and groups have an impact on their surroundings including natural, built and social environments.

Personal - targeted at an individual or group or having an impact on an individual or group rather than the community as a whole.

ASB is not:

1. being unable to park outside your house.
2. children playing in the street or communal areas.
3. civil disputes between neighbours e.g. shared driveways, boundary disputes.
4. lifestyle differences.
5. young people gathering socially.

If after reading the above and knowing that the premises will be monitored by the licensing team and other colleagues and that action will be taken against any breaches of legislation or the conditions above and you wish to withdraw your objection then please let me know your decision either way.

If you wish to discuss this further then please let me know.

Kind regards

Mark Groves

Lead Licensing Officer

Public Protection Partnership

Email: mark.groves1@westberks.gov.uk

Website: www.publicprotectionpartnership.org.uk

Facebook: [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)

Twitter: [@PublicPP_UK](https://twitter.com/PublicPP_UK)

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From: [REDACTED]
Sent: 27 July 2025 20:23
To: [Mark Groves](#)
Subject: Re: Best Buy Foods, 51 London Road, Newbury RG14 1JN

This is an **EXTERNAL EMAIL**. **STOP. THINK** before you **CLICK** links or **OPEN** attachments.

Dear Mark Groves,
Thank you for your detailed response and for the recent efforts by the applicant and/or landlord to address litter around the premises and repair the adjacent fence — these actions are appreciated.

However, the proposed conditions, while certainly expansive, do not alleviate our concerns. We believe that permitting the sale of alcohol until midnight, seven days a week, just 30 metres from the front doors of neighbouring homes is unacceptable and not in the best interests of the wider community. Furthermore, we remain unconvinced that either the applicant or the hotel management have the necessary resources to adequately monitor and manage behaviour in the vicinity of the premises — especially given that alcohol sales are likely to worsen the current situation.

Kind regards,
[REDACTED]

On Thu, 24 Jul 2025 at 15:40, Mark Groves <Mark.Groves1@westberks.gov.uk> wrote:

Dear Mr & Mrs [REDACTED]

Thank you for taking the time to email the licensing team with regards to your concerns with the application for a premises licence at the Best Buy Foods, 51 London Road, Newbury RG14 1JN.

Please find attached a list of conditions that the applicant for the above premises has agreed with the Licensing Authority and with Thames Valley Police. These conditions would be attached to the licence if granted for which the applicant would have to always abide by at times when the premises is open for business. There were no objections to the application raised by any of the responsible authorities in relation to this application.

I note from your objection that you have concerns regarding the opening of this premises which I will try to address if I may.

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The applicant is prepared to reduce the operating hours from 01:00 to Midnight on all days and remove the application for late night refreshment altogether. It is also worth noting that the Cross Keys PH a short distance along the road (soon to be called the High Horse) is permitted to sell alcohol on and off the premises until 02:00 Friday and Saturday and until midnight on Sunday – Thursday. They are also permitted to serve late night refreshment until midnight Monday to Thursday and until 02:00 Friday and Saturday.

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The area outside of the premises is private land and is believed to be used by staff and customers of Ripples (business between the premises and the Travelodge). The applicant is currently working with the landlord to resolve this matter however any action taken is solely the responsibility of the landlord and not the applicant for the premises. The applicant can only ask any customers to park considerably when using the premises. The parking area also does not fall under the jurisdiction of West Berkshire Council who also cannot take any action (except the double yellow lines on the main road). The Travelodge advise their customers to use the car parks situated in the town centre however they are unable to control any customers who choose to use this area if a space is free and again this is a matter for the landlord to control.

3. Generation of litter.

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4. Public Urination and Exposure

I would strongly recommend that these incidents are reported to both the Police and the ASB team at West Berkshire Council (email address below) so these matters can be recorded and actioned by them. The applicant

cannot be held responsible for the actions of persons who are not customers and are not related to the premises.

5. Current Issues with Anti-Social Behaviour and Public Nuisances

Again, I would strongly recommend that these incidents are reported to both the Police and the ASB team at West Berkshire Council (email address below) so these matters can be recorded and actioned by them. The applicant cannot be held responsible for

the actions of persons who are not customers and are not directly related to the premises.

6. Neglect and Poor Maintenance

This is a matter for the landlord as this area is private land and not the responsibility of the applicant for the premises.

7. Inappropriate Target Market

The applicant will no doubt inform the licensing sub-committee that his intention is to serve the local residents and visitors to Newbury. He will outline that he is aware he will have to compete with other businesses, such as Aldi as you mention which closes at 10pm daily and also the Cross Keys (mentioned above) and other premises in Newbury. If it transpires and can be proved that residents of either the Travelodge or the Premier Inn are loitering in the car park and consuming alcohol which has been purchased from this premises and not any other local premises and the licensing team are made aware then this matter can be brought to the attention of the managers of both hotels asking them to advise customers to refrain from this, and the applicant can be asked to inform customers not to loiter in this area. If there are incidents of anti-social behaviour of this sought then please contact the Police and the ASB team of West Berkshire Council.

For your information if the licence was granted this would mean that the applicant would be monitored by all the responsible authority's either in joint visits or visits undertaken by each individual responsible authority with the visits on most occasions being unannounced. The licensing team work closely with Thames Valley Police, Trading Standards and Environmental Health and regularly carry out unannounced visits and operations including underage sales on premises and to ensure they are complying with legislation and any conditions that are attached to the licence and that will be no different for the applicant of Best Buy Foods.

The applicant will have to comply with the conditions on the licence at all times that the premises is open, or enforcement action in various forms could be taken against him which includes the review of the premise licence which carries the sanction that the premise licence could be revoked, or the applicant could face prosecution for offences that have been found to have taken place if that action was deemed necessary.

As members of the public, you are also permitted to bring a review of the premises licence asking for action to be brought against the premises as, long as this is not frivolous and you have the evidence to support your application for a review.

If there are incidents of anti-social behaviour in the area then can I ask that this is reported to both the Police via 101 or via their online reporting system and West Berkshire Council at westberksbct@westberks.gov.uk. At this time the ASB team of West Berkshire Council have not received any complaints regarding anti-social behaviour taking place in this area from any source not just those residents living in Clarendon Gardens.

For your information there are three main types of ASB and these are:

Nuisance - incidents where an act, condition, thing or a person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims.

Environmental - incidents where individuals and groups have an impact on their surroundings including natural, built and social environments.

Personal - targeted at an individual or group or having an impact on an individual or group rather than the community as a whole.

ASB is not:

1. Being unable to park outside your house.
2. Children playing in the street or communal areas.
3. Civil disputes between neighbours e.g. shared driveways, boundary disputes.
4. Lifestyle differences.
5. Young people gathering socially.

If after reading the above and knowing that the premises will be closely monitored by the licensing team and other colleagues and that action will be taken against any breaches of legislation or the conditions above and you wish to withdraw your objection then please let me know your decision either way.

If you wish to discuss this further then please let me know.

Kind regards

Mark Groves
Lead Licensing Officer
Public Protection Partnership
Email: mark.groves1@westberks.gov.uk

Website: www.publicprotectionpartnership.org.uk

Facebook: [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)

Twitter: [@PublicPP_UK](https://twitter.com/PublicPP_UK)

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Benjamin Ryan

From: ARKA LICENSING <contact@arkalicensing.co.uk>
Sent: 28 July 2025 11:03
To: Mark Groves
Subject: Re: Urgent - Best Buy Foods, 51 London Road, Newbury

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Good morning Mark,


Thank you for your email.


We now withdraw our offer for a mediation.

Application is for consideration as it stands, applied. We will see you tomorrow.

Regards
Suresh

Consultant
Arka Licensing

Tel:  (0203) 405 1886

Mob:  07803 903 897

E-mail: contact@arkalicensing.co.uk

This email is sent for and on behalf of Arka Licensing Consultants, which is a company registered in England, registered number 09036487, registered office Trident Business Centre, 89 Bickersteth Road, London SW17 9SH.

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From: Mark Groves <Mark.Groves1@westberks.gov.uk>
Sent: 28 July 2025 10:38
To: ARKA LICENSING <contact@arkalicensing.co.uk>
Subject: Urgent - Best Buy Foods, 51 London Road, Newbury

Good morning Suresh,

I have received the responses from the objectors regarding your client's acceptance of the conditions and your clients offer to reduce the hours and remove the requirement for LNR. The responses are as follows.

Objector –

Thank you for your extremely informative email. I appreciate the lengths to which you wish to alleviate my concerns regarding this application. In particular, I am relieved to know that the applicant no longer wishes to apply for 'Late night refreshment'.

However, I still have reservations. There still remains the critical issue of (lack of) parking outside the establishment. It is imperative for the committee to consider that inconsiderate parking could easily block entry to the Cul-de-sac of Clarendon Gardens, should any of the emergency services need to gain access. Therefore, I am unable to withdraw my objection.

Objector - Thank you for your detailed response and for the recent efforts by the applicant and/or landlord to address litter around the premises and repair the adjacent fence — these actions are appreciated.

However, the proposed conditions, while certainly expansive, do not alleviate our concerns. We believe that permitting the sale of alcohol until midnight, seven days a week, just 30 metres from the front doors of neighbouring homes is unacceptable and not in the best interests of the wider community. Furthermore, we remain unconvinced that either the applicant or the hotel management have the necessary resources to adequately monitor and manage behaviour in the vicinity of the premises — especially given that alcohol sales are likely to worsen the current situation.

Sorry but we will still be going to a hearing tomorrow. What will be your client's stance now, would he still be looking to offer reduced hours and the removal for LNR or will these now remain as per the application.

If you could let me know ASAP I can then ensure the sub-committee have the correct information before them for the hearing.

Kind regards

Mark Groves
Lead Licensing Officer
Public Protection Partnership
Email: mark.groves1@westberks.gov.uk

Website: www.publicprotectionpartnership.org.uk
Facebook: [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)
Twitter: [@PublicPP_UK](https://twitter.com/PublicPP_UK)

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