



Public Document Pack

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Committee Manager Carley Lavender (Extn 37547)

23 February 2022

LICENSING SUB-COMMITTEE

A meeting of the Licensing Sub-Committee will be held in **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** on **Monday 7 March 2022 at 9.30 am** and you are requested to attend.

Members: Councillors Blanchard-Cooper, Gregory and Northeast

PLEASE NOTE: Subject to Covid-19 Risk Assessments members of the public are advised of the following:

- a) It is recommended that all those attending take a lateral flow test prior to the meeting.
- b) All those attending the meeting will be required to wear face coverings and maintain safe distancing when in the building/meeting room.
- c) Members of the public must not attend any face-to-face meeting if they or a member of their household have Covid-19 symptoms. For further information on the items to be discussed, please contact: committees@arun.gov.uk

AGENDA

1. ELECTION OF CHAIRMAN

2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officers should make their declaration by stating:

- a) the item they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest

3. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

4. EXEMPT INFORMATION

The Committee is asked to consider passing the following resolution: -

That under Section 100a (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

5. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE - EXEMPT PARAGRAPH 1 – INFORMATION RELATING TO INDIVIDUALS (Pages 1 - 12)

To consider the attached report and application.

6. LICENSING ACT 2003, S51 APPLICATION FOR REVIEW OF A PREMISES LICENCE (Pages 13 - 60)

The Authority is in receipt of an application to review a premises licence for a premise known as Sussex News, 15B Surrey Street, Littlehampton, West Sussex, BN17 5AZ.

Note: If Members have any detailed questions, they are reminded that they need to inform the Chair and relevant Director in advance of the meeting.

Note: Filming, Photography and Recording at Council Meetings – The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link - [PART 8 - CP - Section 5 Filming Photographic Protocol](#)

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ARUN DISTRICT COUNCIL LICENSING SUB-COMMITTEE ON 7 MARCH 2022

SUBJECT:

Licensing Act 2003, S51 Application for review of a premises licence

REPORT AUTHOR: Andrew Burrows

DATE: 16 February 2022

EXTN: 01903 737749

AREA: Place

EXECUTIVE SUMMARY:

The Authority is in receipt of an application to review a premises licence for a premise known as Sussex News, 15B Surrey Street, Littlehampton, West Sussex, BN17 5AZ.

The application is from West Sussex Trading Standards Service, a responsible authority, who contend that the licensing objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm have been seriously undermined.

RECOMMENDATIONS:

The Sub-Committee should make an evidence-based determination, justified as being appropriate for the promotion of the licensing objectives.

The Sub-Committee may only consider matters referred to in representations relevant to the promotion of one or more of the four licensing objectives. These must be considered in the context of what is relevant to the review application.

1. BACKGROUND:

- 1.1 This is an application for a review of a premises licence which has been received from West Sussex Trading Standards Services, a Responsible Authority. (**Appendix A**)
- 1.2 Supporting representations in this matter have been made by Sussex Police as a responsible authority (**Appendix B**), Arun District Council Licensing Authority as a responsible authority (**Appendix C**), and West Sussex Safeguarding Children's Board as a responsible authority (**Appendix D**).

- 1.3 Sussex News is in Surrey Street, Littlehampton and trades as a convenience store. The premise is licensed to sell and supply alcohol for consumption off the premises, under the provisions of the Licensing Act 2003.
- 1.4 The Premises Licence Holder for Sussex News is Mr. Khawar Shahzad, who is also the Designated Premises Supervisor.
- 1.5 A copy of the premises licence is attached. (**Appendix E**)
- 1.6 Mr. Shahzad applied for and was granted a premises licence on the 25th of September 2020. Prior to that date a premises licence did not exist for that premises.
- 1.7 On the 23rd of November 2021 an Officer from West Sussex Trading Standards Services attended the premises due to Information being received that the premises were selling age restricted products in the form of e-liquids, to minors.
- 1.8 On the 24th of November 2021 the officer wrote to Mr. Shahzad advising him of the visit and providing advice and guidance.
- 1.9 On the 25th of November 2021 Officers from West Sussex Trading Standards Services conducted an underage sales operation at Sussex News. This resulted in a staff member selling two bottles of cider to a 16-year-old volunteer. This sale was witnessed by attending officers.
- 1.10 On the 18th of January 2022 a licensing inspection was carried out at the premises by a Licensing Officer from Arun District Council. Numerous breaches of the premises licence were identified.
- 1.11 On the 21st of January 2022 a licensing inspection was carried out at the premises by a Police Officer from the West Sussex Neighbourhood Licensing Team, accompanied by an officer from Arun District Council Licensing Team. Numerous breaches of the premises licence were identified.
- 1.12 On the 1st of February 2022 a follow-up inspection was carried out on the premises. Most licence breaches identified on the 18th of January had been rectified but several breaches were again noted.

2.0 RELEVANT REPRESENTATIONS

- 2.1 The application for a review by West Sussex Trading Standards Services is at **Appendix A**. The grounds for seeking the review are the prevention of crime and disorder and the protection of children from harm.
- 2.2 Details of the relevant representations from Sussex Police are at **Appendix B**. The grounds for making representations are the prevention of crime and disorder, public safety and the protection of children from harm.

2.3 Details of the relevant representations from Arun District Council as the Licensing Authority are at **Appendix C**. The grounds for making representations are the prevention of crime and disorder and the protection of children from harm.

2.4 Details of the relevant representations from the West Sussex Safeguarding Children's Board are at **Appendix D**. The grounds for making representations are the prevention of crime and disorder and the protection of children from harm.

3. ARUN DISTRICT COUNCIL POLICY CONSIDERATIONS

3.1 Relevant extracts from Arun District Council's Licensing Principles are shown in this section.

(5.1) The main principles of the policy are:

- to reduce the fear of crime
- to encourage cultural diversity and lively, safe town centres
- to reduce the burden of unnecessary regulation on business
- to contribute to the quality of life
- to promote public health
- to ensure that premises are being managed responsibly
- to ensure the promotion of the licensing objectives

(5.2) The Policy is also intended to ensure that the provision of additional opportunities for licensable activities are matched by appropriate and proportional measures enabling the police and licensing authorities to act promptly to maintain public order and safety.

(Appendix 3 – Licence Review Guidelines)

The Licensing Committee and any of its Sub-Committees, when holding licence review hearings, will follow these guidelines so as to maintain a degree of consistency and transparency when making decisions.

The Committee reserves the right to amend and republish these guidelines in light of operational experience and as a separate document to the statement of licensing policy. In reaching a decision the committee will take into account any of the aggravating or mitigating factors below but may also consider other relevant evidence before them. Likewise, they can consider any other proportionate and appropriate action as allowed under the Licensing Act 2003. Section 182 guidance will also be considered in conjunction with this policy.

Relevant representation received regarding The Prevention of Crime and Disorder

Aggravating Factors	Mitigating Factors
<p>Failure to cooperate with Police</p> <p>Encouraging or inciting criminal behaviour associated with licensed premises</p> <p>Serious injury results</p> <p>Encouraging or inciting</p> <p>Confidence in management ability to rectify defects</p> <p>Previous track record</p> <p>Voluntary anti-social behaviour associated with licensed premises (this might also include incidents in the locality)</p> <p>High rate of turnover of Licence holder/ designated premises supervisor</p> <p>Incidents not reported to police</p>	<p>Good controls, practices and training in place</p> <p>Willingness to attend and cooperate during mediation steps</p> <p>Previous track record</p>

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Relevant representation received regarding protection of children from harm

Aggravating Factors	Mitigating Factors
<p>Age of Children Previous warnings ignored</p> <p>Children exposed to physical harm/ danger as opposed to other threats</p> <p>Activity arose during normal school hours</p> <p>Deliberate or wilful exploitation of children</p> <p>Large number of children affected Children not allowed on premises as part of Operating Schedule Involves under-age exposure to alcohol Inappropriate or inadequate ratio of adults to children</p>	<p>Conduct occurred with consent of person with parental responsibility for child. Short duration of event No physical harm Short-term disturbance</p> <p>Undertaking/commitment not to repeat activity Voluntary acceptance/proposal of additional conditions</p> <p>Children permitted on the premises as part of Operating Schedule Good controls, practices and training in place for preventing harm to children Not involving under-age exposure to alcohol</p>

2. PROPOSAL(S):.

The Sub-Committee should make an evidence-based determination, justified as being appropriate for the promotion of the licensing objectives.

The Sub-Committee may only consider matters referred to in representations relevant to the promotion of one or more of the four licensing objectives. These must be considered in the context of what is relevant to the review application.

3. OPTIONS:

The Sub-Committee may:

- a) Revoke the premises licence
- b) Suspend the licence for a period not exceeding three months
- c) Remove the Designated Premises Supervisor
- d) Modify the conditions of the licence
- e) Take no further action

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)	✓	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		

6. IMPLICATIONS:

The application has been consulted upon as prescribed by the relevant Regulations.

7. REASON FOR THE DECISION:

The licensing authority has a statutory duty to determine the application.

8. BACKGROUND PAPERS:

- A: Application for a Review by West Sussex Trading Standards.
- B: Representations by Sussex Police.
- C: Representations by Arun District Council Licensing Authority.
- D: Representations by West Sussex Safeguarding Children's Board.
- E: Copy of Premises Licence.
- F: Map of area.



**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 Peter Aston, Trading Standards, Team Manager, West Sussex County Council Trading
Standards Service**

(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

Sussex News
15B Surrey Street

Post town Littlehampton

Post code (if known) BN17 5AZ

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

Khawar Shahzad

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

114092

Part 2 - Applicant details

I am

Please tick ✓ yes

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

☐

2) a responsible authority (please complete (C) below) ☒

3) a member of the club to which this application relates
(please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address: FOR & ON BEHALF OF THE RESPONSIBLE AUTHORITY APPLICANT: Mr Peter Aston Team Manager West Sussex County Council Trading Standards Service Parkside Chart Way Horsham RH12 1XH
Telephone number (if any) 0330 222 7661
E-mail address (optional) peter.aston@westsussex.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

West Sussex County Council Trading Standards Service (the 'responsible authority') contends the following licensing objectives have been undermined by the carrying on of licensable activities at these premises:

- the prevention of crime and disorder and
- the protection of children from harm

Full particulars in support of the application are to be found in the next section, but in summary:

Prevention of crime and disorder

On 25th November 2021, during a controlled Trading Standards test purchasing exercise, a staff member at Sussex News sold alcohol to a Trading Standards volunteer who was under the age of 18.

The staff member who made the sale was unable to access the CCTV footage and no other person was available at the premises to operate the CCTV system, contrary to the license condition:-

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member will be able to show police and download recent data or footage with the absolute minimum of delay when requested.

Protection of children from harm

Sussex News did not operate a Challenge 25 Policy contrary to the License Condition:-

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram.

Furthermore, the premises did not display any Challenge 25 signage, contrary to the Licence condition:-

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

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

On 23rd November 2021 the Responsible Authority received information alleging the business had sold age restricted products to children and via proxy sales. The allegation suggested local street drinkers had purchased disposable e-cigarettes containing nicotine on behalf of children under the age of 18. Following the receipt of this information, a Trading Standards Officer from the Responsible Authority carried out an advice visit to the business on that same day, 23rd November 2021, and spoke with a member of staff at the business who the Officer believes did not know about the store's existing refusals register (built into the till) or any procedures to prevent underage sales. Additionally, at that time there was no age verification information displayed.

The following day a letter was sent by email from the Responsible Authority to Mr Shahzad. That letter advised Mr Shahzad that the Responsible Authority had received complaints about children buying e-cigarettes from Sussex News. The letter also provided advice about challenge 25, staff training, refusal logs, till prompts, signage and CCTV.

Sussex News was added to the list of premises for an upcoming underage sales test purchasing operation that was coincidentally already planned. On the 25th November 2021, as part of that controlled test purchasing operation undertaken by the Responsible Authority, a 16-year-old Trading Standards volunteer purchased two bottles of cider from Sussex News.

On the 1st October 2021 West Sussex County Council had issued a press release warning businesses there would be a County wide crackdown on underage sales following a previous test purchase operation where nine out of sixteen shops tested, sold alcohol and cigarettes to children.

www.westsussex.gov.uk/news/countywide-crackdown-on-underage-alcohol-and-cigarette-sales/

The member of staff at Sussex News who was spoken to by the Trading Standards Officer on 23rd November 2021, was the person that sold alcohol to the Trading Standards volunteer on 25th November 2021.

During the test purchase another officer from the Responsible Authority witnessed the sale, before two Trading Standards Officers went back into the shop to inform the seller about the test purchase and take the relevant information to instigate an investigation.

The seller stated he asked the volunteer their age and they told him they were 18. When informed that a Trading Standards Officer witnessed the sale and that Trading Standards volunteers are instructed to never lie when asked their age, the seller maintained the volunteer had told him that they were 18. The Responsible Authority contends this as the Trading Standards Officer who witnessed the sale has confirmed the volunteer was not asked their age.

Additionally, the seller did not ask the volunteer for identification to confirm their age and when asked to show Trading Standards Officers the electronic refusals register when they returned after the sale had taken place, he could not work the refusals register system.

Further questions were subsequently put by the Responsible Authority to the seller, Mr Kumar, who in response stated that he'd "misjudged" the volunteers age because she was wearing a mask* and he stated he was not sure if he'd asked for identification. Mr Kumar also admitted that he sold alcohol to an individual under the age of 18.

* On 25th November 2021 as part of national COVID19 restrictions, face coverings were required in shops and the Trading Standards volunteer was wearing such a face covering. She was though not asked to remove it for the purpose of assessing or verifying her age.

The License holder was interviewed under caution by letter and provided a copy of a document showing that the seller was trained to sell alcohol & tobacco (signed by the seller on the 24th

November 2021. When questioned further, the License holder stated the seller, Mr Kumar, started working at Sussex News on the 15th November 2021.

Under Section 146 of the Licensing Act 2003, it is a criminal offence to sell alcohol to a child under the age of 18 years old. Section 146 (4) contains a defence 'that he believed the individual was 18 or over, and he had either taken all reasonable steps to find out the individual's age or that no one could reasonably suspect from their appearance that they were under 18.'

It's contended the sale of alcohol to an underage person in the circumstances outlined is a breach of the licensing objective 'the protection of children from harm' and that the licensee has failed in their responsibilities in promoting said licensing objectives.

In considering review of this premises licence the committee are also reminded of a second licensing objective 'prevention of crime and disorder' which has been failed by commission of the criminal offence that took place on 25th November 2021.

In view of the above, the Responsible Authority do not have confidence the licensing objectives will be promoted by the carrying on of licensable activities at these premises and deem it both proportionate and necessary to invite the committee to consider a review of the premises licence, to limit further criminal activity by this licence holder and to act as a deterrent to other operators considering such illegal conduct.

As underage prevention advice had been provided just before the sale of alcohol was made to a Trading Standards volunteer, the Responsible Authority suggests an appropriate outcome of the review would be revocation of said alcohol licence.

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

Please tick ✓ yes
☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Please tick ✓ yes

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

[Redacted Signature]

Date

17th January 2022

Capacity

Trading Standards Team Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

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



Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

West Sussex Licensing Team
Centenary House
Durrington Lane
Worthing
West Sussex
BN13 2PQ

Tel: 01273 404 030

WS_Licensing_WOR@sussex.pnn.police.uk

14th February 2022

The Licensing Team
Environmental Health Department
Arun District Council, Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

Dear Licensing Team,

REVIEW APPLICATION FOR SUSSEX NEWS, 15 SURREY STREET, LITTLEHAMPTON, BN17 5AZ [PREMISES LICENCE NO. 114092] BY WEST SUSSEX COUNTY COUNCIL TRADING STANDARDS. YOUR REFERENCE 115848.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation in respect of this review application on the grounds of the prevention of crime and disorder, public safety and the protection of children from harm.

Mr Aston, Trading Standards Team Manager for West Sussex County Council Trading Standards has submitted a review application dated 17th January 2022 to Arun District Council in respect of this premises. Trading Standards received intelligence last November that this premises was being targeted by the street drinking community, who were supplying age restricted products to under 18s from this shop via proxy purchasing.

A Trading Standards visit was conducted to the premises on the 23rd November 2021 to the shop, when it became apparent that there were no underage sales preventative measures and no age verification information displayed.

The following day a letter was sent by Trading Standards to Mr Shahzad (the joint named Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS)) about underage sales. The letter also provided advice about challenge 25, staff training, refusals logs, till prompts, signage and CCTV.

On the 25th November Sussex News sold alcohol to a sixteen year old as part of a Trading Standards test purchase operation. The seller did not make any age challenge when selling alcohol to the child, nor ask for any ID. This is particularly worrying as the seller was the same person who Trading Standards officers had spoken to in person during their visit only two days before. The premises has a challenge 25 condition on the licence requiring age ID to be requested by anyone appearing to be under 25.

The seller was unable to operate the electronic refusals register on the till. This is particularly concerning if, as alleged by the DPS/PLH, the seller had received training in age restricted sales only the day before on the 24th November.

We note with some concern that the seller claimed that they “misjudged” the child’s age because the child was wearing a facemask in compliance with national Covid 19 regulations. Nevertheless there was still a challenge 25 condition on the licence, and if in any doubt the seller should have asked for age ID for anyone aged up to 25. There are even national shop chains (Tesco being one example) where they have signage at tills advising that persons attempting to purchase age restricted products may be asked to remove their face masks for the purposes of age identification.

Trading Standards conclude their review application by asking for revocation of the premises licence for Sussex News.

Upon receipt of the review application Sussex police arranged for a follow up unannounced licensing visit to Sussex News. This visit took place on Monday 21st January 2022 at 11.15 by PC Lucas, an experienced uniform Police Licensing Officer, in the company of Mr Andrew Burrows, a long serving Arun District Council Licensing Officer.

This visit was recorded on PC Lucas’s body worn video camera with sound. A copy of this video will be made available to the Committee on the day of the hearing should they wish to view it.

A witness statement from PC Lucas is attached to this representation detailing his visit. This visit is of particular concern as it confirmed that multiple licence condition breaches were still evident at Sussex News. The Committee will note that this visit took place fifty eight days AFTER the failed test purchase on the 25th November 2021.

To summarise the continuing breaches confirmed by the visit on the 21st January 2022:

Part B of the premises licence was not on display. This is basic licensing law which the joint PLH/DPS (who would have sat and passed the Personal Licence Holders exam to qualify for a personal licence) should know. This was also clearly spelt out in the letter from Arun District Council to Mr Shahzad dated 11th January 2021 which also contained part A & B of the licence.

Part A of the licence (which crucially contain all the licence conditions) could not be found. Only the front page of part A of the licence was incorrectly on display in the front window. Again the full licence should be kept on the premises, and again this was made clear in the Council letter of the 11th January 2021.

The premises licence for Sussex News contains the following conditions under Annex 2. These have been numbered for ease of reference for the purposes of this representation:

Prevention of Crime and Disorder:

1. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
2. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
3. CCTV footage will be stored for a minimum of 31 days.
4. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member will be able to show police and download recent data or footage with the absolute minimum of delay when requested.
6. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
7. Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
8. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

9. In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable
10. An incident log shall be kept at the premises, and made available on request to officers of any responsible authority, which will record the following:
 - All crimes reported to the venue;
 - All ejections of patrons;
 - Any complaints received;
 - Any incidents of disorder;
 - Any faults in the CCTV system or searching equipment;
 - Any refusal of the sale of alcohol (in addition to being recorded in the refusals system);
 - Any visit by an officer of a responsible authority.
11. All off sales will be supplied in sealed containers.

Prevention of Public Nuisance:

12. No more than 20% of the sales area to be used at any one time for the sale, exposure for sale, or the display of alcohol.
13. Notices will be prominently displayed at all exists requesting patrons to respect the needs of local residents and leave the area quietly.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
15. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 and 08:00 hours.

Protection of Children from Harm:

16. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram.
17. Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

18. The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

19. Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.

20. All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

21. The premises shall at all times maintain and operate refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request.

The Committee will note that the above are very basic 'nuts and bolts' conditions which one would expect to see as a minimum on any retail premises with off sales of alcohol, especially one that sells alcohol fifteen hours a day until 23:00, seven days a week.

When asked, the shop assistant could not produce a refusals book or an incident log. This is a breach of condition 10 and 21 above.

The shop assistant had no knowledge on how to operate the CCTV system. This is a breach of conditions 1 - 9 above.

The CCTV was not recording as there was a fault with the hard drive. The last time the CCTV had been checked was reported as the 28th November 2021. So potentially the premises could have been without recording CCTV for 54 days from 29th November to the date of this visit on 21st January 2022.

The Committee will note that condition 1 above clearly refers to the CCTV system being "operated and maintained throughout the premises" and "the system will be on and recording at all times the premises licence is in operation". It is critically important that the premises has a fully functioning and working CCTV system both to protect staff (remember this premises sells alcohol until 23:00 at night with one member of staff on duty) in the event of assaults and robberies, and to ascertain the truth in the event of contested accusations of selling age restricted products to children.

Mr DPS/PLH stated when asked that he employed three members of staff. When asked he could not provide any staff training records for these three members of staff. This is a breach of conditions 18, 19 and 20 above.

When PC Lucas then invited the sales assistant in the presence of the DPS/PLH to explain the challenge 25 policy and what this meant. It was clear from his reply that the sales assistant had no idea what challenge 25 was, and it is reasonable to conclude on the balance of probabilities (remembering that the DPS/PLH had moments before been unable when asked to produce training records....) that he had received no training. Again here we have breaches of conditions 16, 18, 19 and 21.

The DPS/PLH then managed to produce a refusals log from behind the till. Crucially however the sales assistant who had been on duty on their own inside the shop (before the DPS/PLH attended as PC Lucas and Mr Burrows had arrived) had no knowledge of the refusals register. Clearly if the sales assistant had no knowledge of the refusals register and was left alone in the shop selling alcohol, then for practical common sense purposes the refusals book does not exist.

When asked, Mr Shahzad stated that the employee who sold alcohol to the child started work at the shop on the 15th November 2021. The training record produced by Mr Shahzad subsequently was signed by the seller on the 24th November. This is a breach of 18 which expressly states that staff training on age restricted products must take place PRIOR to the selling of such products.

No incident log could be produced by the DPS/PLH. This is a breach of condition 10.

It was noted by PC Lucas the very large quantity of alcohol on retail display inside the shop. We note the condition on the licence: [No more than 20% of the sales area to be used at any one time for the sale, exposure for sale, or the display of alcohol](#). PC Lucas commented that up to 40 – 45% of the retail display was alcohol. This is a breach of condition 12. The fact that the DPS/PLH clearly operates their premises with little if any regard to the promotion of the licensing objectives and clear and flagrant disregard for the conditions on the premises licence in view of the very large quantities of alcohol being sold is a serious concern.

With reference to condition 13: [Notices will be prominently displayed at all exists requesting patrons to respect the needs of local residents and leave the area quietly](#). There were no signs on display.

The premises licence for this shop was granted on the 11th January 2021. At the time of the failed test purchase in November 2021, the premises was in possession of the licence with the attached conditions for over ten months. Notwithstanding the fact that the policies and procedures should have been in place before alcohol was even sold, the DPS/PLH has had nearly a year to get their house in order. Despite this we still see a catastrophic failure to promote the licensing objectives and adhere to basic licence conditions in November.

The revised S.182 Guidance to the Licensing Act 2003 (April 2018) issued by The Home Office states:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

11.29 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

In this case there has been one failed test purchase and not two. However 11.29 of the statutory guidance refers expressly to premises that operate responsibly and undertake due diligence checks on those who appear to be under the age of 18. The Guidance then states that "where these systems are in place..." Sussex police contend to the Committee that unfortunately in this case systems are quite clearly not in place. Furthermore, they were clearly still not in place weeks after a failed test purchase when the Licensing Authority (represented by Mr Burrows) and Sussex police arrived unannounced to conduct a licensing visit.

The premises licence with conditions was issued in January of last year. Ten months later at the time of the failed test purchase there were evidently multiple condition breaches.

Trading Standards visited the shop on the 23rd November. The test purchase failure was on the 25th November. Eighty eight days then passed until the unannounced inspection visit by PC Lucas and Mr Burrows. Quite clearly little if anything had been done by the DPS/PLH in the meantime that was apparent on the 21st January to address the problems and breaches at the shop. When PC Lucas and Mr Burrows attended the premises there were still serious breaches of basic conditions.

We would also remind the Committee that not only is the DPS/PLH Mr Shahzad in breach of multiple conditions in annexe 2 of the premises licence for Sussex News, but he is also in breach of mandatory conditions on the licence:

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.

Mr Shahzad is also in breach of the S.182 Statutory Guidance as follows:

Age verification

10.46 The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person (see paragraph 10.39) to be under the age of 18 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and either a holographic mark or ultraviolet feature. The Home Office encourages licensed premises to accept cards bearing the Proof of Age Standards Scheme (PASS) hologram as their preferred proof of age, while acknowledging that many other forms of identification meet the requirements of the mandatory condition.

10.47 The premises licence holder or club premises certificate holder must ensure that staff (in particular, staff who are involved in the supply of alcohol) are made aware of the existence and content of the age verification policy which applies by the premises.

10.48 The designated premises supervisor (where there is one) must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. This means that the DPS has personal responsibility for ensuring that staff are not only aware of, but are also applying, the age verification policy. 10.49 It is acceptable, and indeed encouraged, for premises to have an age verification policy which requires individuals who appear to the responsible person to be under an age greater than 18 to produce such identification on request. For example, if premises have a policy that requires any individual that appears to be under the age of 21 to produce identification that meets the criteria listed above, this is perfectly acceptable under the mandatory code.

Trading Standards in their review application state that they do not have confidence the licensing objectives will be promoted by the carrying on of licensable activities at these premises and deem it both proportionate and necessary to invite the committee to consider a review of the premises licence and that it is both proportionate and necessary to revoke the licence.

Sussex police fully support the stance taken by Trading Standards in this case, and also invite the Committee to consider revoking the premises licence for the reasons stated above.

Yours sincerely,

A black rectangular box redacting the signature of the Inspector.

Inspector David Derrick CD295
West Sussex Licensing Inspector
Sussex Police

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email: sarah.meeten@arun.gov.uk



Mr A Burrows
Licensing Officer
Arun District Council

14 February 2022

Please ask for:
Sarah Meeten
Licensing
Direct Line: (01903)737755

Your Ref: .

Our Ref: EH/SM/L114092 . /sm

Dear Mr Burrows,

Representation - application for review of a premises licence
Sussex News, 15b Surrey Street, Littlehampton

I make representations on behalf of the Licensing Authority as a Responsible Authority. The application for review of the above premises licence is of great concern. The supply of alcohol to a child is not only unlawful but several breaches of the premises licence have also been found upon visits to the premises, even after the premises licence holder had been notified the review application had been made. The Sub-Committee are asked to explore the seriousness of this matter and the willingness and capability of the responsible person to hold a premises licence.

At the time of writing this representation, the authority has had no contact from the licence holder. No proposals have been made to address the serious issues that have been uncovered at the premises. On inspection an officer noted that almost half the store was being used for the display of alcohol, contrary to the conditions of the premises licence which state

Further to this, no application been made to the authority for a minor variation of the licence upon advice of an officer who noted the layout of the premises had been altered, contrary to the premises licence 'No more than 20% of the sales area to be used at any one time for the sale, exposure for sale, or the display of alcohol'. An officer is currently investigating a further breach of conditions in relation to deliveries of alcohol.

The business appears to be selling a large amount of alcohol with little regard to the rules. It is for the Sub-Committee to be satisfied that the business is being operated in a way which promotes the licensing objectives.

Section 19 of the authorities own relevant policy states:

19.2

The application of a proof of age policy such as 'Challenge 25' is considered an essential measure in preventing underage sales. The Council expects that signage relating to the application of the selected policy should be clearly displayed at the premises. All staff involved with the sale or supply of alcohol should be trained in the application of this Policy and other related matters such as proxy sales.

19.3

Where the sale of alcohol to children gives rise to a licence review, it will be the responsibility of the licence holder to demonstrate that measures were in place to try and prevent issues arising. Where a licence holder fails to do so the committee will consider what action is appropriate to ensure promotion of the licensing objectives. This may include removal of the designated premises supervisor, suspension or revocation of the licence.

The Sub-Committee are asked to consider that there are a number of aggravating factors in this case. These include previous warnings being ignored following the intervention of Trading Standards, a large number of conditions of the premises licence not being complied with and the potential harm that could have been done to young persons as a result of the unlawful supply of alcohol.

Yours Sincerely,

A black rectangular box redacting the signature of Mrs Sarah Meeten.

Mrs Sarah Meeten
Licensing Manager

Holly Yandall

Public Health Lead for Alcohol and Drugs
Public Health Department
0330 222 8683
PublicHealth.Licensing@westsussex.gov.uk
www.westsussex.gov.uk

First Floor, The Grange
Tower Street
Chichester
West Sussex
PO19 1RQ



Licensing
Arun District Council
Environmental Health
Arun Civic Centre
Maltravers Road,
Littlehampton
West Sussex
BN17 5LF

15th February 2022

Dear Sir or Madam,

Re: Sussex News, 15B Surrey Street, Littlehampton, West Sussex, BN17 5AZ.

The West Sussex County Council (WSCC) Public Health Directorate wishes to support the application by Trading Standards to review the licence of: Sussex News, 15B Surrey Street, Littlehampton.

The Public Health Directorate concurs that the Licensing Objectives of:

- (1) The Prevention of Crime and Disorder
- (2) The Protection of Children from Harm

are not being promoted, as demonstrated by the sale of alcohol to a person under the age of 18, as part of a Trading Standards 'test purchase' operation. We are disappointed to learn about the sale of alcohol to a child and endorse the recommendations made in the review application by Trading Standards.

The sale of alcohol to children is of extreme concern, particularly in light of the strong evidence demonstrating the harms, caused by alcohol, to children:

According to guidance provided on NHS.UK, children and young people are advised not to drink alcohol before the age of 18¹, due to the following health risks:

- Drinking alcohol can damage a child's health, even if they're 15 or older. It can affect the normal development of vital organs and functions, including the brain, liver, bones and hormones.
- Beginning to drink before age 14 is associated with increased health risks, including alcohol-related injuries, involvement in violence, and suicidal thoughts and attempts.
- Drinking at an early age is also associated with risky behaviour, such as violence, having more sexual partners, pregnancy, using drugs, employment problems and drink driving².

¹ <https://www.nhs.uk/common-health-questions/childrens-health/should-my-child-drink-alcohol/>

² <https://www.nhs.uk/common-health-questions/childrens-health/should-my-child-drink-alcohol/>

In 2021 the WSCC Public Health and Social Research Unit published the West Sussex Substance Misuse Needs Assessment which includes data on the prevalence of alcohol use and misuse in young people, both locally and nationally³.

The national data shows that alcohol remains the substance most commonly used by young people. In 2018, 44% of young people said they had ever had an alcoholic drink, the same as in 2016⁴.

The What About YOUth (WAY) survey 2014 was a one-off survey designed to collect robust local authority level data on a range of health behaviours amongst 15 year-olds, including whether they smoke, drink alcohol or have taken drugs. The survey data tell us that, compared to the England average, young people in West Sussex are more likely to binge drink⁵.

Relevant findings from 'Lifestyles of 14 to 15 year-olds in West Sussex: 2015' report include:

- 3.7% of 14-15 year-olds surveyed regularly drink alcohol.
- 36.3% of 14-15 year-olds surveyed occasionally drink alcohol.
- Of the 40% of 14-15 year-olds who drink occasionally or regularly, 89% drink once a week or less, 9% drink 2-3 times per week, 2% drink on 4 or more days per week.
- Of the 40% of 14-15 year-olds who drink occasionally or regularly, 43.9% occasionally drink with the intention of getting drunk, and 11.6% regularly drink with the intention of getting drunk.
- The proportion of young people who drink alcohol in their own homes has increased in recent years from 47% in 2009 to 61% in 2014⁶.

Data from the West Sussex 'Local Alcohol Profile' show that hospital admissions in under 18s, for alcohol-specific conditions, have been on a downward trend since 2007, but this decrease has levelled off in recent years, following an increase in admissions for under 18 year-old males. Admissions for under 18 males and females remain similar to the England average. The current West Sussex rate of hospital admission episodes for alcohol-specific conditions in under 18s (male and female) is 34.6 per 100,000 population. This is statistically similar to the England average of 31.6⁷.

Given the harm caused to children by alcohol and the prevalence of alcohol misuse and harm being experienced by young people in West Sussex, it is especially disappointing to note that staff at Sussex News sold alcohol to a child. It is extremely concerning that there was both a lack of signage relating to and operation of a Challenge 25 policy, despite this being a condition of the licence, and that Trading Standards officers noted that a further condition, relating to the operation of CCTV, was not being adhered to.

It is also noted that the member of staff, who sold alcohol to the underage Trading Standards volunteer, could not operate the refusals register, which indicates a lack of effective training at the premises.

³ <https://jsna.westsussex.gov.uk/assets/living-well/west-sussex-substance-misuse-needs-assessment-2021.pdf>

⁴ P.42 <https://jsna.westsussex.gov.uk/assets/living-well/west-sussex-substance-misuse-needs-assessment-2021.pdf>

⁵ P.43 <https://jsna.westsussex.gov.uk/assets/living-well/west-sussex-substance-misuse-needs-assessment-2021.pdf>

⁶ P.43 <https://jsna.westsussex.gov.uk/assets/living-well/west-sussex-substance-misuse-needs-assessment-2021.pdf>

⁷ P.43-44 <https://jsna.westsussex.gov.uk/assets/living-well/west-sussex-substance-misuse-needs-assessment-2021.pdf>

Trading standards officers had sent a letter and given very recent verbal advice about the sale of age restricted products, which had clearly not been acted upon.

The intelligence received by Trading Standards, regarding proxy purchasing of other age restricted products (e-cigarettes) at this premises, raises further questions and concerns about the running of this premises and the apparent disregard for the licensing objectives outlined above.

In summary, the WSCC Public Health Directorate fully supports the suggestion made by Trading Standards for the Licensing Committee to seriously consider a revocation of the premises license and believe it to be necessary, proportionate and reasonable in order to prevent further crime and disorder and to protect children from harm.

Yours faithfully,

Holly Yandall
Public Health Lead for Alcohol and Drugs

On behalf of the Director of Public Health

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email: licensing@arun.gov.uk

Mr Khawar Shahzad
[REDACTED]
[REDACTED]
[REDACTED]

11 January 2021

Please ask for:
Licensing Team

Our Ref: Licence 114092

Dear Mr Khawar Shahzad

Licensing Act 2003 – Premises Licence Granted

Further to your application for a Premises Licence I am pleased to advise that your licence has been granted. It takes the form of a Premises Licence and a Summary. The Summary must be displayed in a prominent position at the premises to which it relates. The Premises Licence must also be kept at the premises unless a certified copy of the licence has been issued. If this is the case a notice explaining the location of the licence must also be displayed. Failure to produce licences when requested by an authorised person may result in a fine of up to £500. Please ensure all relevant persons are aware of the conditions attached to the licence.

This licence incurs an annual fee unless it has been granted for a finite period of time. The annual fee is due 12 months from the date of the initial grant of the licence. If you have been sent this licence following an application to vary the licence or to transfer the licence to another party, you will be invoiced.

There may be restrictions which apply to this licence which are not explicitly displayed. There may also be restrictions to trading by way of Planning Conditions. The Licensing Team advises all licence holders to check whether there are Planning Conditions or restrictions applying to the property prior to trading.

For further information relating to premises licensing, please go to www.arun.gov.uk/licensing.

Yours sincerely,

Linda Mercer
Technical Support Assistant



Licensing Act 2003
Premises Licence

Part A

Arun District Council
Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF

Premises Licence Number: **114092**

Grant Date: **25 September 2020**

Premises name and address

Sussex News, 15B Surrey Street, Littlehampton, West Sussex, BN17 5AZ
--

The Opening Hours of the Premise		
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Day	Start Time	End Time
Monday	06:30	23:00
Tuesday	06:30	23:00
Wednesday	06:30	23:00
Thursday	06:30	23:00
Friday	06:30	23:00
Saturday	06:30	23:00
Sunday	06:30	23:00

Seasonal Variations:

Non-standard times:

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
--

Sale or Supply of Alcohol: For consumption off the premises

The times the licence authorises the carrying out of licensable activities:
--

Alcohol times: For consumption off the premises
--

Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00

Sunday	08:00	23:00
Seasonal Variations: Non-standard times:		

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

For consumption off the premises

Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence

Mr Khawar Shahzad

[REDACTED]

kh [REDACTED]

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

Khawar Shahzad

[REDACTED]

Personal licence number and issuing authority of Personal Licence held by Designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol

LN/301100006

Worthing Borough Council

Mandatory conditions

Supply of Alcohol

Section 19: Where the licence authorises the 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.

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

(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.

Conditions consistent with the Operating Schedule

General Objectives:

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place.

The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

At the time the order is placed a declaration will be required from the person placing the order that that person is aged over 18 years of age, and that the intended recipient are over 18 years of age. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

1. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.

2. For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, the person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery. No ID, no delivery.

3. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:

contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:

contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:

- only employs delivery employees or agents aged 18 and over;
- is aware that alcohol is included in the delivery;
- that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;
- that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.

Prevention of Crime and Disorder:

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

CCTV footage will be stored for a minimum of 31 days

The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member will be able to show police and download recent data or footage with the absolute minimum of delay when requested.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable

An incident log shall be kept at the premises, and made available on request to officers of any responsible authority, which will record the following:

TV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

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An incident log shall be kept at the premises, and made available on request to officers of any responsible authority, which will record the following:

- All crimes reported to the venue;
- All ejections of patrons;
- Any complaints received;

- Any incidents of disorder;
- Any faults in the CCTV system or searching equipment;
- Any refusal of the sale of alcohol (in addition to being recorded in the refusals system);
- Any visit by an officer of a responsible authority.
- All off sales will be supplied in sealed containers.

Public Safety:

Prevention of Public Nuisance:

No more than 20% of the sales area to be used at any one time for the sale, exposure for sale, or the display of alcohol. Notices will be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 and 08:00 hours.

Protection of Children from Harm:

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

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The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

The premises shall at all times maintain and operate refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request.

Conditions attached after a hearing by the licensing authority

Plans

See separate Sheet.

This Licence has been authorised by:



Sarah L Meeten
Authorised Signatory

Issue Date: 11 January 2021



Licensing Act 2003 **Premises Licence**

Part B - Summary

Arun District Council
Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF

Premises Licence Number: 114092
Grant Date: 25 September 2020

Premises name and address
Sussex News, 15B Surrey Street, Littlehampton, West Sussex, BN17 5AZ

The Opening Hours of the Premise		
Day	Start Time	End Time
Monday	06:30	23:00
Tuesday	06:30	23:00
Wednesday	06:30	23:00
Thursday	06:30	23:00
Friday	06:30	23:00
Saturday	06:30	23:00
Sunday	06:30	23:00

Where the licence is time limited the dates

Licensable activities authorised by the licence
Sale or Supply of Alcohol: For consumption off the premises

The times the licence authorises the carrying out of licensable activities:

Alcohol times: For consumption off the premises		
Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00

Saturday	08:00	23:00
Sunday	08:00	23:00
Seasonal Variations: Non-standard times:		

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

For consumption off the premises

Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence

Mr Khawar Shahzad

[REDACTED]

[REDACTED]

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

Name, Personal licence number and issuing authority of Personal Licence held by Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol

Khawar Shahzad

LN/301100006

Worthing Borough Council

State whether access to the premises by children is restricted or prohibited:

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram.

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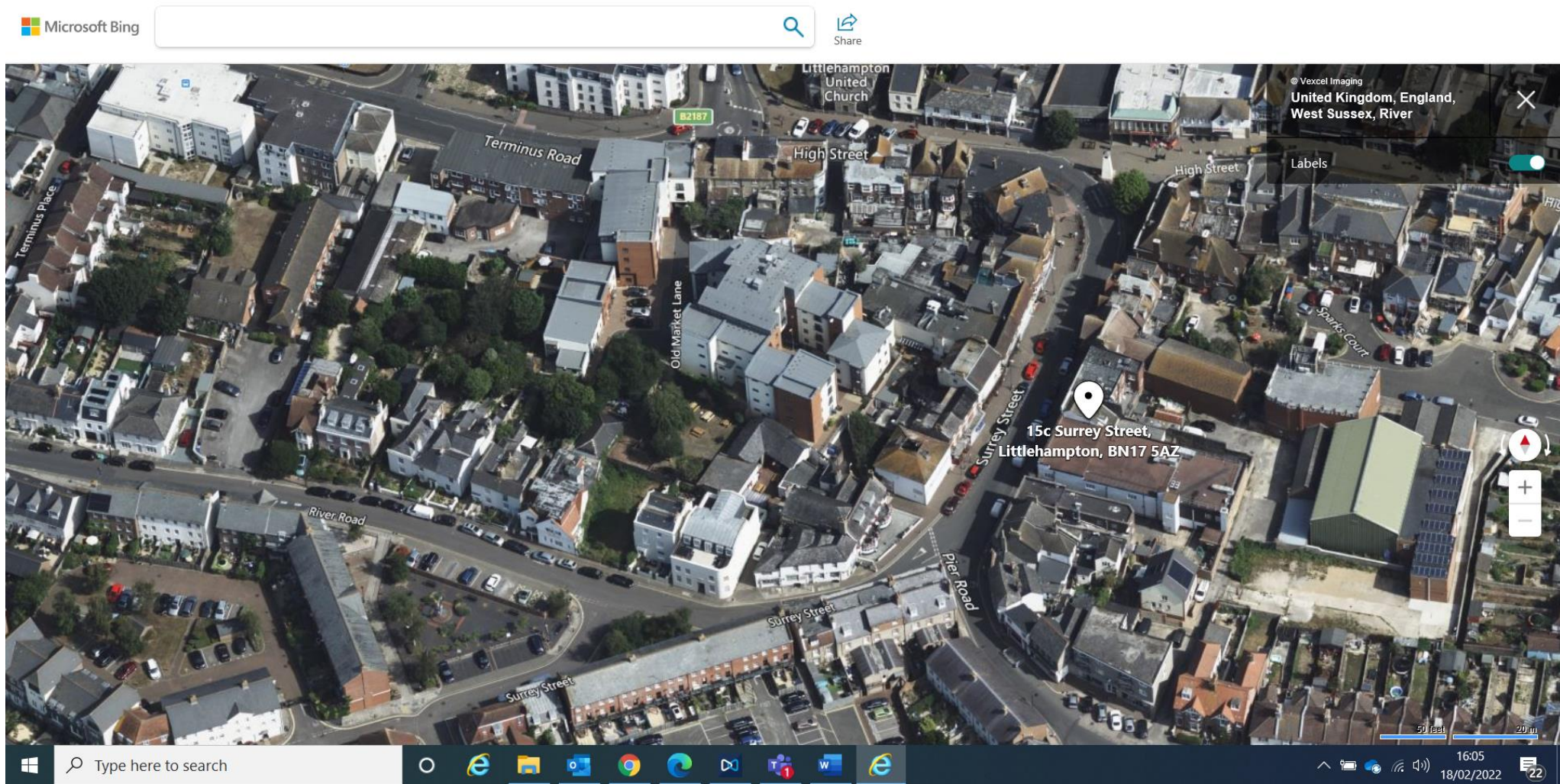
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Sarah L Meeten
Authorised Signatory

Issue Date: 11 January 2021

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