X

Application for the review of a premises licence or club premises certificate 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 Kent County Council Trading Standards (Insert name of applicant). apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable) Part 1 - Premises or club premises details Postal address of premises or, if none, ordnance survey map reference or description 102 Week Street Post code (if known) ME14 1RH Post town Maidstone Name of premises licence holder or club holding club premises certificate (if known) Mr Maniit Singh Number of premises licence or club premises certificate (if known MAID0185/LPRM/4230 Part 2 - Applicant details lam Please tick yes 1) an interested party (please complete (A) or (B) below) a) a person living in the vicinity of the premises b) a body representing persons living in the vicinity of the premises c) a person involved in business in the vicinity of the premises d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the below)	the club to which this ap	oplication relates (please complete (A) L	<u>.</u>
(A) DETAILS OF	INDIVIDUAL APPLIC	ANT (fill in as app	licable)	
Please tick Mr ☐ Mrs	☐ Miss ☐	Ms 🗌	Other title (for example, Rev)	
Surname		First names	3	
I am 18 years ol	d or over		Please tick ye	:S
Current postal address if different from premises address				
Post town		Post Co	ode	
Daytime contac	t telephone number			
E-mail address (optional)				
(B) DETAILS O	F OTHER APPLICANT			
Name and addre	ess			-
Telephone numb	per (if any)			
E-mail address (optional)			

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address		
Richard Strawson		
Area Manager		
Kent County Council Trading Standards		
PO Box 286		
West Malling		٠.
Kent ·	•	
ME19 4HW		
·		
Telephone number (if any)	•	
01732 525291		
E-mail address (optional)		
Richard.strawson@kent.gov.uk		
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This application to review relates to the fol	llowing licensing objective(s)	
The approach to to to to to to the to	Please tick one or more box	xes
1) the prevention of crime and disorder		
2) public safety	Harring to the state of the sta	
3) the prevention of public nuisance		
4) the protection of children from harm	$\overline{\boxtimes}$	
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Please provide as much information as possible to support the application On the 24th June 2011 a Trading Standards Officer witnessed a group of youths in the vicinity of the premises carrying a full plastic bag which was believed to contain alcohol, one of the youths was holding a glass bottle of cider which he was then seen opening on the street. As there are two off licences next to each other in the parade, it was not possible to substantiate which shop sold the alcohol as the youths were not seen until they had vacated the premises.

On the 15th August 2011 a report was received from a colleague within Kent County Council that a group of three youths approximately aged 15-16 were seen outside of the premises talking about being served cigarettes. One of the youths was seen going into the shop and the informant then witnessed him buy a pack of cigarettes without being asked for identification or his age.

Trading Standards have also received a number of reports regarding the rise of underage drinking and anti social behaviour around the area of County Hall in Maidstone, which is within close vicinity of this premises. A Trading Standards Officer visited the premises on the 24th August 2011 and advised the shop assistant of the reported sale of cigarettes to under 18's and reminded them to be vigilant regarding the issues in the County Hall area.

As this premises falls within the area of the Kent Community Alcohol Partnership, it has been visited a total of 9 times since the beginning of 2010 specifically to give advice and support on underage sales. These visits included a full training session with the shop owners to advise them about protecting children from harm and advice about the due diligence procedures that the owners of the premises should take to ensure age restricted sales are not made to under 18's (Appendix 1- statement of Clare Stringer).

Following the concerns of the rise of underage drinking in the vicinity of this premises and the specific allegations regarding underage sales at this premises, an underage sales test purchase operation was carried out at the premises on the 17th November 2011. Two fifteen year old volunteers were directed to go into the premises with a covert camera and attempt to buy cigarettes and alcohol. A sale of a 4 can pack of Fosters and a pack of 10 Mayfair cigarettes was sold to one of the 15 year old volunteers by partner in business and Designated Premises Supervisor, Manjit Singh (Appendix 2- statement of test purchaser).

Mr Singh was interviewed at the shop after the sale and he said that he thought the volunteer making the purchases was aged around 19, despite the fact that the premises has a Challenge 25 policy. He also said that he asked the volunteer his age and he responded by saying a date of birth which would have made him 18. The volunteers have both produced statements confirming that the buyer stated his true birthday in 1996, which made him 15 years old.

The video footage from the sale shows that the volunteer was asked his age and for ID, but when he said he did not have any, the sale went ahead and was told to bring identification next time. Mr Singh also said under caution that he does not normally work on the tills and he just didn't think when he served the volunteer. He said he is under a lot of stress at the moment and the sale was a mistake.

The store has adopted a Challenge 25 Policy as this is one of the recommendations of the Kent Community Alcohol Partnership area, however even though Mr Singh thought the volunteer was approximately 19 years old, did not insist on the volunteer showing proof of age before selling the alcohol and cigarettes. Furthermore there were no displays in store at the point of sale stating 'No proof of age- No sale' and the statutory A3 Tobacco notice, which is required by law to be displayed in a

prominent position in the store, was not displayed.

To deal with the apparent lack of compliance with the objectives of the Licensing Act, a review of the premises licence is requested by this service. Trading Standards request a one month suspension of the premises licences for the following reasons:

- The premises has already has already got 24 conditions attached to their premises licence. Many of these conditions are in place to try and protect children from harm through stopping the sale of age restricted products to underage youths.
- Despite the attachment of the 24 conditions in place, a sale of alcohol was still made to a 15 year old volunteer.
- The sale was made by the by the Designated Premises Supervisor, which worryingly demonstrates a clear lack of compliance with the licensing conditions in place at the premises.

Due to the circumstances we would also request that a condition be added to ensure that the Designated Premises Supervisor should either resit the Level 2 National Certificate for Designated Supervisors examination before the licence suspension is lifted, or that he should be removed and replaced with a fully trained and suitably qualified person who is more responsible.

APPENDIX A

APPENDIX A

	Please tick yes
Have you made an application for review relating to the	is premises before
If yes please state the date of that application	Day Month Year
If you have made representations before relating to what they were and when you made them	o this premises please state

Please tick yes

authorities and the premises licence premises certificate, as appropriate	
 I understand that if I do not comply my application will be rejected 	with the above requirements 🔲
IT IS AN OFFENCE, LIABLE ON CONVIC THE STANDARD SCALE, UNDER SECTI TO MAKE A FALSE STATEMENT IN OR APPLICATION	ON 158 OF THE LICENSING ACT 2003
Part 3 – Signatures (please read guidand	ce note 3)
Signature of applicant or applicant's sol (See guidance note 4). If signing on beha capacity. Signature	icitor or other duly authorised agent If of the applicant please state in what
Date 21 12 11	
Capacity ARUA MANAGER	······································
Contact name (where not previously giv correspondence associated with this ap Gillian Powell Kent County Council Trading Standards PO Box 286	en) and postal address for plication (please read guidance note 5)
Post town West Malling	Post Code ME19 4HW
Telephone number (if any)	I
f you would prefer us to correspond wit mail address (optional) Gillian.powell@ke	ent.gov.uk

I have sent copies of this form and enclosures to the responsible

Notes for Guidance

- 1. The ground(s) for review must be based on one of the licensing objectives.
- 2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3. The application form must be signed.
- 4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5. This is the address which we shall use to correspond with you about this application.

KENT COUNTY COUNCIL - TRADING STANDARDS STATEMENT OF WITNESS

Statement of (full name):

Clare Michelle Stringer

Age of Witness:

32

Date of birth: 2nd June 1979

Occupation of Witness:

Trading Standards Officer

This statement (consisting of two pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

signed. CMSGINGE...

Date 19/12/11...

I am employed by Kent County Council as a Trading Standards Officer for the Trading Standards Department, working from the West Kent Area Office, which is currently located at 8 Abbey Wood Road, Kings Hill, West Malling, ME19 4YT. During 2010 and 2011 I was involved in a project in Maidstone town centre called The Kent Community Alcohol Project. The purpose of this project is to reduce underage alcohol sales. As part of the project I have visited a number of off-licences during 2010 and 2011 to offer support and advice to prevent the underage sale of alcohol and other age restricted products. One of the off-licences I visited was The Best One, 10 Week Street, Maidstone, ME14 1RH. During the last two years I have visited the shop six times, each time the main purpose of the visit was to conduct a proof of age advisory visit. The advice provided includes using a Challenge 25 policy, keeping and monitoring a refusals log and training everyone who serves customers on the sale of age restricted products. The advice I provided on each visit was summarised in a hand written notice I left on the visits. The first visit took place on the 6 May 2010, when I spoke to Mr Singh and Mrs Kaur. I understand that they jointly own Best One and the Designated Premise Supervisor is Mr Singh. I produce and identify the notice I left, uniquely referenced TS 4105, as CS/BestOne/01. Following this visit, on 24 May 2010, I confirmed the advice given on my first visit in writing. A copy of the letter I sent Mr Sign I produce and identify as CS/BestOne/07. The same day I sent the same letter to Mrs Kaur, a copy of which I produce and identify as CS/BestOne/08. The second visit took place 8 June 2010 and

TS59

KENT COUNTY COUNCIL - TRADING STANDARDS STATEMENT OF WITNESS

Continuation of statement of Clare Michelle Stringer

Page 2

I spoke to Mr Singh. This visit additionally included an informal agreement to use a Challenge 25 policy when selling age restricted products. A Challenge 25 policy is one of the principles of the Kent Community Alcohol project to increase standards amongst retailers and pubs selling age restricted products in the town centre. I produce and identify the notice I left, uniquely referenced TS 4117, as CS/BestOne/02. My third visit to Best One took place on 24 September 2010, when I spoke to Mrs Kaur and Mr Singh. I produce and identify the notice I left, uniquely referenced TS 4510, as CS/BestOne/03. My fourth visit to Best One took place on 20 December 2010, when I spoke to sales assistant

I produce and identify the notice I left, uniquely referenced TS 1456, as CS/BestOne/04. My fifth visit to Best One took place on 18 May 2011, when I spoke to sales assistant

Produce and I identify the notice I left, uniquely referenced TS 4571, as CS/BestOne/05. My sixth visit to Best One took place on 7 August 2011, when I spoke to Mr Singh. I produce and I identify the notice I left, uniquely referenced TS 0469, as CS/BestOne/06.

Signed Wateringe J.

KENT COUNTY COUNCIL - TRADING STANDARDS STATEMENT OF WITNESS

Statement of (full name): Clare Michelle Stringer

Age of Witness: 32 Date of birth: 2nd June 1979

Occupation of Witness: Trading Standards Officer

This statement (consisting of one pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed. CM 5/1/12...

I am employed by Kent County Council as a Trading Standards Officer for the Trading Standards Department, working from the West Kent Area Office.

Further to my statement dated 19 December 2011 about the visits I made to The Best One, the actual address of the business is 102 Week Street, Maidstone, ME14 1RH.

Signed. CM Skry Date 16/11/12....

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APPENDIX A

Jusiness Advice



Business Name CS (Bestone lo)	Legal Entity S SINGIT 2 15 PM
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Address	
OZUDEEL STREET MAIDSTON	
Postčode .	Telephone Number
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Data Protection Ac Any personal information provided will be processed in accordance with	it.

€S/Bestone/07.

Mr Singh
The Best One
102 week street
Maidstone
ME14 1RH

TRADING STANDARDS West Kent Area Office

17 Kings Hill Avenue

Kings Hill West Malling

Kent ME19 4UL

Tel: 01732 525291 Fax: 01732 525319

-

Website: www.tradingstandards.gov.uk/kent Email: Clare.stringer@kent.gov.uk

Ask for: Clare Stringer

Ref. CS/273186

Date: 24 May 2010

Dear Mr Singh

Licensing Act 2003

Further to my visit to The Best One on Thursday 6th May, I write to confirm the matters I discussed with you and Mrs Kaur. The visit included advice on:

- Ensure everyone who serves customers follows and understands Challenge 25. This is where anyone who appears under 25 should be asked for valid proof of age before being sold age restricted products such as alcohol. This will provide a clear margin of error when judging a young persons' age.
- Posters regarding Challenge 25 have been provided, with a further copy enclosed. Please contact me if you would like further copies.
- Allowing staff members, and anyone who serves customers, to read the information in the
 folder Kent Trading Standards has provided, drawing particular attention to the sections on
 Challenge 25 and Making the Refusal. I recommend you also go through the slides I left with
 you with all persons who serve customers.
- The licensees and business owner should ensure all staff training is up to date. If no other records are available, make copies of those found in the folder left at the time of my visit and use these to record staff training. Training can include anything staff read or what is discussed and it is strongly recommended that a written record is kept.
- Maintain a refusal book to log refused sales, this is particularly important to enable you to assess if refusals are being made by everyone who serves customers. Licensees should regularly review the refusals log and follow up with staff members if refusals are not being regularly recorded. Enclosed are two examples of a refusals register which you may use.

You should be aware that Trading Standards Authorities, including this Service, make test purchases of various age restricted products using volunteers under the relevant legal age. This means that any business may be tested in this way. If you or staff sell to a volunteer you will be committing a criminal offence for which you may be prosecuted and the need for a licence review would also be considered.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

From the 1st October 2010 it requires licenses premises to have an age verification policy in relation to the sale and supply of alcohol.

Further guidance notes which may be useful for business and consumers may be viewed on our website www.tradingstandards.gov.uk/kent. Please contact me if you have any questions.

Yours sincerely

Clare Stringer Trading Standards Officer

cs/Bestone los

Mrs Kaur The Best One 102 week street Maidstone **ME14 1RH**

TRADING STANDARDS West Kent Area Office

17 Kings Hill Avenue

Kings Hill

West Malling

Kent ME194UL

Tel: 01732 525291

Fax: 01732 525319

Website: www.tradingstandards.gov.uk/kent

Email: Clare.stringer@kent.gov.uk

Ask for: Clare Stringer CS/273186 Ref:

Date: 24 May 2010

Dear Mr Singh

Licensing Act 2003

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Further guidance notes which may be useful for business and consumers may be viewed on our website www.tradingstandards.gov.uk/kent. Please contact me if you have any questions.

Yours sincerely

Clare Stringer Trading Standards Officer

Business Advice



CS Best One 02	Legal Entity	
BULLONS NEWS / THE BESTON	MR SINGH + MRS	KAUPL
Address		
102 WEEK STREET MAIDSTONE		
Postcode	Telephone Number	
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APPENDIX /

Business Advice

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Justness Advice



Business Name	Legal Entity
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Postcode	Telephone Number
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APPENDIX A

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CS Bestone 05. Business Name Legal Entity BOST OUR Address 102 work street Postcode Telephone Number -During the course of a visit to your premises the following points were noted. THE PUTPOSE OF DIE VISIE IS TO PEMIND YOU about he Kent community Aichol Prosect (KLAI) 1. using makinge 25 2. Keeping and monitoring a refusius 100 (refusaus of any kind) 9 for may so for - sed more forms 3. Ensuring proxy scues are not made, whilevery exect made to prevent bern 14. To remind (and record) to staff of men responsibilities when seving age restricted products
- I recommond staff read, sign and date this notice and it is Kept to form per of your braining records 5. Kent trading standards may lest you to ensure any restrictions are followed. To contentut alling it scussed Please do contact me & you have any questons Failure to follow the advice outlined above as being a legal requirement may lead to you breaching the law and facing legal action. Officer Number Telephone number Issued by (please print name) CLARG STRINGER 237 01732 523 29/ Sianed Dated Christing Received by (please print name) Position Dated Signed

11.15

Reference Number

TS 4571

Data Protection Act

Any personal information provided will be processed in accordance with the requirements of the Data Protection Act 1998

Business Advice



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Saleneo Mines



Statement of (full name)	
a sim	Date of Birth
Age of Witness	Date of Bitti
	-
Occupation of Witness	
Student	
This statement (consisting of $\frac{1}{2}$ pages each signed make it knowing that if it is tendered in evidence, I should be which I know to be false or do not believe to be true.	ed by me) is true to the best of my knowledge and belief and I half be liable to prosecution if I have wilfully stated in it anything
Signed . / /	Datey 17/11/11
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