

Hastings Borough Council

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 Trevor Scrase - Senior Licensing Officer, Hastings Borough Council

(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 NISA Local 1 - 3 Parkstone Parade Parkstone Road	
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Post town Hastings	Post code (if known) TN34 2PS
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Name of premises licence holder or club holding club premises certificate (if known) VJN Groceries Ltd
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Number of premises licence or club premises certificate (if known) HOP50367

Part 2 - Applicant details

I am

Please tick yes

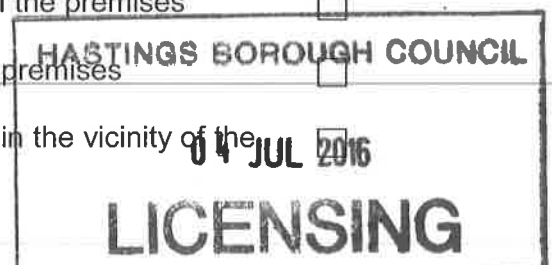
1) an interested party (please complete (A) or (B) below)

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 ☐



WM201606051
End 1/8/2016

- 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

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 Licensing Authority Hastings Borough Council Aquila House Breeds Place Hastings, TN34 3UY.
Telephone number (if any) 01424 783240
E-mail address (optional) Licensing@hastings.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

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

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

The grounds for a review are based on the breaches of a number of conditions of the premises licence under the licensing objectives, the prevention of crime and disorder, and the protection of children from harm. This is due to ongoing poor control of the shop by the premises licence holder and the designated premises supervisor, which has come to notice as a result of a recent food safety inspection. The breaches are of a serious nature that would justify a prosecution under section 136 of the Licensing Act 2003 for unauthorised licensable activities. However such a prosecution, if convicted would not affect the premises licence.

Premises licence number HOP50367 was originally granted on the 13th June 2008 to Millenium C Stores Ltd under Mr Uday PATEL. The premises licence authorises the sale by retail of alcohol for consumption off the premises, Monday to Sunday from 08.00 hours to 23.00 hours. On 28th October 2008 Mr Patel, changed his limited company by transfer and the shop name to NISA Local. On the 25th November 2009 a new premises holder Mr Amit GOHIL transferred the licence, then on the 11th Oct 2010 it was transferred to another limited company name, KP & UK Ltd, by the same person. On the 11th May 2012, the premises licence was transferred from KP & UK Ltd to Ganas Food & Wine Ltd. Companies house records show the registered officer for that company as Mr Kanapathillai SANJEEV, 15 Shelley Court, Malden Way, New Malden, Surrey.

Premises licence TCS/1 refers. The designated premises supervisor is Mr Kulasekaram JEYRAJI, 15 Shelley Court, resident at the same address Mr Sanjeev.

On the 19th April 2016, information was received from the Food Safety Team, Environmental Services, Hastings Borough Council, that on a food inspection visit, the shop had changed ownership to VJN Groceries Ltd. My contact details were left at the shop requesting the owner or manager to contact me regarding the



requirement under section 33 of the LA2003 to notify change of name or address of the premises licence holder. This process is known as the transfer of a premises licence.

By the 4th May 2016 - no contact was received. I visited the shop and found a member of staff who I now know to be Grace SANJEEVAN, working in the shop. She was behind the sales counter. I identified myself to her. She was the only staff member on duty. She explained the manager was due in at 1400 hours. She was requested to ask him to contact me before office hours at the end of that day. A letter was left to be handed to the manager. Enquiries reveal she is a personal licence holder, issued by Croydon Council but was unable to produce this when requested. Companies house records were checked and the records show Ganas Food and Wine Ltd, with the registered officer Mr Kanapathillai SANJEEV, 15 Shelley Court, Malden Way, New Malden, Surrey as the sole company officer. TCS/3 refers. A check on VJN Groceries Ltd shows Mr Kanapathipalli SANJEEV as the current sole officer. The registered company address is recorded as 5 Bankside, Thames Ditton, Surrey. TCS/4 refers.

On the 11th May 2016 - a visit by the Licensing Manager and myself was made at 16.20 hours. We identified ourselves as officers of the licensing authority, spirits, wine and beer were on display for sale. Present was a male who identified himself by his driving licence as Waqar AHMAD, 29 Chester Road, Watford. He was the only staff member in the shop. He explained he was looking after the shop for a friend who had to go out for a few hours. He gave the shop managers name as Mr Sonny GUPTA, who was not present. He was asked if he knew the person Kulasekaram Jeyraji specified on the summary which was on display as the designated premises supervisor (DPS). He admitted he did not know the person and had not been authorised to sell alcohol by him as required under the LA2003. He was unable to produce a list of authorised staff with his name, signed by Jeyraji as the DPS, as advised in Section 182 Guidance issued under the LA2003. He was advised that from what we had seen, further sales of alcohol would be unlawful contrary to Sec 136 of the LA2003. I requested the manager Sonny GUPTA contact me at my office after 1400 hours the following day. On our visit no other staff members were seen. A number of customers purchased items from the shop but not alcohol.

On the 12th May 2016 - no contact received from Sonny GUPTA, shop manager.

On the 17th May 2016 - 11.50 hours, I visited the store again. Present was Sonny GUPTA, who lived nearby in Hastings. He confirmed he was the manager. He gave the shop owner as Mr Kanapathipillai SANJEEV. He was asked if he knew Mr Jeyraji, the DPS. He admitted he did not know him and had not seen him or been spoken to by him. He had not been authorised to sell alcohol and he himself was not a personal licence holder. Mr GUPTA called Mr SANJEEV on his mobile and I spoke to him. During the course of my visit, one male asked to purchase a bottle of vodka which was refused by Mr GUPTA. Notes were made in PNB pages 90 to 94.

On the 18th May 2016 - Mr SANJEEV attended our offices as agreed to complete the application to transfer the premises licence to VJN Groceries Ltd. I recognised Mr SANJEEV as the same person I had seen in the shop a few years previously on a visit. To assist, I sent a copy of the transfer to police licensing. I requested confirmation of the correct details of the DPS from Mr Sanjeev. TCS/2 refers.

On the 9th June 2016 - confirmation of the DPS was received - Mr Kulasekaram JEYRAJI, personal licence number LN20112453, issued by Merton Council. There being no change of DPS details, I re issued the premises licence HOP50367 to VJN Groceries Ltd and sent it to Mr SANJEEV at his home address.

I requested that he attended our offices for the purpose of a recorded interview regarding breaches of the Licensing Act 2003 and some conditions of the premises licence. These are listed as follows:-

1. Failing to notify change of name / address of the premises licence holder. Contrary to Section 33 Licensing Act 2003.
2. Unauthorised licensable activity, namely selling alcohol without the authorisation of

a premises licence by failing to transfer the premises licence to the new regd ltd company, contrary to section 136, Licensing Act 2003;

3. Unauthorised licensable activity, contrary to section 136 LA2003, namely selling alcohol by retail for consumption off the premises in non compliance with the following conditions of Annex 2 of the premises licence which are:-

General:

To ensure staff and management are trained in the requirements of the Licensing Act 2003 and comply with the conditions of the licence, as specified below in line with the licensing objectives.

The prevention of crime & disorder.

To ensure the staff on duty are 2 in number to provide appropriate level of supervision and monitoring of the store and the behaviour of customers and deter shoplifting, crime, nuisance, anti social behaviour and street drinking, underage sales of alcohol or other age related goods. (Comment - at no time on any visit by me has there been more than one staff member on duty. In interview Mr Sanjeev admits that although his landlord has reduced his rent, the business rates paid to HBC of £700 per month, do not allow him to employ two staff in the shop all the time).

To liaise with the licensing authority, Safer Hastings Partnership and the police regarding issues involving matters relating to crime, anti social behaviour, street drinking. (Comment -No liaison has taken place since licence transferred in May 2012)

The protection of children from harm.

To ensure staff are trained regarding the responsibilities of the sale of alcohol, in particular the sale to persons under 18, persons over 18 years of age who are suspected of purchasing alcohol for persons under 18, persons who are drunk or intoxicated, or are disorderly or abusive. (Comment - there is no evidence that any staff training has been given. No staff training records have been produced despite request).

To ensure staff only accept appropriate photographic proof of identification, ie. Photo driving licence, passport, or other approved photo id cards. (Comment - in respect of the evidence that no staff training has been given, or can be proved, there being no refusals register produced, there is a high probability that this will not have been enforced).

To ensure appropriate signage is displayed on shelves, counters and the point of sale area, warning of the challenge 21 policy for the sale of alcohol. (Comment - no challenge 21 posters, stickers etc displayed anywhere in the shop).

To ensure that the following measures, requested by East Sussex County Council Trading Standards and agreed by the premises licence holder, are complied with:-

That a written record of staff training is kept; (Comment - already covered)

That a written record of authorisation to sell alcohol is maintained for each staff member; (Comment - no list of authorised staff presented).

That a record of refusals to sell alcohol is kept at the premises and that document is regularly reviewed by the Designated Premises Supervisor; (Comment - already covered).

That the premises implements a Challenge 21 policy and advertises that policy. (Comment - already covered).

29th June 2016 - Mr Sanjeev had been unable to attend three previous appointments but agreed to attend on this day. The interview was to be recorded, to comply with the Police & Criminal Evidence Act 1983 but on two occasions the recorded indicated defective cd's. The interview was continued with Mr Sanjeev's agreement by written question and answer. The record of interview is TCS/10.

In the handwritten interview, Mr Sanjeev has answered the questions put to him and agrees that he is not a personal licence holder. The DPS is the husband of his sister.

The questions asked in interview and the answer's given, confirm my professional opinion as the holder of a personal licence under the LA2003 and a BIIAB National Certificates for Personal Licence Holders and Licensing Practitioners, that he has little understanding of the responsibilities of a premises licence holder in respect of the responsible sale by retail of Alcohol for consumption off the premises.

My additional grounds are that:-

He only visits the shop when his other employment permits, 3 or 4 times a month; The DPS visits less frequently. The DPS is a named 'single point of contact' on the premises licence, deemed to be in charge of the 'day to day' running of the business, in respect of all alcohol sales. As a personal licence holder, the DPS, in this case Mr Jeyraji, is responsible for training the staff and authorising them to sell alcohol. It is part of that responsibility of a DPS to train staff, ensure full compliance with the conditions of the premises licence jointly with the premises licence holder. This clearly has not been done.

My investigation started on the 19th April 2016, it has become obvious that both before that date and since the company have not been promoting the licensing objectives as required by the Licensing Act 2003. Conditions attached to the licence have been breached continuously and little effort has been made to remedy the situation since my concerns have been raised with Mr Sanjeev in April, May and June 2016. This is a very poor level of management control and the interview on the 29th June 2016 showed clear non compliance has occurred over a prolonged period of time.

Although this shop has not come to notice to this office for underage sales of alcohol, there are two senior schools in the vicinity. There is no proof of 'due diligence' to prevent any such underage sales in training records, or in the registering of refusals. Mr Sanjeev at the conclusion of the interview and 'off the record' requested that if I can advise him or provide him with the guidance, he will rectify the situation. This is not within my role, as the point of action has already reached enforcement level. Inspections of licensed premises is primarily on the basis of complaints being received by us as the licensing authority, from members of the public, police or other responsible authorities such as ESCC Trading Standards. In this case, this shop came to our attention by a food officer and a series of visits has now proved the ongoing non compliance.

Conclusion.

I submit this review on the grounds of poor management control and continued non compliance with the conditions of the premises licence, which as a result have undermined the licensing objectives of the prevention of crime and disorder and protection of children from harm. I respectfully request that the licensing sub committee consider the revocation of the premises licence on these grounds. If the premises licence was suspended for the maximum period of three months allowed, to allow staff training, it is unlikely this will be achieved with the current holdership and dps. The removal of the designated premises supervisor would prevent any alcohol sales until a suitable replacement, with a more active role as DPS is nominated. Such appointment will be subject of police approval. The addition or amendment of existing conditions is unlikely to have a possitive effect, as the conditions have and continue to be breached.

Please provide as much information as possible to support the application
(please read guidance note 2)

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

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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 4th July 2016.

Capacity Senior Licensing Officer - Hastings Borough Council

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Licensing
Hastings Borough Council
Aquila House
Breeds Place

Post town

Hastings

Post Code

TN34 3UY.

Telephone number (if any) 01424 783240

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Licensing@hastings.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.

HASTINGS BOROUGH COUNCIL

STATEMENT OF WITNESS

The Magistrates' Courts [Forms] Rules 1981 as amended by the magistrates' Courts [Forms] [Amendment] Rules 1997
CJ Act 1967 S 9; MC Act 1980, ss5A [3][a] and 5B; MC Rules 1981 R 70
MC [Witnesses Addresses] Rules 1990

Statement of: Trevor Charles SCRASE


Age of Witness [if over 18 enter 'over 18']: Over 18

Occupation of Witness: Senior Licensing Officer

This statement [consisting of 4 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 anything which I know to be false or do not believe to be true.

Date: 11/08/2016 Signature: 

I am employed as a Senior Licensing Officer for Hastings Borough Council, based at Aquila House, Breeds Place, Hastings, TN34 3UY. I have held this position since June 2006, previously I was the Licensing Development Officer from November 2004. Prior to employment with Hastings Borough Council, I was a police constable in Sussex Police, completing thirty years service in November 2004. I am the holder of the BIIAB National Certificate for Personal Licence Holders certificate, which is an accredited qualification. I am also the holder of a personal licence number 08 / 00276 / LAPER issued by Rother District Council on 19th April 2008. I am also the holder of a BIIAB National Certificate for Licensing Practitioners of the Licensing Act 2003, which is an accredited qualification. I am an authorised person as specified under section 108 (5) (a) of the Licensing Act 2003, being an officer of the licensing authority in whose area the premises are situated.

On the 23rd November 2005, the Licensing Act 2003 came into force as the only authorisation for the sale by retail of alcohol and combining with certain regulated entertainments and late night refreshment. On the 13th June 2007, a premises licence was granted for the sale by retail of alcohol at 1 – 3 Parkstone Parade, Parkstone Road, Hastings. On the 11th May 2012, the premises licence was transferred to Ganas Food and Wine Ltd, a registered limited company, the single officer registered named as Mr Kanapathipillai, SANJEEV, of 15 Shelley Court, Malden Way, New Malden, Surrey, KT3 6EU. I produce a copy of the premises licence for NISA Local, 1 – 3 Parkstone Parade, Hastings marked as item TCS/1 (Exhibit number ). On the 19th April 2016, I received information from Mrs Karis

Signature:  Witnessed by: _____

HASTINGS BOROUGH COUNCIL

Page No: 2 of 4

Continuation of Statement: ...Trevor Charles SCRASE.....

VALLI, Food Safety Officer, Hastings Borough Council, of her inspection of NISA Local, 1 – 3 Parkstone Parade. I requested she left my business card on her return visit, with a request for the owner or shop manager to call me regarding the transfer of the premises licence. I subsequently visited the shop on the 4th May 2016, at 12.20 hours, where I saw a female member of staff working behind the sales counter in the shop. I identified myself to her and showed her my photo identification. There was no other staff member working in the shop at the time of my visit. I was informed that the shop manager was expected into the shop at 14.00 hours and I requested she asked the shop manager to contact me in the office before the end of that afternoon. I left my details in the envelope containing a sealed letter. I subsequently made enquiries with companies house and ascertained that a second registered limited company was now listed for 1 – 3 Parkstone Parade, Hastings. This was registered as, VJN Groceries Ltd. The shop address was given as the registered company address and Mr Kanapathipillai, SANJEEV, of 5 Bankside Drive, Thames Ditton, Surrey, KT7 0AJ was the sole officer registered of the registered limited company. At time of my search of Companies House records on the 4th May 2016, the new operator of NISA Local, VJN Groceries Ltd had not notified this licensing authority of the transfer of the premises licence to a new limited company or of the change of address of the holder. On the 11th May 2016, I visited the shop again at 16.20 hours, in company with Mr Robert BROWN, Licensing Manager. A male was in the doorway as we parked outside, who went inside of the shop as we approached. On entering, the same male was standing behind the sales counter. We identified ourselves to him as licensing officers and showed our photo identification. When asked, he gave his name as Waqar AHMAD, born 12th December 1985 of 29 Chester Road, Watford, WD18 0RG. He produced his provisional phot driving licence as proof of identification. He was the only staff member present in the shop. In conversation he explained that he was looking after the shop for a friend who had had to go out for a few hours. I asked for permission to go behind the sales counter to examine the pages of the premises licence summary on display. I pointed to the name of the person who was nominated as the designated premises supervisor, Kulasekaram JEYRAJI, of an address 15 Shelley Court, Malden Way, New Malden, Surrey, KT3 6EU. When asked if he knew this person, he answered that he did not. When asked if he had been authorised to sell alcohol by this person and his name was recorded on a list of authorised staff to sell alcohol he did not seem to understand. I informed him that on the basis of being unable to produce a list of authorised staff, with his name recorded and signed by the DPS JEYRAJI, I was of the opinion that any further sales of alcohol in the store would be unlawful. The designated premises supervisor is a personal licence holder who is nominated by the premises licence holder and is the sole person responsible for authorising all sales of alcohol in accordance with the requirements of the Licensing Act 2003. Although this named and nominated

Signature: Witnessed by:

HASTINGS BOROUGH COUNCIL

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Continuation of Statement: ...Trevor Charles SCRASE.....

person does not have to be present throughout the times the shop is authorised to sell alcohol, it is 'best practice' that the DPS will have undertaken the training of all staff in their responsibilities of alcohol sales and listed all staff, countersigning the list as proof of authorisation as explained in the Section 182 Guidance to the Licensing Act 2003. I left my business card for his friend to contact me at our offices the following day. Mr Brown and I left the shop at 16.35 hours.

On the 17th May 2016, I revisited NISA Local again. On this occasion I saw a male to whom I identified myself and showed my photo identification. This male identified himself as Mr Sunny GUPTA, born 23rd October 1988, of 17 Tall Ash Drive, St. Leonards on Sea. He confirmed the name of the owner of the shop as Kanapathipillai SANJEEV. He wrote his name and the name of the owner in my pocket notebook at my request. When asked he did not know the person shown on the premises licence called Kulasekaram JEYRAJI and had not been authorised by him to sell alcohol. He could not produce when requested a list of authorised staff to sell alcohol. Mr GUPTA admitted that he is not a personal licence holder under the Licensing Act 2003.

Whilst in the shop GUPTA telephoned the shop owner Mr SANJEEV. He offered me his phone and I spoke to Mr SANJEEV. I explained who I was and why I was in his shop and that from what I had seen, been told and knew of the premises licence, that all sales of alcohol from that time were unlawful and could render any person selling alcohol liable to a fine of up to £20,000 or six months imprisonment or both. On his instructions GUPTA pulled down the roller blinds on the spirits sales display shelves behind the sales counter. During the course of my visit there was a steady flow of customers, one of whom asked about vodka but was advised by GUPTA that it could not be sold at that time. Mr SANJEEV agreed to attend our offices the following day. On the 18th May 2016, I saw Kanapathipillai SANJEEV. I recognised him from a visit to the shop a few years previously. He gave his new address as 5 Bankside, Thames Ditton, Surrey, KT7 0AJ. When questioned, without caution, he explained that he owns Ganas Food and Wine Ltd and the new company VJN Groceries Ltd. He explained that he visits the shop a couple of times a week. He confirmed that the personal licence holder nominated as the designated premises supervisor (DPS), Kulasekaram JEYRAJI was still the same at the address 15 Shelley Court. I explained that I had written to Kulasekaram JEYRAJI at that address but had not received any reply to my letter. I produce a copy of the letter marked as item number TCS / 3 (Exhibit number).

SANJEEV completed the application to transfer the premises licence from Ganas Food and Wine Ltd to his new company VJN Groceries Ltd. He paid the £23.00 fee and I offered to send a copy of the transfer application on his behalf to the Chief Officer of Police, Licensing at Bexhill Police Station. I requested confirmation of the correct and current details of

Signature: Witnessed by:

HASTINGS BOROUGH COUNCIL

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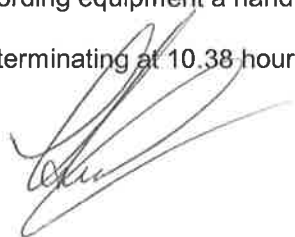
Continuation of Statement: ...Trevor Charles SCRASE.....

Kulasekaram JEYRAJI, as the DPS, including his address and personal licence number. After reminding SANJEEV of the request for these details, by email on two occasions, the correct details were confirmed. On the 10th June 2016, I visited the shop again. This time in company with Mrs Rona SPENCER, Licensing Officer. On this occasion we saw a female who gave her name as Grace Ajantha SANJEEVAN, born 10th May 1986. I recognised her as the same female I had seen on my first visit on the 4th May 2016. She explained that she was a personal licence holder under the Licensing Act 2003.

At the time of the issue of her personal licence by Croydon Council, she had the name of Grace Ajantha PAPATHEEPAN, then living at 233B Bensham Lane, Thornton Heath, Surrey, CR7 7ET. She was unable to produce her personal licence to me. She was unable to find the refusals register, or the full copy of the premises when requested. She made a telephone call on her mobile phone and spoke to what is believed to be the 'new manager'. She told me that the previous manager I had met on the 17th May, Sunny GUPTA was no longer working at the shop. There were no signage displayed on the shelves, counters or at the point of sale area, warning of the Challenge 21 policy for the sale of alcohol. This breached a condition on the operating schedule of the premises licence.

On the 29th June 2016, in company with Mrs Rona SPENCER, Licensing Officer, we interviewed Mr Kanapathipillai SANJEEV in the interview room, lower ground floor, Aquila House, Breeds Place Hastings. He was cautioned and due to a malfunction with the cd recording equipment a hand written contemporaneous interview record was made. This commenced at 09.50 hours, terminating at 10.38 hours. I produced a typed record of interview as item number TCS/11.

(Exhibit number).



Signature:  Witnessed by:

Licensing Act 2003

TRANSFER 11 MAY 2012



PREMISES LICENCE

Premises licence number

HOP50367

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

NISA LOCAL
1 – 5 PARKSTONE PARADE,
PARKSTONE ROAD

Post Town

HASTINGS, EAST SUSSEX

Post Code

TN34 2PS

Telephone number

Where the licence is time limited the dates

NONE

Licensable activities authorised by the licence

SUPPLY OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

MONDAY – SUNDAY 08.00 – 23.00

The opening hours of the premises

MONDAY – SUNDAY 07.00 – 2300

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

HASTINGS BOROUGH COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

GANAS Food & Wine Ltd
15 Shelley Court
Malden Way
New Malden
Surrey
KT3 6EU

Now VTN GROCERIES LTD

(Transfer of premises licence 11th May 2012)

Registered number of holder, for example company number, charity number (where applicable)

07898160

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

KULASEKARAM JEYARAJ
15 SHELLEY COURT
MALDEN WAY
NEW MALDEN
SURREY
KT3 6EU.

SAME

(Change of DPS 11th May 2012)

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

LICENCE NUMBER: LN 2011 2453

ISSUING AUTHORITY: LONDON BOROUGH OF MERTON



HASTINGS BOROUGH COUNCIL

Annex 1 – Mandatory Conditions

- 1) If this premises licence authorises the supply/sale of alcohol, the following two conditions apply:
 - (i) No supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - (ii) Every supply/sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

- 2) If this premises licence authorises the exhibition of films the admission of children to the exhibition of any film must be restricted in accordance with this section.

Hastings Borough Council will expect the age restrictions of the British Board of Film Classification (BBFC) or authority designated under Section 4 of the Video Recordings Act 1984 to be complied with. Only in exceptional cases will variations of this general rule be granted by the Council and then only with the appropriate safeguards

- 3) If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity (as defined by the Private Security Industry Act 2001) then such individuals must be licensed by the Security Industry Authority.

HASTINGS BOROUGH COUNCIL

Annex 2 – Conditions consistent with the operating schedule

General

To ensure staff and management are trained in the requirements of the Licensing Act 2003 and comply with the conditions of the licence, as specified below in line with the licensing objectives.

To ensure the interior of the store is maintained well lit and clean at all times.

The prevention of crime & disorder

To ensure the installed CCTV system is operational and maintained. To ensure the system is monitored by duty staff and the 7 internal and 2 external cameras are fully functioning.

To ensure all digitally recorded images are retained and stored for 31 days and access is available to the police or licensing authority at reasonable times.

X To ensure the staff on duty are 2 in number to provide appropriate level of supervision and monitoring of the store and the behaviour of customers and deter shoplifting, crime, nuisance, anti social behaviour and street drinking, underage sales of alcohol or other age related goods.

To ensure that staff monitor the forecourt and car park area in front of the premises, in respect of any activity, to assist the prevention of crime and disorder by reducing the consumption of alcohol in a public place.

To enrol in local CDRP initiatives to encourage a safer environment for other local businesses and local residents.

To ensure the audible alarm system installed in the premises, is operational and maintained with Staff trained in the safe and appropriate response to its activation.

To liaise with the licensing authority, Safer Hastings Partnership and the police regarding issues involving matters relating to crime, anti social behaviour, street drinking.

Public safety

To ensure the relevant health & safety risk assessments and fire safety risk assessments are undertaken and regularly reviewed and amended as required.

To ensure the first aid box is regularly checked, maintained and equipped as required. To ensure staff are aware of its location.

To ensure staff are trained in basic fire awareness, evacuation procedures, first aid and food hygiene.

To ensure the fire extinguishers and fire safety equipment is checked regularly and serviced in line with the requirements. To ensure written records are kept of checks and staff training drills.

The prevention of public nuisance

No Alcohol will be sold in open containers and staff will monitor the forecourt of the building to discourage any consumption of Alcohol purchased in store.

The protection of children from harm

To ensure staff are trained regarding the responsibilities of the sale of alcohol, in particular the sale to persons under 18, persons over 18 years of age who are suspected of purchasing alcohol for persons under 18, persons who are drunk or intoxicated, or are disorderly or abusive.

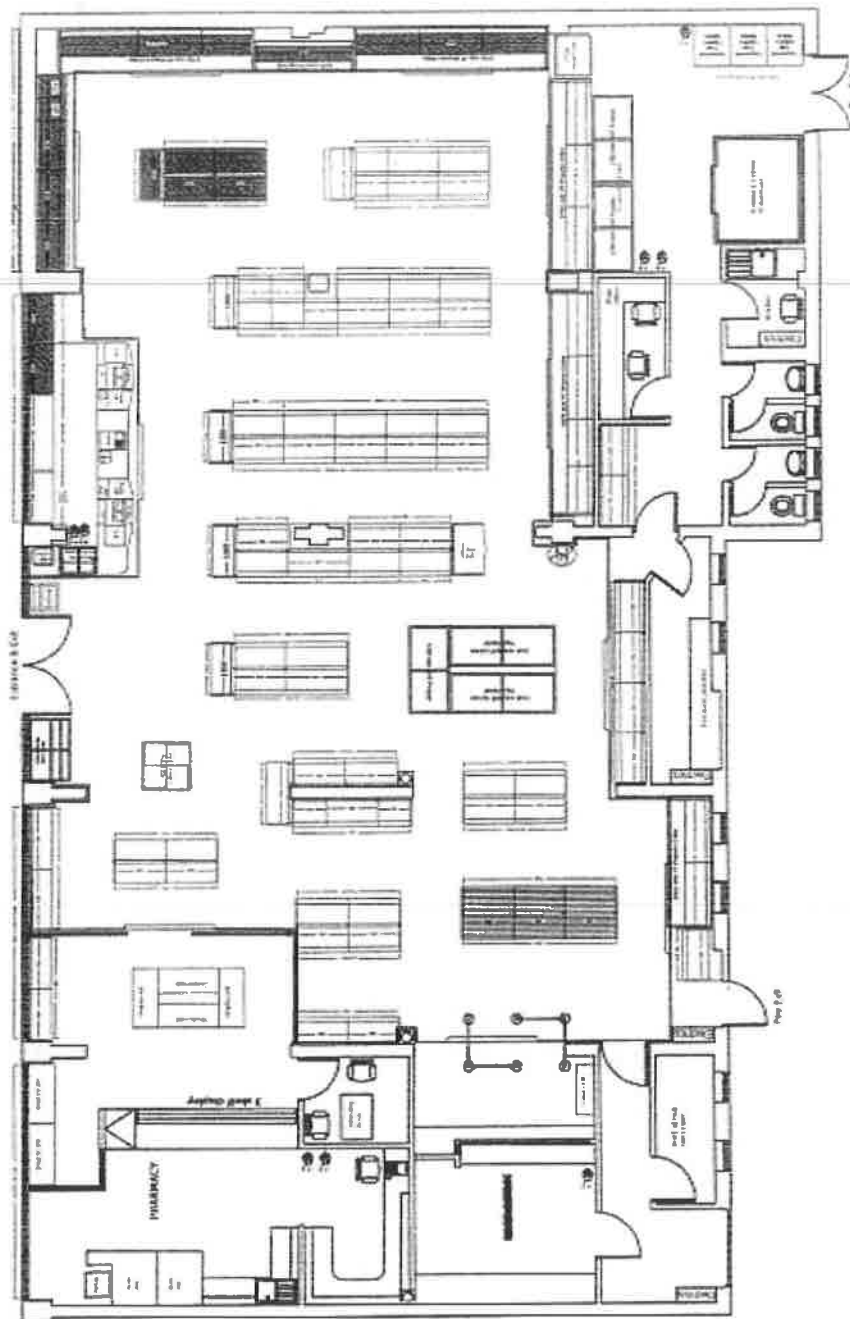
To ensure staff only accept appropriate photographic proof of identification, ie. Photo driving licence, passport, or other approved photo id cards.


X To ensure appropriate signage is displayed on shelves, counters and the point of sale area, warning of the challenge 21 policy for the sale of alcohol.

To ensure that the following measures, requested by East Sussex County Council Trading Standards and agreed by the premises licence holder, are complied with:-

- That a written record of staff training is kept;
- That a written record of authorisation to sell alcohol is maintained for each staff member;
- That a record of refusals to sell alcohol is kept at the premises and that document is regularly reviewed by the Designated Premises Supervisor;
- That the premises implements a Challenge 21 policy and advertises that policy.

Annex 4 – Plans



Rev	Designation	Total Floor Space: 349,344 sq. ft./100 sq. ft.	Retail Floor Space: 229 sq. ft. / 217% sq. ft.
Clearing Title M&T Corp. 13157 Paradise Parade Palo Alto Road Menlo Park, CA 94025 Sponsor: TDA 295	 City of San Jose Planning Department 1000 West San Carlos San Jose, CA 95128 Tel: (415) 350-7200 Fax: (415) 350-7201	Date: 9.1.2004 Drawing No: 1-100 Drawing Title: Palo Alto Road Highway 40	Drawing Title: 13157 Paradise Date: 9.1.2004 Drawing Title: 13157 Paradise

PREMISES LICENCE

Premises licence number

HOP50367

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

NISA LOCAL

1 – 3 PARKSTONE PARADE,
PARKSTONE ROAD

Post Town

HASTINGS, EAST SUSSEX

Post Code

TN34 2PS

Telephone number

Where the licence is time limited the dates

NONE

Licensable activities authorised by the licence

SUPPLY OF ALCOHOL

HASTINGS BOROUGH COUNCIL

15 JUN 2016

LICENSING

The times the licence authorises the carrying out of licensable activities

MONDAY – SUNDAY

08.00 – 23.00

The opening hours of the premises

MONDAY – SUNDAY

07.00 – 2300

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

HASTINGS BOROUGH COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

VJN GROCERIES LTD
1 – 3 PARKSTONE PARADE
PARKSTONE ROAD
HASTINGS,
TN34 2PS.

(Transfer of premises licence to new ltd company on 18th May 2016)
(Transfer of premises licence 11th May 2012)

Registered number of holder, for example company number, charity number (where applicable)

08763213

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

KULASEKARAM JEYARAJ
15 SHELLEY COURT
MALDEN WAY
NEW MALDEN
SURREY
KT3 6EU.

(Change of DPS 11th May 2012)

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

LICENCE NUMBER: LN 2011 2453

ISSUING AUTHORITY: LONDON BOROUGH OF MERTON

HASTINGS BOROUGH COUNCIL

Mandatory Conditions**All Premises Licence authorising supply of alcohol**

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

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.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

HASTINGS BOROUGH COUNCIL

Mandatory Conditions – continued

- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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 either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
- 6. The responsible person shall ensure that –
 - (a) 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) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

HASTINGS BOROUGH COUNCIL

Mandatory Conditions - continued

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

HASTINGS BOROUGH COUNCIL

Annex 2 – Conditions consistent with the operating schedule**General**

-) To ensure staff and management are trained in the requirements of the Licensing Act 2003 and comply with the conditions of the licence, as specified below in line with the licensing objectives.
-) To ensure the interior of the store is maintained well lit and clean at all times.

The prevention of crime & disorder

-) To ensure the installed CCTV system is operational and maintained. To ensure the system is monitored by duty staff and the 7 internal and 2 external cameras are fully functioning.
-) To ensure all digitally recorded images are retained and stored for 31 days and access is available to the police or licensing authority at reasonable times.
-) To ensure the staff on duty are 2 in number to provide appropriate level of supervision and monitoring of the store and the behaviour of customers and deter shoplifting, crime, nuisance, anti social behaviour and street drinking, underage sales of alcohol or other age related goods.
-) To ensure that staff monitor the forecourt and car park area in front of the premises, in respect of any activity, to assist the prevention of crime and disorder by reducing the consumption of alcohol in a public place.
-) To enrol in local CDRP initiatives to encourage a safer environment for other local businesses and local residents.
-) To ensure the audible alarm system installed in the premises, is operational and maintained with Staff trained in the safe and appropriate response to its activation.
-) To liaise with the licensing authority, Safer Hastings Partnership and the police regarding issues involving matters relating to crime, anti social behaviour, street drinking.

Public safety

-) To ensure the relevant health & safety risk assessments and fire safety risk assessments are undertaken and regularly reviewed and amended as required.
-) To ensure the first aid box is regularly checked, maintained and equipped as required. To ensure staff are aware of its location.
-) To ensure staff are trained in basic fire awareness, evacuation procedures, first aid and food hygiene.
-) To ensure the fire extinguishers and fire safety equipment is checked regularly and serviced in line with the requirements. To ensure written records are kept of checks and staff training drills.

The prevention of public nuisance

-) No Alcohol will be sold in open containers and staff will monitor the forecourt of the building to discourage any consumption of Alcohol purchased in store.

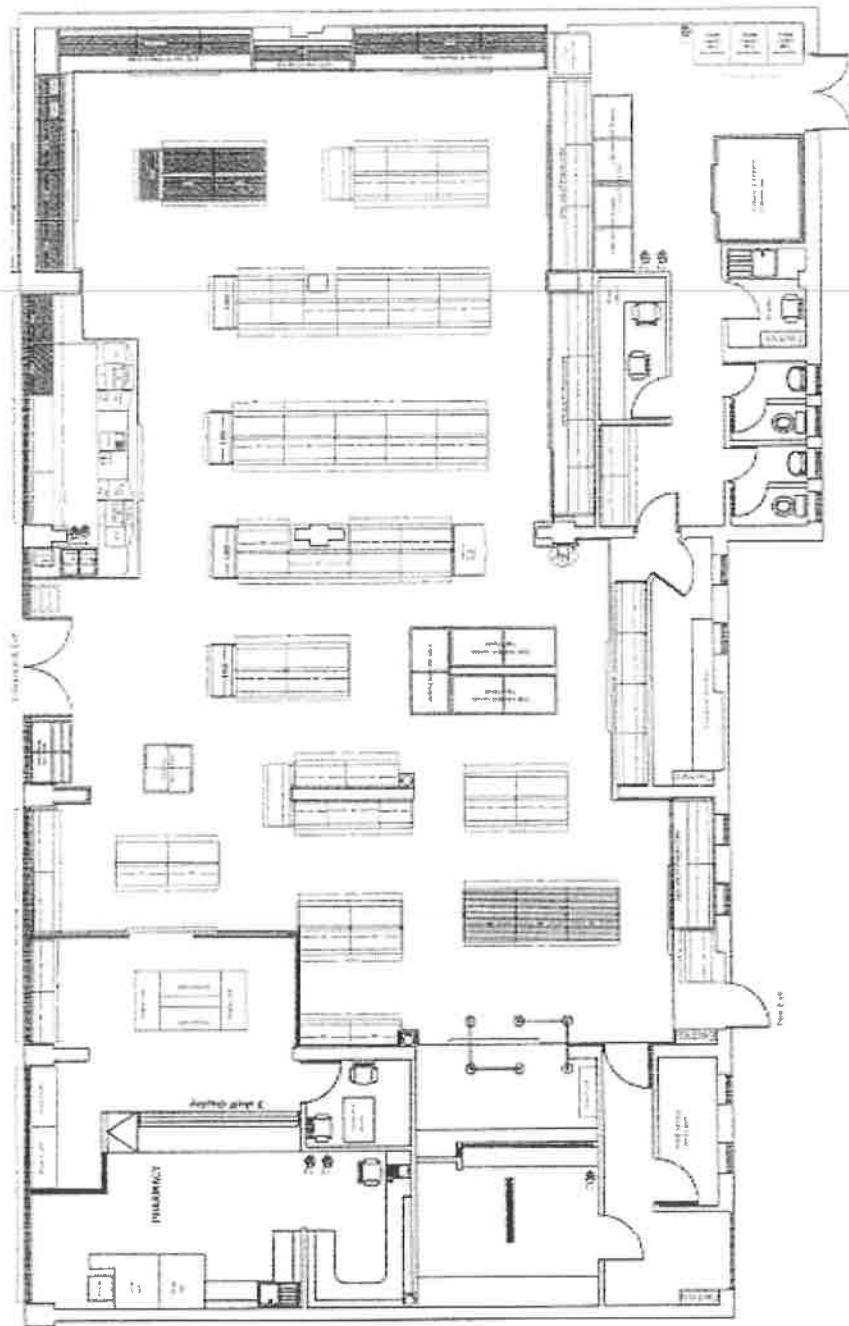
HASTINGS BOROUGH COUNCIL

Annex 2 – Conditions consistent with the operating schedule – continued

The protection of children from harm

- 15 To ensure staff are trained regarding the responsibilities of the sale of alcohol, in particular the sale to persons under 18, persons over 18 years of age who are suspected of purchasing alcohol for persons under 18, persons who are drunk or intoxicated, or are disorderly or abusive.
- 16 To ensure staff only accept appropriate photographic proof of identification, ie. Photo driving licence, passport, or other approved photo id cards.
- 17 To ensure appropriate signage is displayed on shelves, counters and the point of sale area, warning of the challenge 21 policy for the sale of alcohol.
- 18 To ensure that the following measures, requested by East Sussex County Council Trading Standards and agreed by the premises licence holder, are complied with:-
- That a written record of staff training is kept;
 - That a written record of authorisation to sell alcohol is maintained for each staff member;
 - That a record of refusals to sell alcohol is kept at the premises and that document is regularly reviewed by the Designated Premises Supervisor;
 - That the premises implements a Challenge 21 policy and advertises that policy.

Annex 4 – Plans

[illegible]

HASTINGS BOROUGH COUNCIL

Annex 3 – Conditions attached after a hearing by the licensing authority

NIL

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GANAS FOOD & WINE LTD

Company number **07898160**

Filter officers

☐

Current officers

[Apply filter](#)

1 current officer / 0 resignations

SANJEEV, Kanapathipillai

Correspondence address **15 Shelley Court, Malden Way, New Malden, United Kingdom, KT3 6EU**

Role **Director**

Date of birth **February 1982**

Appointed on **5 January 2012**

Nationality **Sri Lankan**

Country of residence **United Kingdom**

Occupation **Director**

Companies House

BETA This is a trial service — your [feedback \(https://response.questback.com/companieshouse/chpbeta/\)](https://response.questback.com/companieshouse/chpbeta/) will help us to improve it.

GANAS FOOD & WINE LTD

Company number **07898160**

Registered office address

1-5 Parkstone Parade, Hastings, East Sussex, TN34 2PS

Company status

Active — Active proposal to strike off

Company type

Private limited Company

Incorporated on

5 January 2012

Accounts

Next accounts made up to **31 March 2016**
due by **31 December 2016**

Last accounts made up to **31 March 2015**

Annual return overdue

Next annual return made up to **5 January 2016**
due by **2 February 2016**

Last annual return made up to **5 January 2015**

Nature of business (SIC)

- 47110 - Retail sale in non-specialised stores with food, beverages or tobacco predominating

Companies House

BETA This is a trial service — your [feedback \(https://response.questback.com/companieshouse/chpbeta/\)](https://response.questback.com/companieshouse/chpbeta/) will help us to improve it.

VJN GROCERIES LTD.

Company number **08763213**

Filter officers

☐

Current officers

[Apply filter](#)

1 current officer / 1 resignation

SANJEEV, Kanapathipillai

Correspondence address **5 Bankside Drive, Thames Ditton, Surrey, England, KT7 0AJ**

Role **Director**

Date of birth **February 1982**

Appointed on **30 November 2014**

Nationality **Sri Lankan**

Country of residence **United Kingdom**

Occupation **Director**

VIJAYARAJAH, Sapi

Correspondence address
No 1, & 3, Parkstone Parade, Hastings, East Sussex, United Kingdom, TN34 2PS

Role **Director**

Date of birth **February 1992**

Appointed on **5 November 2013**

Resigned on **30 November 2014**

Nationality **French**

Country of residence **United Kingdom**

Occupation **Director**

Companies House

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VJN GROCERIES LTD.

Company number **08763213**

Registered office address

No 1 & 3, Parkstone Parade, Hastings, East Sussex, TN34 2PS

Company status

Active

Company type

Private limited Company

Incorporated on

5 November 2013

Accounts

Next accounts made up to **30 November 2015**
due by **31 August 2016**

Last accounts made up to **30 November 2014**

Annual return

Next annual return made up to **5 November 2016**
due by **3 December 2016**

Last annual return made up to **5 November 2015**

Nature of business (SIC)

- 47110 - Retail sale in non-specialised stores with food, beverages or tobacco predominating

Please quote: HOP50367
Your reference:
Date: 4th May 2016
Please ask for: Trevor Scrase
Telephone direct: 01424 451042
E-mail: tscrase@hastings.gov.uk
Web: www.hastings.gov.uk/licensing



Licensing Team
Aquila House, Breeds Place
Hastings, East Sussex, TN34 3UY

The premises operator
VJN Groceries Ltd
NISA Local
1 – 5 Parkstone Road
Hastings,
TN34 2PS

Dear Sir,

Re: Premises licence status of NISA Local, 1 – 5 Parkstone Parade.

It has been brought to my attention that the business at this address has allegedly changed ownership.

The records held by the Licensing Authority at Hastings Borough Council show that:-

Premises licence holder – GANAS Food & Wine Ltd, 15 Shelley Court, Malden Way, New Malden, Surrey, KT3, 6EU. Registered company number 07898160.

Under the Licensing Act 2003:-

1. Section 33 requires the holder of a premises licence to notify a change of name or address of the premises licence holder. Failure to do so is an offence. The penalty of which is a maximum fine of up to £500.
2. Section 136 – unauthorised licensable activity. Namely alcohol sold without the authorisation of a premises licence. The penalty of which is a maximum fine of up to £20,000, or six months imprisonment or both.

If the company no longer hold this premises licence, under section 41 of the Licensing Act 2003, I am now requesting the return of the premises licence, for amendment within 14 days of the date of this letter. Failure to do so is a further offence, the penalty for which is a maximum fine of up to £1000. (The premises licence required to be returned is the full four page double side printed copy with plan and conditions attached).

Any change of premises licence holder is subject to a transfer application, with the application form and fee of £23 sent to us as the licensing authority and a copy to the Chief Officer of Police, Police Licensing.

I have included the relevant forms for this notification.

I know that my Food Safety colleague, who visited you a few weeks ago, advised you that you should contact me to ensure compliance. To date no contact or enquiry has been received.

At this present time, if the premises licence holder has changed ownership without the notification required, any sale of alcohol in the premises is unlawful and could render you and any staff selling alcohol in the course of their employment, liable for prosecution. I therefore suggest that you deal with the requirements outlined in this letter as a matter of urgency.

Please quote: HOP50367
Your reference:
Date: 6th May 2016
Please ask for: Trevor Scrase
Telephone direct: 01424 451042
E-mail: licensing@hastings.gov.uk
Web: www.hastings.gov.uk/licensing



Licensing Team
Aquila House, Breeds Place
Hastings, East Sussex, TN34 3UY

Kulasekaram JEYARAJ
Ganas Food & Wine Ltd
15 Shelley Court
Malden Way
New Malden
Surrey, KT3 6EU.

Dear Sir / Madam,

Re: NISA Local, 1 – 5 Parkstone Parade, Parkstone Road, Hastings, TN34 2PS.

Our records, as the licensing authority for Hastings, still show Ganas Food and Wine Ltd as the premises licence holder of the premises licence authorising the sale by retail of alcohol for consumption off the premises.

However it has been brought to my attention that the shop is now run by new owners and a new company.

To date no transfer application or change of designated premises supervisor has been received by this licensing authority as required under the Licensing Act 2003.

I request your reply to my letter clarifying who the current business operator and premises licence holder is as soon as possible. Preferred response by email to Licensing@hastings.gov.uk

If you are no longer involved with the shop, I need to know the date that you ceased any involvement. The reason being is that you are still registered as the designated premises supervisor and as such are responsible for any offences or omissions that occur in the shop in respect of all alcohol sales.

If you are no longer the designated premises supervisor, you have a duty to notify us in writing under the Licensing Act 2003.

Yours faithfully,

Trevor Scrase
Senior Licensing Officer

HASTINGS BOROUGH COUNCIL

RECORD OF INTERVIEW

TCS/2.7

Interviewee:

Name: Kanapathipillai Sanjeev Age: Date of Birth:

Address: 5 Bankside Drive, Thames Ditton, Surrey, KT7 0AJ.....

Recorded by: Trevor Scrase (Senior Licensing Officer)

Other Persons present: Rona Spencer (Licensing Officer)

Interview commenced: Time: 09.50 Date: 29th June 2016

Interview completed: Time: 10.38 Date: 29th June 2016

Intervals or Refreshment Periods: Two stops of the cd recorder due to malfunction, then written record of interview commenced.....

TS	Explained reason for handwritten interview record. Reminded under caution and can terminate at any time. Do you consent to continue with a hand written interview?
KS	Yes Yes
TS	Are you the premises licence holder as VJN Groceries Ltd of Nisa Local 1-3 Parkstone Parade, Hastings?
KS	Query re alcohol? Yes that's me
TS	Previously you held the premises licence since 11 May 2012 as Ganas Food and Wine Ltd. Is that correct?
KS	Yes
TS	Are you yourself a personal licence holder issued under the LA 2003?
KS	No I don't have a personal licence. No
TS	Do you understand the requirements of the LA2003 and the conditions on your premises licence to sell alcohol in your convenience store?
KS	Fairly yes.
TS	Shown copy of TCS/2 current premises licence since 18 th May 2016, transfer to VJN Groceries Ltd?
KS	Okay
TS	Can you explain why you didn't contact us as the Licensing Authority to notify the change of company holding the premises licence?
KS	It was just a change of business name and not ownership and I didn't think I had to inform you.
TS	How often do you visit the shop?

Signature:

Witnessed by:

KS	At the moment, once every 10 days, 3 or 4 times a month
TS	Who is the person who is your designated premises supervisor?
KS	He is my sister's husband
TS	Is he involved in running VJN Groceries Ltd?
KS	Not involved in running No
TS	How often does he visit the shop?
KS	Every 2 months or so
TS	What actions as the DPS have you asked him to do with the shop?
KS	When he started he was here. He did the training. He transferred the premises licence to me. He is an accountant. He gets the alcohol. Mainly just training
TS	You said he transferred the premises licence?
KS	He is the DPS. I am the licence holder
TS	Has he trained the staff in their responsibilities of alcohol sales and compliance with the licence?
KS	Yes
TS	Can you produce any training records?
KS	No
TS	Has he authorised the staff working in the shop to sell alcohol?
KS	In the beginning yes. There wasn't much staff. I was there for 2 years.
TS	The reason we are here today is due to a food safety visit in April which identified the change of Ltd company holding the premises licence. Since then I have visited the shop on a number of occasions. On the 4 th May there was a single female staff working who when requested couldn't provide the list of authorised staff to sell alcohol. Her name is Grace. How long had she worked for you?
KS	2 months. I think she has stopped now.
TS	On the 11 th May I visited in company with the Licensing Manager. A single male staff was working in the shop. Waqar Ahmad from Watford. How long had he worked for you?
KS	He just probably worked 4 or 5 days. Not continuously. Only in emergency
TS	What was the emergency?
KS	Usually I cover, he goes for his personal staff Sonny Gupta. It is his friend.
TS	Does Sonny still work for you?
KS	No he's not even in the country.
TS	Do you have a new manager?
KS	Yes. I only know his surname Vasikaran
TS	Is he a personal licence holder?
KS	He is getting one. I will be transferring him. He has done the exam. He just needs to

Signature:

Witnessed by:

Page of

	apply to us. Things will be in control.
TS	Since 18 th May when we sat in this room and completed the transfer from Ganas to VJN, have you taken any further steps to ensure the licence and all the conditions are complied with?
KS	The licence was transferred. I'm not sure what I need to do. I have trained the new manager. Anything else I need to do if you let me know I can do that.
TS	Refer TCS/2 page 6 Item 3 CCTV. (To ensure the cctv system is operational and maintained. To ensure the system is monitored by duty staff and the 7 internal and 2 external cameras are fully functioning).
KS	To my knowledge yes they are working. Can monitor live feed.
TS	Item 5. Read to Mr Sanjeev. (To ensure the staff on duty are 2 in number to provide appropriate level of supervision and monitoring of the store and the behaviour of customers and deter shoplifting, crime, nuisance, anti social behaviour and street drinking, underage sales of alcohol or other age related goods).
KS	There is always 1 member. I cannot afford 2. I pay £700 per month to the council business rates. The landlord has reduced the rent. With 2 staff the shop has to be closed I can't do it.
TS	Page7 Item 15 ? (To ensure staff are trained regarding the responsibilities of the sale of alcohol, in particular the sale to persons under 18, persons over 18 years of age who are suspected of purchasing alcohol for persons under 18, persons who are drunk or intoxicated, or are disorderly or abusive). Has this training taken place?
KS	Yes
TS	Can you produce records to show that?
KS	When he left (Sonny) I will check the shop, my house. If it's not there I won't have it. It was there while I was working there for 2 and a half years.
TS	When did you stop working there?
KS	2014 May/June continuously. Increasing other staff.
TS	Item 18. (To ensure that the following measures, requested by East Sussex County Council Trading Standards and agreed by the premises licence holder, are complied with: That a written record of staff training is kept; That a written record of authorisation to sell alcohol is maintained for each staff member; That a record of refusals to sell alcohol is kept at the premises and that document is regularly reviewed by the Designated Premises Supervisor; That the premises implements a Challenge 21 policy and advertises that policy. Do you have any response to that condition?
KS	I can make sure it's there from now on. For the past I will have to check it was there
TS	Do you recollect having an email from me with an annual fee invoice. Have you paid the annual fee?
KS	I can pay by tomorrow
TS	TCS/8 served. (Letter of suspension of premises licence for non payment of annual fee with immediate effect).
KS	I can pay today
TS	The purpose of this interview is to establish that the compliance of the LA2003 and

Signature:

Witnessed by:

	<p>your premises licence is at a standard well below what is required for the responsible sale of alcohol. You have been honest and answered my questions but you have only confirmed what I already have revealed in my investigation. I propose to submit an application to the licensing manager requesting a review of your premises licence. You will receive a copy of that document and will be invited to attend a Licensing Sub Committee hearing at a date in the next 2 to 3 months. In the meantime if you wish to continue selling alcohol you must ensure the fee is paid and all conditions complied with.</p>
KS	Okay I will need some help with that
TS	Review process explained
KS	10.38 interview ended 29/6/16. Hand written contemporaneous record of interview signed by all present.

Signature:

Witnessed by:

Page of