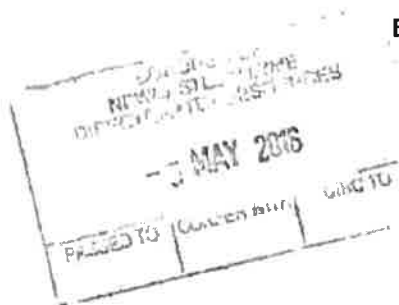




Licensing Team
Civic Offices
Merrial Street
Newcastle
Staffs
ST5 2AG



Public Protection
20 Sidmouth Avenue
Newcastle
ST5 0QN

Telephone: (01782) 297012
Facsimile: (01782) 297010
E-mail: fiona.chapman@staffordshire.gov.uk
Website: www.staffordshire.gov.uk

Please ask for Fiona Chapman
For hearing impaired callers only, please call
Minicom (01785) 854156

4th May 2016

Dear Responsible Authority

Re: Application for Review of a Premise Licence under Section 51, Licensing Act 2003 – Keele Road Stores, 28 Keele Road, Newcastle, ST5 2JX

Please find attached the standard form for the application for the review of a premises licence under the Licensing Act 2003. I also enclose together with the application form as appendices, copies of relevant exhibits as supporting evidence.

Please consider the postal copy of the application for review to be the copy served in accordance of the requirements of s.29 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, and that service conforming to the first class postal system is deemed achieved 1 working day from the date of this letter. Therefore, in accordance with s.38 of the 2005 regulations advertisement of the review by the licensing authority will be effective from Thursday 5th May 2016 for 28 consecutive days.

Please can you contact me to arrange the date of hearing before it is agreed with members of the licensing sub-committee?

Please do not hesitate to contact me for further information or clarification on the attached application.

Yours Sincerely

pp

Fiona Chapman
Senior Community Safety Officer – Crime and Licensing



the knot unites

[Insert name and address of relevant licensing authority and its reference number (optional)]

**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 Tony Shore

(insert name of applicant)

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 or club premises details

Postal address of premises or, if none, Ordnance Survey map reference or description Keele Road Stores 28 Keele Road	
Post town Newcastle Under Lyme	Post code (if known) ST5 2JX

Name of premises licence holder or club holding club premises certificate (if known) Harpal Singh
--

Number of premises licence or club premises certificate (if known) PL0046
--

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

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 ✓ yes

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

Surname First names

I am 18 years old or over

Please tick ✓ yes

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 Tony Shore Community Protection Manager Public Protection Staffordshire County Council Wedgewood Building Tipping Street Stafford ST16 2DH
Telephone number (if any) 01785 277870
E-mail address (optional) antony.shore@staffordshire.gov.uk

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

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

Please tick one or more boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

This application to review relates to the failure of the premise to meet the licensing objectives for the protection of children from harm.

Responsible Authority:

Section 13(4) of the Licensing Act 2003 and Regulation 7 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 makes a Local Weights and Measures Authority a responsible authority for the purposes of the legislation. Staffordshire County Council is a Weights and Measures Authority and that function is carried out by the Public Protection Trading Standards Team.

Staffordshire County Council seeks a review of the premise licence on the grounds that the premise licence holder (PLH), and designated premise supervisor (DPS), Mr Harpal Singh, has failed to take adequate steps at his premises to protect the children from harm which raises questions as to whether the business is operated in accordance with the promotion of the licensing objectives.

Protection of Children from Harm

By virtue of section 4 of the Licensing Act 2003, offences under s.146(1) of the Act, involving the sale of alcohol to an individual aged under 18 are relevant offences when considering a personal licence. Such offences can lead to the suspension or forfeiture of a personal licence.

Revised guidance issued by the Home Office in March 2015 states that the Government believes that it is completely unacceptable to sell alcohol to children. The guidance goes on to say the Secretary of State considers certain criminal activity that may arise in connection with licensed premises which should be taken particularly seriously. These include the use of the licensed premise for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.

Staffordshire County Council seeks a suspension of the premise licence on the grounds that the premise licence holder and designated premise supervisor Harpal Singh has failed to take adequate steps at the premises to protect children from harm which raises questions as to whether the business is operated in accordance with the promotion of the licensing objectives.

The history of this premise and that of the premise licence holder and designated premise supervisor, Harpal Singh, indicates a general disregard of the law which raises questions as to whether the business is managed in accordance with the promotion of the licensing objectives. The licensing authority has a duty to ensure that steps are taken to promote the licence objectives in the interests of the wider community and not those of the individual licence holder.

Please provide as much information as possible to support the application (please read guidance note 3)

Supporting documentation is provided in appendices to this application as follows;

Appendix 1 – A s.9 witness statement from Police Licensing for the sale of alcohol to our underage volunteers.

Appendix 2 – Photograph of alcohol

Appendix 3 – Copy of Premise Licence

Appendix 4 – Copy of Minor Variation submitted by Harpal Singh following previous failed Test Purchase.

Appendix 5 – Letter sent to Harpal Singh from Claire Ryles Newcastle Borough Council (NBC)

Appendix 6 – Letter sent to Harpal Singh from Kathryn Bevan following advice visit.

Here is a summary of events supporting this application.

Premise history:

25/03/2011 Keele Road Stores failed a test purchase for alcohol. The seller was Laura Beeston. Harpal Singh was interviewed following the failed test purchase, and agreed to put conditions on his premise licence.

10/06/2011 Harpal Singh submitted a minor variation to Newcastle Borough Council to add conditions to his premise licence following the failed test purchase.

04/07/2013 Advice visit carried out at the premise by Helen Ford from Trading Standards. No staff training records were available at the time of the visit.

22/01/2015 Claire Ryles (NBC) visited the premise to carry out a Licensing Inspection. During her visit there were no staff training records on site, and the refusals book had not been completed since 11/10/2014.

30/01/2015 Claire wrote to Harpal Singh informing him of the issues.

07/10/15 Kathryn Bevan from Trading Standards visited the premise to provide routine age restricted advice to the premise and spoke with Adreece Bachra (Harpal Singhs daughter) At the time of the visit, compliance with the premise licence conditions could not be demonstrated, as no posters were displayed, only small shelf edge labels, no staff training records available and no refusals book available. Kathryn subsequently wrote to Mr Harpal Singh on the 13th October to highlight these issues.

On 15th February 2016 Trading Standards carried out a test purchase operation in the Newcastle district. Keele Road Stores was tested as part of that operation. Sakinderjit Kaur sold 4 x 500ml can of pear cider to a 14 year old volunteer. The sale was witnessed by 9456 Licensing Officer Lisa Roberts from Staffordshire Police.

It is felt that Mr Harpal Singh has erred in his capacity as Premise Licence Holder and has not exercised all due diligence in preventing age restricted sales at the premise. This raises questions with regards to the premise licence holders conduct as a responsible retailer.

When interviewed under caution, Mr Harpal Singh admitted that he had not been complying with the condition regarding staff training, as he only started to complete staff training following the

visit to his premise by Kathryn Bevan in October 2015. He could only produce 2 staff training tests, despite having 6 members of staff. The refusals book produced was dated October 2015, he could not produce any previous ones. He claimed he did not remember the letter sent by Claire Ryles (NBC) but he could not demonstrate that he had been complying with the conditions added to his premise licence following the previous test purchase. Mr Harpal Singh admitted he had been complacent.

Sakinderjit Kaur has a limited understanding of English, and it was admitted at interview that she had not read any of the material produced by Trading Standards and she did not record in the refusals book, as she doesn't understand English very well.

Recommendations:

As such Trading Standards question whether Mr Harpal Singh is able to meet the licensing objectives. We therefore ask that the sub-committee consider a suspension of the premise licence.

Trading Standards ask that the sub-committee consider their powers of suspension, up to a maximum period of 3 months and a warning be issued to Mr Harpal Singh regarding his future conduct.

During this process, it has been noticed that the conditions attached to the current premise licence with regard to Protection of Children from Harm do not represent those offered up by the premise licence holder during the previous minor variation submission. Therefore, trading standards seek the attachment of the following conditions in their entirety under the Protection of Children from Harm;

Protecting Children from Harm

A Challenge 25 policy must be adopted and enforced at the premise where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.

The only acceptable forms of identification will be a valid photo driving licence, valid passport or a valid PASS approved proof of age card.

Challenge 25 posters must be displayed at all entrances to the premise, all areas where alcohol is displayed and at the cash till payment area.

Posters must be displayed prominently and in sight of customers & staffs.

At each till there must be placed a date of birth check card which must be kept updated at all times with the current date at which a person must be born to be aged 18 or over.

Cash registers in the premises must be fitted with automatic till prompts to ensure that Challenge 25 is implemented at all times.

A refusals register with details of all refusals must be maintained at the premise. The register must contain details of the staff member refusing the sale and must be checked on a 2 weekly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.

The refusals register must be produced and made available for inspection at the time of the visit by any Responsible Authority.

All persons involved in the sale of alcohol/age restricted products must receive initial and regular 6 monthly refresher training by the Designated Premises Supervisor or training provider with regards to the law in relation to the sale of alcohol/age restricted products. This will also include a written test of knowledge. Such training must be recorded and up to date training records of all such persons must be maintained at the premise and produced and made available for inspection at the time of the visit by any Responsible Authority.

Records for each person must be retained for a minimum of 12 months.

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

1	1	1	1	1	1	1	1
---	---	---	---	---	---	---	---

If you have made representations before relating to the 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 4)

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

Signature

.....

Date 28/4/2016

.....

Capacity Community Protection Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Fiona Chapman Senior Community Safety Officer Staffordshire County Council 20 Sidmouth Avenue Newcastle under Lyme Staffordshire	
Post town Newcastle under Lyme	Post Code ST5 0QN
Telephone number (if any) 01782 297012	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) fiona.chapman@staffordshire.gov.uk	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Appendix 1

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

21

Statement of: **Lisa Roberts**

Age Over 18

Occupation

Licensing Officer

This statement (consisting of 1 page(s) 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.

Signature

Date: 11th April 2016Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Licensing officer for Staffordshire Police, currently based at Hanley Police Station, Bethesda Street, Hanley, Stoke-on-Trent, Staffordshire, ST1 3DR attached to Northern Licensing Unit.

On 15th February 2016 I took part in a test purchase operation for underage sales of alcohol at 'off licence' premises led by Staffordshire Trading Standards.

At approximately 18.40 hours I entered Keele Road Stores, 28 Keele Road, Newcastle-under-Lyme, Staffordshire, ST5 2JX and proceeded to browse confectionary. Shortly after, the two volunteers entered the premise. Once they had selected the alcohol and proceeded to the tills, I positioned myself behind them. I witnessed the female behind the till, who I now know to be Sankinterjit KAUR, serve the volunteers with 4 x cans of Strongbow Pear Cider; no challenge was made. I witnessed the payment being made and once the transaction was complete, the volunteers exited the premise. I paid for the confectionary I had selected and then left the premise at approximately 18:45 hours.

Signature:

Signature Witnessed by:

Appendix 2



GBO

RONGBO
BAR CIDER

SPECIAL PRICE
\$24.99

Appendix 3

Licensing Act 2003

Premises Licence

PL0046

LOCAL AUTHORITY



NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL

Newcastle-under-Lyme Borough

Central Services
Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

tel: 01782 717717

web: www.newcastle-staffs.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES (OR IF NONE, ORDINANCE SURVEY MAP REFERENCE OR DESCRIPTION)

Keele Road Stores

28 Keele Road, Newcastle-under-Lyme, Staffordshire, ST5 2JX.

Telephone 01782 617185

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only			
	Monday - Saturday	8:00am	11:00pm
	Sunday	10:00am	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
		Hours Premises are open to the public.
Monday - Saturday	08:00	23:00
Sunday	10:00	22:30

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Harpal Singh

Telephone 01782 617185
28 Keele Road, Newcastle-under-Lyme, Staffordshire, ST5 2JX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

Premises Licence

PL0046

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Harpal SINGH

**28 Keele Road, Newcastle-under-Lyme, Staffordshire, ST6 2JX.
Telephone 01782 617185**

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. STOKEOT 239333

Issued by Stoke-on-Trent



Premises Licence

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS**Alcohol**

1. No supply of alcohol may be made under the premises licence:-

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions - In Force from 1st October 2010

1.

- a) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- b) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

2. The responsible person shall ensure that:

Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

ANNEX 2 - EMBEDDED RESTRICTIONS**Off Licence**

Alcohol shall not be sold or supplied except during the hours as stated on this licence. In this condition, authorised hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

ANNEX 3 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and they cannot prove that they are eligible to purchase the age restricted item with a valid UK Photocard Driving Licence, a valid UK Passport or PASS accredited proof of age scheme card, they will be refused service.



Premises Licence

ANNEXES (continued)

Challenge 25 posters will be displayed at the premises to reinforce this policy. The posters will be displayed prominently and in sight of customers and staff.

A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by the police or officers of responsible authorities. (The Refusals Registers are available from Trading Standards; Tel No 0300 111 8000).

All staff working at the premises involved in the sale of age restricted products including the sale and supply of alcohol will receive ongoing training. This will be recorded in a staff training register and will also include a written test of knowledge. The training records must be made available to police and officers of responsible authorities on request.

Records shall be retained at the premise.

A recording CCTV system will be fitted:-

A benchmark recording without recording any people will be made to check against subsequent images recorded in the future;

The picture will be clear enough to identify people, the time and date displayed will be correct;

The cameras will cover all vulnerable areas and will be sited to cover all entrances, exits.

The lighting will be sufficient to enable the camera to see.

All recordings to be retained for a minimum period of 28 days from date of recording;

All recordings are to be made available to the police and officers of responsible authorities on request. Recordings must be provided in a downloadable format (preferably onto a disc) suitable for use in any criminal proceedings.

ANNEX 4 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY


Not applicable.

ANNEX 5 - PLAN(S)

Head of Central Services



Premises Licence Summary

LOCAL AUTHORITY	
 NEWCASTLE-UNDER-LYME BOROUGH COUNCIL	Newcastle-under-Lyme Borough Central Services Civic Offices Merril Street Newcastle-under-Lyme Staffordshire ST5 2AG tel: 01782 717717 web: www.newcastle-staffs.gov.uk

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Keele Road Stores

28 Keele Road, Newcastle-under-Lyme, Staffordshire, ST5 2JX.

Telephone 01782 617185

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol	for consumption OFF the premises only		
	Monday - Saturday	08:00	23:00
	Sunday	10:00	22:30

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To	Hours Premises are open to the public.
Monday - Saturday	08:00	23:00	
Sunday	10:00	22:30	

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Harpal Singh

28 Keele Road, Newcastle- under - lyme, Staffordshire, ST5 2JX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

Premises Licence Summary

PL0046

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Harpal Singh

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable.



Appendix 4

Rec no 353203

Est

Please note
Premises to be known as
KEELE ROAD STORES, NOT Premier
Keele Rd Stores.

£89
charge

7-7-11

Application for a minor variation to a premises licence or club premises certificate under the Licensing Act 2003 as confirmed

via telephone call
with Mrs Singh
18/7/11 16.26
S/A

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form, especially Note 1. 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 in black ink. Use additional sheets if necessary. Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

HARPAL SINGH

(Insert name(s) of applicant)

being the premises licence holder(s) / club holding a club premises certificate, apply to vary a premises licence under section 41A / club premises certificate under section 86A 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)	
28 KEELE ROAD NEWCASTLE-UNDER-LYME	
Post town	Post Code
STAFFORDSHIRE	ST5 2JX

Telephone number at premises (if any)

01782 617185

Premises licence number/club premises certificate number

PL0046

Brief description of premises (Please see Guidance Note 2)
CONVENIENCE STORE, OFFERING PAYPOINT, PAYZONE AND LOTTERY SERVICES TO CUSTOMERS, ALSO LICENSED AND PROVIDES DAILY NEWSPAPERS.

Part 2 – Applicant Details

I am/ we are the premises licence holder/~~club premises certificate holder~~
Contact phone number in working hours (if any)

Please tick yes

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS	
Post town	Postcode
Please provide email address if you would prefer us to contact you by email (optional)	

Part 3 – Proposed variation(s)

Do you want the proposed variation to have effect as soon as possible?

Please tick yes

Day Month Year

If not, from what date do you want the variation to take effect?

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

<p>Details of proposed variations (Please see Guidance Note 3)</p> <p>We would like to operate the 'under 25' rule, whereby any customer we feel looks under the age of 25 years will be asked for identification.</p> <p>See attached licensing conditions.</p>

*

Details of proposed variations (Continued)

*

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment

Please tick yes

- a. plays
- b. films
- c. indoor sporting events
- d. boxing or wrestling entertainment
- e. live music
- f. recorded music
- g. performances of dance
- h. anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for

Please tick yes

- i. making music
- j. dancing
- k. entertainment of a similar description to that falling within (i) or (j)

Provision of late night refreshment

Sale by retail of alcohol

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

Wotton

Enclosures

I have enclosed the premises licence/~~club premises certificate~~

I have enclosed the relevant part of the premises licence/
club premises certificate

I have included a copy of the plan
(necessary if the proposed variation will affect the layout) *N/A*.

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have failed to enclose the premises licence/~~club premises certificate~~ or relevant parts.

Any further information to support your application. (See Guidance Note 4)

CHECKLIST:

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan, if appropriate, of the premises in scale [1mm to 100mm], unless otherwise agreed with the licensing authority
- I have enclosed the premises licence/~~club premises certificate~~ or relevant part of it or provided an explanation
- I understand that if I do not comply with the above requirements my application will be rejected.
- I understand that I am required to advertise my application by posting a white notice a or on the premises for ten consecutive working days commencing on, and including the day after the day when my application is given to the licensing authority.

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 5 – Signatures and Contact Details

(See Guidance Note 5)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (See Guidance Note 6) If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

HARJALSINGH
Signature:

Date: 10/06/2011
Capacity: I / We (insert full name and capacity)

sign on behalf of and have authority to bind the applicant.

(- -)
Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (See Guidance Note 7). If signing on behalf of the applicant please state in what capacity.

Sign:

Date:

Capacity: I / We (insert full name and capacity)

sign on behalf of and have authority to bind the applicant.

Where the premises is a club

(
I (insert full name) make this application on behalf of the club and have authority to bind the club

Signature:

Date:

Capacity: I / We (insert full name and capacity)

sign on behalf of and have authority to bind the applicant.

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 8)	
Post town	Post code
Telephone number (if any)	If you would prefer us to correspond with you by email your email address (optional)

Notes for Guidance

1. General Note: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence or certificate has effect;
- transfer the licence or certificate from one premises to another;
- specify, in a premises licence, an individual as the premises supervisor
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) in a premises licence.

2. Description of premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines, etc.

3. Give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. (However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation). Relevant information includes:

a) Variations to licensable activities/licensing hours (all timings should be given in 24 hour clock (e.g. 16.00). Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors. Indoors may include a tent;
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer;
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or

- impede the effective operation of a noise reduction measure.

c) **Revisions, removals and additions of conditions:** The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) **Variations to opening hours:** Details of any changes to hours when the premises or club is open to the public.

4. **Further information:** You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

5. **Signatures:** The application form must be signed.

6. **Authorised agent:** An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

7. **2nd Applicant:** Where there is more than one applicant both applicants or their respective agents must sign the application form.

8. **This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided."**

Licensing Conditions

1 - A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and they cannot prove that they are eligible to purchase the age restricted item with a valid UK Photocard Driving Licence, a valid UK Passport or PASS accredited proof of age scheme card, they will be refused service.

2 - Challenge 25 posters will be displayed at the premises to reinforce this policy. The posters will be displayed prominently and in sight of customers and staff.

3 - A Refusal Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by the police or officers of responsible authorities (The Refusal Registers are available from Trading Standards; Tel No 0300 111 8000).

4 - All staff working at the premises involved in the sale of age restricted products including the sale and supply of alcohol will receive ongoing training. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to police and officers of responsible authorities on request. Records shall be retained at the premise.

5 - A recording CCTV system will be fitted:-

A benchmark recording without recording any people will be made to check against subsequent images recorded in the future;

The picture will be clear enough to identify people; the time and date displayed will be correct;

✘ The cameras will cover all vulnerable areas and will be sited to cover all entrances, exits.

The lighting will be sufficient to enable the camera to see.

All recordings to be retained for a minimum period of 28 days from date of recording;

All recordings are to be made available to the police and officers of responsible authorities on request. Recordings must be provided in a downloadable format (preferably onto a disc) suitable for use in any criminal proceedings.

Public Notice

Licensing Act 2003: Minor Variation of Premises Licence

I/we (1) **HARPAL SINGH**

Do hereby give notice that I/we have applied to the Licensing Authority at Newcastle Borough Council for a minor variation to the (2) Premises Licence/Club Registration Certificate at

(3) **28 KEELE ROAD, NEWCASTLE-UNDER-LYME, ST5 2JX.**

and known as (4) **PREMIER, KEELE ROAD STORES**

The application is to:- (5)

ADD FURTHER CONDITIONS TO THE PREMISE LICENCE, INCLUDING THE OPERATION OF CHALLENGE 25, A REFUSALS REGISTER, STAFF TRAINING AND THE OPERATION OF CCTV.

Any person wishing to make representations to this application may do so by writing to Newcastle Borough Council, Licensing Section, Central Services, Civic Offices, Merrial Street, Newcastle-under-Lyme, ST5 2AG or by email to licensing@newcastle-staffs.gov.uk not later than (6)

..... Representations received after this date cannot be considered.

A copy of the application can be viewed at Newcastle Borough Council, Licensing Section, Central Services, Civic Offices, Merrial Street, Newcastle-under-Lyme, ST5 2AG, during normal office hours.

It is an offence knowingly or recklessly to make a false statement in connection with this application, the maximum fine on summary conviction being £5,000.

Signed:
Applicant / on behalf of the applicant

Dated:

(Note: This notice must be prominently displayed on the premises to which it relates where it can be seen by members of the public for 10 working days starting on the day after the day on which the application was given to South Staffordshire District Council)

- (1) Insert name of applicant (normally holder of Premises Licence or club Premises Certificate)
- (2) Delete that not applicable
- (3) Insert postal address of premises
- (4) Insert name premises is known by
- (5) Insert brief description of proposed variation
- (6) Insert date 10 working days after the date the application is given to the Local Authority

Appendix 5

Case Officer: Claire Ryles
Email: claire.ryles@newcastle-staffs.gov.uk
Reference: Licensing Inspection / 014008
Date: 30 January 2015

For the attention of Mr Harpal Singh

**Keele Road Stores
Keele Road
Newcastle Under Lyme
Staffordshire
ST6 2JX**

Dear Mr Singh

**Licensing Act 2003
Gambling Act 2005
Health Act 2006**

Re: Licensing Inspection of Keele Road Stores

I refer to the inspection of the above premises on 22 January 2015. The purpose of the visit was to assess your compliance with the above legislation.

At the time of my visit there were some issues that will need to be addressed. Please find your Licensing Report Attached.

If you would like to discuss any matters raised at the time of my visit or have any general queries please do not hesitate to contact me on the number provided.

Yours faithfully

**Claire Ryles
Licensing Enforcement Team**

NOTES ABOUT THE ATTACHED PREMISES INSPECTION REPORT

- You may do works other than those specified in the report but these must be agreed with the inspecting officer and achieve the same minimum standard or objective.
- This report only covers the areas inspected as they were found at the time of the inspection, however it should be noted that this is not an exhaustive report covering all legislation relevant to the company's undertakings as this would not be possible given the time period spent on the premises.
- Under the Freedom of Information Act 2000, a copy of this and any previous report relevant to this premises, may be requested by any person or organisation.

Licensing Enforcement Team Environmental Health

Licensing Inspection Report

Business details

<i>Name of Designated Premises Supervisor</i>	Mr Harpal Singh
<i>Trading name</i>	Keele Road Stores
<i>Business address:</i>	Keele Road Stores, Keele Road, Newcastle Under Lyme, Staffordshire, ST5 2JX

Intervention details

<i>Date, time & intervention type</i>	22 January 2015 Full inspection/ Partial inspection
<i>Specific law under which intervention conducted</i>	Licensing Act 2003 Gambling Act 2005 Health Act 2006
<i>Areas inspected/audited</i>	Whole Premises and Smoking Area
<i>Names of persons seen/interviewed</i>	Mr Harpal Singh
<i>Documents and records examined</i>	Premises license, refusals book

Schedule A – Requirements in accordance with the conditions of your Premise Licensing Schedule.

❖ 1. Inspection Issues

<i>No.</i>	<i>Item</i>
1.	<p>Your premises license states that, "All staff working at the premises involved in the sale of age restricted products including the sale and supply of alcohol will receive ongoing training. This will be recorded in a staff training register and will also include a written test of knowledge. The training records must be made available to police and officers of responsible authorities on request. These records must be kept at the premises."</p> <p>At the time of my visit there were <u>no staff training records on site</u>. Please could you complete training with your staff and then keep the records at the premises. Supporting documents are enclosed with this letter.</p>

Continued

No.	Item
2.	<p>Your premises license states that, "A refusals register is to be used to record all incidents when a sale is refused."</p> <p>At the time of my visit your last refusal recorded in the book was 11.10.2014. This is quite a significant time ago and I would ask that remind your staff that it is a condition in the license that they must record all refusals.</p>

Appendix 6

Mr Harpal Singh
Keele Road Stores
28 Keele Road
Newcastle-under-Lyme
ST5 2JY

Telephone: (01782) 297008
Facsimile: (01782) 297010
E-mail: kathryn.bevan@staffordshire.gov.uk
Website: www.staffordshire.gov.uk

Please ask for Kathryn
For hearing impaired callers only, please call
Minicom (01785) 276207

Dear Mr Singh

13 October 2015

Re: Licensing Act 2003
&
Tobacco Advertising and Promotions Act 2002

I visited your premise on 7th October 2015, and spoke with Adreeca Bachra. At the time of my visit you were not complaint with some of the conditions on your premise licence.

Under section 136 of the Licensing Act 2003 a person commits an offence if he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation.

I have listed below the conditions which were non-compliant at the time of my visit. The conditions are listed (in bold), as it appears on the premise licence, followed by an explanation of the breach;

- **All staff working at the premises involved in the sale of age restricted products including the sale and supply of alcohol will receive on going training. This will be recorded in a staff training register and will include a written test of knowledge. The training records must be made available upon request.** Staff training records were not available at the time of my visit
- **A refusals register is to be used to record all incidents when a sale is refused. This was not available at the time of my visit.**
- **Challenge 25 posters will be displayed at the premises to reinforce this policy. At the time of my visit there were no posters displayed, just a small shelf edge label.**

You must rectify the above immediately. If you do not, then you may be liable on summary conviction of up to a £20,000 fine and/or up to 6 months imprisonment for each offence committed.

If you are unable to comply with the condition immediately you must stop selling alcohol until such time as you are compliant with the conditions on the Premise Licence. This will entail the removal or the covering of all alcohol on display in the premise.



On a separate but related matter, a price list for tobacco was not available at the time of my visit. This is a requirement under the above legislation. I have enclosed guidance on the tobacco display ban for your information, which details the requirements for a price list. Please now ensure you have a written price list available for the tobacco you sell as per the enclosed guidance.

If you need any further information or wish to discuss any of the above please contact me on 01782 297008

Yours sincerely

Kathryn Bevan
Enforcement Officer – Community Safety