

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Premises licence number

NWL20049

Part 1 – Premises details

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

Kegworth Service Station, 50 Debry Road, Kegworth,

Post town Derbyshire

Post code DE74 2EN

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

Part 2

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

Chuhar Singh Sidhu
1 Lynwood Road
Sinfin
Derbyshire

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

Chuhar Singh Sidhu
1 Lynwood Road
Sinfin
Derbyshire

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: NWL10142

Issuing Authority: North West Leicestershire District Council

Annex 1 – Mandatory conditions

The permitted hours set out above do not prohibit:

1. 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;
2. The ordering of the alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
3. The sale of alcohol to a trader or club for the purposes of the trade or club;
4. 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.
5. Alcohol shall not be sold in an open container and shall not be consumed on the licensed premises.
6. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
7. 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.

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

Postal address of premises or, if none, ordnance survey map reference or description Kegworth Service Station, 70 Derby Road, Kegworth,	
Post town Derby	Post code (if known) DE74 2EN

Name of premises licence holder or club holding club premises certificate (if known) Chuhar Singh Sidhu

Number of premises licence or club premises certificate (if known) NWL20109

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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

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

1. Mr Sidhu is both the Premises Licence holder and the Designated Premises Supervisor at this premise.
2. On the 19th May 2007 police conducted a test purchase operation at the premises. Mr Sidhu sold alcohol to the under age test purchaser. He was issued an £80 fixed penalty ticket as this was a first offence.
3. On the 10th November 2007 police conducted a further test purchase operation and again Mr Sidhu sold alcohol to the under age test purchaser. He has been reported with a view to prosecution for this offence.

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

7th January 2008

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 licence at Kegworth Service Station.

Background – why we have made the application:

Sir,

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

TWY - Trouble With Youths is the most common heading found on police incidents. 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.

Where possible premises that have sold have been re-visited in later operations and I am pleased to say, the majority have not re-offended. Unfortunately this premise is in the minority that have sold twice.

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 BII, 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 these sales to have taken place if the licensee really had embraced the challenge 21 policy?

Under the 1964 Licensing Act the Magistrates would consider revoking a licence when the licensee was convicted for a **second** time of selling to an underage person. During my tenure as licensing officer since 2000 I have not known a single case where the Magistrates did not revoke in such circumstances. The Magistrates no longer have this power – you do.

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 effectiveness in promoting the licensing objectives.

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.

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 the current designated premises supervisor.
3. A condition that the licensee will ensure that CCTV is installed 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
8th January 2008

