APPENDIX 'A'

Central Bedfordshire

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 **Tim Argent**

apply for the review of a premises licence under section 51of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Gills Mini market 53 High Street	
Post town Biggleswade	**Post code (if known)** SG18 0JH

Name of premises licence holder or club holding club premises certificate (if known) Mr Joseph Thevachchandran Thevarasa 60 Chingford Road Walthamstow London E17 4PJ 0208 523 2775 or 0793 045 2624

Number of premises licence or club premises certificate (if known 2000125

Part 2 - Applicant details

I am Tim Argent

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 club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev)

Surname | **First names**

Please tick yes

I am 18 years old or over ☐

Current postal address if different from premises address

Post town | **Post Code**

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address **Tim Argent – Senior Enforcement Officer – Trading Standards** **Central Bedfordshire Council – Public Protection** **Priory House** **Monks Walk** **Chicksands** **Beds** **SG17 5TQ**
Telephone number (if any) **0300 300 5090**
E-mail address (optional) **tim.argent@centralbedfordshire.gov.uk**

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

1) the prevention of crime and disorder ☐
2) public safety ☐
3) the prevention of public nuisance ☐
4) the protection of children from harm ☒

Please state the ground(s) for review (please read guidance note 1)

An application for review has been submitted due to the repeated supply of age-restricted products to children from Gills Mini Market, 53 High Street, Biggleswade, Bedfordshire, SG18 0JH.

Alcohol namely; 6 x 300ml Bottles of Budweiser (4.8%abv) was sold from the store to a sixteen year old on the 6th December 2012. The seller was a Mr. Kowshik Sathuru (21/10/1988).

On the 4th November 2012 another age restricted product (Firework) was sold from the store to a sixteen year old. The seller on that occasion was Mr. Kowshik Sathuru.

It was noted that despite being advised to do so on the:

- 4th November 2012 (verbally following the sale and again in subsequent correspondence)
- 4th March 2013 (verbally during an advisory visit)
- 4th November 2011 (verbally during an advisory visit)
- 8th July 2010 (verbally following a sale of cigarettes to a minor and again in subsequent correspondence)
- 23rd March 2010 (verbally following a sale of alcohol and again in subsequent correspondence
- 8th February 2009 (verbally during an advisory visit)

The store failed to implement the following recommended measure to prevent sales of age restricted products from occurring.
These measure which are:

- Documented training on preventing age restricted sales for all staff.
- Documented refresher training for all staff every 6 months they are employed
- The use of a refusal book or electronic record to record when members of staff make a refusal on the grounds of the customer not being able to verify their age (this gives the licensee the ability to monitor members of staff to make sure they are refusing, it allows for identification of peak times that refusals are made and have additional experienced staff on duty at such times, it also identifies any possible training needs or identifies weak members of staff).
- A weekly check of the refusals book, including a signature of the person carrying out the check.
- To implement an age check policy such as 'Think 21' or preferable 'Think 25'.
- Adequate signage to display the age check policy to customers and to remind staff.

In August 2012 the store was invited to attend a training session for all staff held at the Priory House Council Offices. Nobody from the store attended.

On the 13th January 2013 (following the sale of alcohol on the 6th December 2012) the store was offered the Trading Standards 'Alternative Enforcement Sanction' as an alternative joint working way of dealing with the offence. The offer required the 'seller' and two other members of staff to attend a Nationally recognised training qualification run by Trading Standards. The training

package gives specific guidance and advice on preventing underage sales as well as 'Best Practise' systems that can be taken away and implemented.

To date no person from the venue has attended such a course or contacted Trading Standards for further advice on preventing further sales of alcohol to under 18's.

Recommendation for additional licence conditions:

1. Suspension of the Licence for 1 Month.
2. A 'Challenge 25' Policy to be implemented.
3. The 'Challenge 25' posters & signage to be displayed at the points of sale, entry and exit and around the premises.
4. Within this month all staff to have attended/achieved the TSI- Fair trading Award – 'Do You Pass' qualification (or equivalent), after this time any staff that have not completed the aforementioned qualification (or equivalent) will not be permitted to sell alcohol at the premise (until completed). All new staff within 3 months of starting must complete the TSI- Fair trading Award – 'Do You Pass' qualification (or equivalent). Any staff employed longer than 3 months that have not completed the TSI- Fair trading Award – 'Do You Pass' qualification (or equivalent) are not permitted to sell alcohol at the premise
5. Subsequent 6 monthly refresher training to be carried out for all staff. This must be documented with all training records to be signed by staff and the deliverer of the training.
6. A documented refusals book or electronic log must be maintained. The log should be of all refusals. The book or log must be checked and signed weekly by the DPS or premises licence holder. The check should include making sure staff are using the system and identifying any issues or training needs through lack of entries.
7. The premises to implement a regular programme (at least quarterly) of independent internal test-purchases of entry and alcohol (using operatives over 18). The tests are to identify staffs compliance with the 'Think 25' policy and maintain a high profile for age restricted sales within the premise. (This contract can be arranged with Trading Standards or other providers such as 'Serve Legal')

Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day	Month	Year					

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date: **31/01/2013**

Capacity : **Senior Enforcement Officer – Trading Standards**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	**Post Code**
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) tim.argent@centralbedfordshire.gov.uk	

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.