



**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 51 of 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**

Best-One Store  
 25 Kitelands Road

**Post town** Biggleswade

**Post code (if known)** SG18 8NX

**Name of premises licence holder or club holding club premises certificate (if known)**

Mrs Darshan Kaur Sohal  
 25 Kitelands Road  
 Biggleswade  
 Beds  
 SG18 8NX  
 01767 225367

**Number of premises licence or club premises certificate (if known)**

**2000312**

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

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

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/>            |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**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 The Best-One Store, 25 Kitelands Road, Biggleswade, Beds, SG18 8NX. In total 3 separate sales of alcohol were made over a 4 month period.

In August 2012, complaints were received by Trading Standards with regards to two shops within walking distance of Holmemead Middle School that were reportedly selling alcohol and cigarettes to children.

On the 3rd September 2012, I (Tim Argent) carried out a test-purchase operation in the area, testing all of the shops. The Best-One store sold a high strength (40% abv) bottle of Martell Cognac alcohol to the 16 year old operative. Although the offence for selling alcohol to children is the same for all alcoholic drinks additional concerns with regards to the licensing objective of protecting children from harm were raised, as had a 16 year old consumed the entire contents of the 35cl bottle the consequence could have been dire.

The seller on this occasion was the licensee's husband and joint owner of the business Mr Jaspal SOHAL. Further attention should be drawn to the manner of the sale considering his comments made before the sale was completed "Your 18 aren't you... if not just hide it".

It was apparent no systems were operational within the store. A comment was made that they were going to sell the store anyway so implementing new things 'weren't worth it'.

The store was advised that they would be re-tested within two months.

Alcohol was again sold to underage operatives on the :

- 29<sup>th</sup> October 2012
- 23<sup>rd</sup> January 2013

On both occasions high strength alcohol was again sold (29/10/12 Large Smirnoff Vodka, 23/01/13 Bottle of wine).

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

- 9<sup>th</sup> November 2010 (verbally during an advisory visit)
- 9<sup>th</sup> August 2011 (verbally during an advisory visit)
- 3<sup>rd</sup> September 2012 (verbally following a sale of alcohol to a minor)
- 29<sup>th</sup> October 2012 (verbally following a sale of cigarettes & Alcohol to a minor)
- 13<sup>th</sup> January 2013 (correspondence)
- 23<sup>rd</sup> January 2013 (verbally following a sale of alcohol to a minor)
- 29<sup>th</sup> January 2013 (correspondence)

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.
- Implementation of 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 February 2013 following a formal interview with the licensee Mrs Sohal she asked what action she could take to prevent further sales and rectify the problems within the store. It was recommended that all staff within the store should attend a nationally recognised training qualification held at the Priors House Council Offices, to which Mrs Sohal responded that she would like to reserve several places. Despite numerous telephone calls to the store and messages inviting them to attend nobody from the store has responded or attended.

During the sale on the 29<sup>th</sup> October 2012 the seller who was a Bobby MANGHLN who (according to D SOHAL following the tape-recorded interview) was looking to buy the store. The SOHAL's had let him run it for a period of time to see how he got on. It is worth noting that no checks had been carried out by the SOHAL's to make sure MANGHLN understood the law relating to age restricted products, that he knew the stores policies or procedures or was competent in assessing and asking for the appropriate identification to establish a person age.

Further attention should be given to the fact that at the time despite recently selling alcohol to an under age person and were informed that the store would be re-tested they still left MANGHLN on his own to run their store.

The store was tested on the 4<sup>th</sup> November 2012. The sale of alcohol was refused.

Recommendation for additional licence conditions:

To revoke the licence.

Or if not deemed appropriate the following conditions to be added:

1. Suspension of the Licence for 3 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 the 3 months 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

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

**Please tick yes**

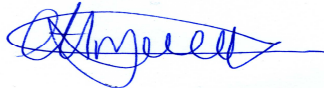
- ☒ I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- ☒ I understand that if I do not comply with the above requirements my application will be rejected

**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: **25/04/2013**

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.