

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**Premises licence number**

NWL20029

**Part 1 – Premises details**

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

Huntingdon Stores, 1 Huntingdon Drive, Castle Donington

**Post town** Derbyshire

**Post code** DE74 2SR

**Telephone number**

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence**

The sale by retail of alcohol for consumption off the premises

**The time the licence authorises the carrying out of licensable activities**

On weekdays, other than Christmas day 8am to 11pm  
On Sundays, other than Christmas day 10am to 10.30pm  
On Christmas day, 12 noon to 3pm and 7pm until 10.30pm  
On Good Friday, 8am to 10.30pm

**The opening hours of the premises**

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

The sale by retail of alcohol for consumption off the premises

- a) Modify the conditions of the licence;
- b) Exclude a licensable activity from the scope of the licence;
- c) Remove the designated premises supervisor;
- d) Suspend the licence for a period not exceeding three months;
- e) Revoke the licence.

5.4 Any determination made by the Sub-Committee shall not come into effect until the end of the period given for appealing against the decision or if the decision is appealed against, until the appeal is disposed of.

5.3 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant, premises licence holder and persons who made relevant representations.

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Mr Balraj Singh Thiara & Mr Pirthi Raj Singh  
31 Jubilee Road  
Shelton Lock  
Derby  
DE24 9FF

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

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

Mr Balraj Singh Thiara  
31 Jubilee Road  
Shelton Lock  
Derby  
DE24 9FF

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

Personal Licence number of Designated Premises Supervisor: PA1055122

Issuing Authority: Derby City Council

## **Annex 1 – Mandatory conditions**

1. The restrictions under the time the licence authorises the carrying out of licensable activities do not prohibit:
  - a. During the first twenty minutes after the above mentioned hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
  - b. The ordering of the alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - c. The sale of alcohol to a trader or club for the purposes of the trade or club;
  - d. The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
  - e. Alcohol shall not be sold in an open container and shall not be consumed on the licensed premises.
2. 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.
3. Every supply of alcohol must be made or authorised by a person who holds a personal licence.

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

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

## Annex 4 - Plans

**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 Sean Moore Ps567

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Huntingdon Stores, 1 Huntingdon Drive,	
<b>Post town</b> Castle Donington	<b>Post code (if known)</b> DE74 2SR

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Balraj Singh Thiara and Pirthi Jaj Singh
---

<b>Number of premises licence or club premises certificate (if known)</b> NWL20029
---

**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
- 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  PS567 Sean Moore, Leicestershire Constabulary Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG
Telephone number (if any)
E-mail address (optional)

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

Please tick one or more boxes

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

<p><b>Please state the ground(s) for review (please read guidance note 1)</b></p> <p>1. Mr Thiara has been the premises licence holder, jointly with his father, and designated premises supervisor at these premises since April 2007.</p> <p>2. On the 19<sup>th</sup> May 2007 a test purchase operation was conducted at the premises by Trading Standards and police officers using an under age test purchaser. Mr Thiara sold alcohol to the test purchaser. He was issued with a £80 fixed penalty notice.</p> <p>3. On the 16<sup>th</sup> June 2007 a further test purchase operation was conducted. The sale was refused.</p> <p>4. On the 10<sup>th</sup> November 2007 a further test purchase took place and Mr Pirthiri Raj Singh, father of Mr Thiara and joint premises licence holder, sold alcohol to a 16 year old female test purchaser.</p>
---

**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

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

Please tick yes

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

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

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

Signature

*Sean Hoare*

Date 13<sup>th</sup> December 2007

Capacity Licensing Officer

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

Post town

Post Code

Telephone number (if any)

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

**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.



Leicestershire  
Constabulary

**Licensing Act 2003 - Report to the Licensing Committee regarding the Police application to review the premises licences at the Huntingdon Stores, Castle Donington.**

**Background – why we have made the application:**

Sir,

I report in my capacity as the licensing officer for the Leicestershire Constabulary

The problems of crime and disorder, along with antisocial behaviour, caused by young people are well documented elsewhere.

Hardly an evening goes by without complaints being received about groups of noisy youths gathering in urban areas.

It is frequently the case that such behaviour is fuelled by alcohol and those that have consumed it are under 18 years of age. This is dangerous drinking because it is unsupervised and such young people do not understand the strength of different alcoholic drinks and the time it takes to have effect. Typically they will drink spirits such as vodka and rum as if they were orange squash or lemonade. Clearly this can have serious health implications and the antisocial behaviour that can result has to be seen to be believed.

Whether the sales to young people are the result of greed or simply through negligence makes no difference – the result is the same - problems for the police, the NHS and the community as a whole.

This unhappy state of affairs has been recognised at Government level resulting in both the police and trading standards officers being encouraged to tackle the problem by mounting test purchase operations.

Here in Leicestershire these operations have been run, since 2002. Sadly the results have been very disappointing with over half the premises visited selling to under age test purchasers.

Those of us involved in the administration and enforcement of the Licensing Act are well aware of the difficulty in accurately assessing the age of young people.

In order to assist the trade the ACPO and DCMS have promoted the "Challenge 21" approach where staff are instructed to require identification from anyone who appears to be under that age.

There has been a massive amount publicity surrounding this issue in the media. The Leicestershire Constabulary produced over 2000 information packs, which were distributed amongst retail outlets in the County prior to the commencement of the new

Act. Information is readily available from the British Institute of Innkeepers, the Portman Group and trading standards departments.

No doubt you have seen signs in supermarkets and elsewhere stating that it is company policy to operate this scheme.

**Do you think it would have been possible for the sales, referred to in our application, to have taken place if the licensee and staff really had embraced the challenge 21 policy?**

The bottom line is that both the Police and the County Council trading standards department no longer have any confidence in the licence holder's competence to promote the licensing objectives at either premises.

### **Proposals.**

I started this report by referring to the bigger social picture, which provides the background to these particular incidents. The Licensing Act 2003 is a liberalising piece of legislation but it is balanced by providing you with the power to prevent abuses of the law.

Paragraph 11.25 of the Guidance published under Section 182 of the Act states, in relation to reviews,

"There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously."

There follows a list which includes, "for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people."

The following paragraph includes, "it is expected that the revocation of the licence – even in the first instance – should be seriously considered."

If you are not minded to take that course of action may I ask you to consider the following:

1. The licence be suspended for up to 3 months. This would provide time for the training of staff.
2. The removal of Mr Thiara as the designated premises supervisor at both premises.
3. A condition that the licensee will ensure that CCTV is installed at both premises, following advice from the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice. (This can prevent as well as detect crime.)
4. A condition that the licensee will adopt the Challenge 21 policy and provide adequate, documented training for staff before they are allowed to serve alcohol.
5. A condition that the Designated Premises Supervisor will undertake the BII level one award in Responsible Alcohol Retailing within the next 3 months. This course is recommended by Hazel Blears, the Home Office Minister, as it focuses on the importance of not selling to under age persons.

Sean Moore Ps567  
Licensing Officer 13<sup>th</sup> December 2007