



Public Document Pack

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Committee Manager – Jane Fulton (37611)

19 April 2023

LICENSING SUB-COMMITTEE

A meeting of the Licensing Sub-Committee will be held in the **New Millennium Chamber, Littlehampton Town Hall, Manor House, Church Street, Littlehampton, BN17 5EW** on **Thursday 27 April 2023 at 9.30 am** and you are requested to attend.

Members: Councillors Gregory, Kelly and Northeast

This meeting is open to members of the public but is not able to be webcast.

Please do not attend any face to face meeting if you have Covid-19 symptoms.

For further information on the items to be discussed, please contact:
committees@arun.gov.uk

AGENDA

1. ELECTION OF CHAIR

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 CHAIR OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

4. LICENSING ACT 2003 S51 APPLICATION FOR REVIEW OF A PREMISES LICENCE (Pages 1 - 56)

An application for the review of a premises licence relating to Premier, 220-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE has been received from West Sussex Trading Standards Service as a responsible authority that contends that the licensing objectives of the Protection of Children from Harm and Prevention of Crime and Disorder have been undermined.

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](#)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ARUN DISTRICT COUNCIL LICENSING SUB-COMMITTEE ON 27 APRIL 2023

SUBJECT:

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

REPORT AUTHOR: Louise Dewberry – Licensing Officer

DATE: 13 April 2023

EXTN: 01903 737680

AREA: DIRECTORATE Growth.

EXECUTIVE SUMMARY:

The Authority is in receipt of an application to review a premises licence for a premises known as Premier, 220-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE.

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

Supporting representations in this matter have been made by Sussex Police **(Appendix B)**,

There is NO request by the applicant to have the review held in camera as there are NO ongoing criminal investigations.

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. 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 Premier is a convenience store located at 220-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE.
The premises is licensed to sell and supply alcohol for consumption off the premises, under the provisions of the Licensing Act 2003 under Licence number 6328. **(Appendix C)**

1.3 The Premises Licence Holder for 220-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE is a Private Limited Company Justin Retail Limited of the same address, the sole director of the company is Mr Sanjaykumar Patel who is also the Designated Premises Supervisor for the premises.

1.4 The application for review of the licence states that on 23 November 2022, West Sussex County Council Trading Standards (WSCCTS) carried out a controlled Test Purchasing exercise. A staff member at Justin Retail Ltd t/a Premier Chichester Road sold alcohol to a Trading Standards volunteer who was under the age of 18.

The sale of alcohol to a person under the age of 18 is a criminal offence under the Licensing Act 2003.

Members of the Licensing Sub-Committee will have read the application for a review from Trading Standards with the following statement,

“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 to promote said licensing objective.

In considering a 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 23rd November 2022.”

The application for review further states –

“the Responsible Authority do not believe the licensing objectives are being continually upheld 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 and as there have been further breaches at another store with the same DPS, the Responsible Authority suggests an appropriate outcome of the review would be a Revocation of said alcohol licence.”

1.5 Members of the Licensing Sub-Committee are reminded that the Licensing Authority may also consider the following, which are taken from the Home Office Revised Section 182

11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

- 1.6 The application for review includes evidence of the DPS/Premises licence holder Nick retail Ltd Selsey convenience store, 143 High Street, Selsey, Chichester, West Sussex, PO20 0QB this is the same DPS/Licence holder as Justin Retail Ltd, the committee should be made aware the Selsey store is not located within our district. Evidence file is available on request for Nick Retail Ltd for the committee's reference.

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 Protection of Children from Harm and Prevention of Crime and Disorder.
- 2.2 The application also prompted Sussex Police to support the review. Their submission is attached at **Appendix B**.
- 2.3 Relevant representation has also been received from Director of Public Health West Sussex County Council a responsible authority supporting the review application attached as **Appendix F**.

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
Encouraging or inciting criminal behaviour associated with licensed premises	Good controls, practices and training in place
Serious injury results	Willingness to attend and
Confidence in management ability to rectify defects	cooperate during mediation steps
Previous track record	Previous track record
High rate of turnover of Licence holder/ designated premises supervisor	

Relevant Representation received regarding Protection of children from Harm	
Aggravating Factors	Mitigating Factors
Age Of Children Previous warnings ignored Children exposed to physical harm/danger as apposed to other threats Activity arose during normal school hours Deliberate or wilful exploitation of children 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.	Conduct occurred with consent of person with parental reponsability for child. Short duration of event No physical harm Short -term disturbance Undertaking/commitment not to repeat activity Voluntary acceptance/proposal of additional conditions Children permitted on premises as part of Operating Schedule Good controls, practices and training in place fro preventing harm to children. Not involving under-age exposure to alcohol.

4.0 RELEVANT LEGISLATION LICENSING ACT 2003

4.1 Section 146 Selling Alcohol to children

Members attention is drawn to this section which states

- (1)A person commits an offence if he sells alcohol to an individual aged under 18.
- (4) Where a person is charged with an offence under this section by reason of his own conduct it is a defence that—
- (a)he believed that the individual was aged 18 or over, and
- (b)either—
- (i)he had taken all reasonable steps to establish the individual's age,
- or
- (ii)nobody could reasonably have suspected from the individual's appearance that he was aged under 18.
- (5) For the purposes of subsection (4), a person is treated as having taken all reasonable steps to establish an individual's age if—
- (a)he asked the individual for evidence of his age, and
- (b)the evidence would have convinced a reasonable person.
- (6) Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.
- (7) A person guilty of an offence under this section is liable on summary conviction to

a fine not exceeding level 5 on the standard scale.

APPENDICES:

- A: Application for a Review by West Sussex Trading Standards.
- B: Representation by Sussex Police
- C: Copy of Premises Licence.
- D: Map of area.
- E: Evidence Bundle.
- F: Representation by Director of Public Health

Background Papers:

Licensing Act 2003
Section 182 Guidance
Arun Statement of Licensing Policy

PROPOSAL(S):

5.0 OBSERVATIONS

- 5.1 The Sub Committee is obliged to determine this application with a view to promoting the licensing objectives which are:
- The Prevention of Crime and Disorder
 - The Prevention of Public Nuisance
 - Public Safety
 - The Protection of Children from Harm
- 5.2 In making its decision the Sub Committee is also obliged to have regard to national guidance and Arun's Statement of Licensing Policy.
- 5.3 The Sub Committee must also have regard to all relevant representations and evidence that it hears.

OPTIONS:

- 6** The 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

7. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	x	
Relevant District Ward Councillors	x	

Other groups/persons (please specify)	x	
8. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		x
Legal	x	
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x
Other (please explain)		x
9. IMPLICATIONS: Any decision made by the Licensing Sub-Committee can be appealed to the Magistrates Court		
10. BACKGROUND PAPERS: A: Application for a Review by West Sussex Trading Standards. B: Representation by Sussex Police C: Copy of Premises Licence. D: Map of area. E: Evidence Bundle. F: Representation by Director of Public Health		

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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

Justin Retail Ltd T/a Premier Chichester Road
220 - 222 Chichester Road,
Bersted,

Post town: Bognor Regis

Post code (if known): PO21 5BE

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

Justin Retail Ltd
220 - 222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

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

1508

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)

1) the prevention of crime and disorder

2) public safety

3) the prevention of public nuisance

4) the protection of children from harm

Please tick one or more boxes ✓

☒☐☐☒

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 23rd November 2022, during a controlled Trading Standards Test Purchasing exercise, a staff member at Justin Retail Ltd t/a Premier Chichester Road sold alcohol to a Trading Standards volunteer who was under the age of 18.

The sale of alcohol to a person under the age of 18 is a criminal offence under the Licensing Act 2003.

Protection of children from harm

Despite Justin Retail Ltd operating a Challenge 25 Policy, the seller did not follow the guidance of such policy, contrary to the Licence Condition:

'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.*

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

On 18th August 2022, the Responsible Authority received a report from a member of the public stating on 17th August 2022, the parent's 12 year old son was sold an energy drink which had on the labelling '18+ Bang blue razz'.

Although it is not an offence to sell Energy Drinks to children under the age of 18, in 2019, the government announced it would bring in legislation to ban the sale of energy drinks to children under 16, but this has not yet happened. Although there is currently no UK legislation restricting the sale of energy drinks to Under 16s, it's recommended sales of this type of product are restricted to over 16s, but this is still voluntary.

It was also noted that the Energy Drink in question was an American Import, and therefore Justin Retail Ltd were advised in response to this complaint on UK Food Labelling requirements and the potential issues when importing Food from the US and the food item not complying with UK Food Legislation and standards.

On the 12th September 2022, a Senior Trading Standards Officer together with a Trainee Trading Standards Officer from the Responsible Authority carried out an advice visit in relation to selling age restricted products to the business. The Officers met and spoke with Miss Radhika PATEL, the Store Manager. Several points were discussed during this advice visit and they spoke at length about what were the current procedures the shop had in place. Miss PATEL explained to the Officers they had a 'Think 25' policy in place at the store and she further explained to the officers what forms of ID they accept as proof of age.

On the 13th September 2022, the Trainee Trading Standards Officer from the Responsible Authority, sent a letter to Justin Retail Ltd confirming the advice that was discussed at the advice visit. The letter was addressed to Mr Sanjay PATEL, the Director and Designated Premises Supervisor (DPS) for the premises.

On the 23rd November 2022, as part of a underage sales operation the Responsible Authority were carrying out that day, a 17 year old volunteer working under the instruction and supervision of the Responsible Authority entered Justin Retail Ltd t/a Premier Chichester Road at 220-222 Chichester Road, Bersted, PO21 5BE. The child volunteer selected two Cans of Pink Gin and Tonic and took them to the till. A female working behind the till area, Ms PATEL, sold the two cans of Pink Gin to the child volunteer, without asking them any questions or asking the volunteer for ID.

Immediately after the sale two Senior Trading Standards Officers from the Responsible Authority returned to the shop to inform the seller about the test purchase and take the relevant information to instigate an investigation.

Under caution, Ms Radika PATEL advised that she remembered selling the alcohol to the child volunteer but that she thought the volunteer looked 26/27 years old. Ms PATEL advised that she had been working for the company for approximately two and a half years and that she had been trained on the sale of Age Restricted Products.

Ms PATEL again confirmed there was a 'Think 25' Policy in place in the store and that she had been trained on this. Ms Patel also confirmed that the till had a prompt and she showed both officers what the till shows when scanning in an Age Restricted Product. Ms PATEL confirmed that they do have a Refusal Log and showed the

Refusal Log to the Officers. One of the officers took pictures of the Refusal Log. Since the advice visit on the 12th September 2022, there had been 8 further entries into the Refusal log, 6 of which were by Ms PATEL and the last entry was the 22nd October 2022.

Further questions were subsequently put by the Responsible Authority to a representative for the Company, Justin Retail Ltd. Mr Sanjay PATEL, as the Company Director, responded to the questions and has advised that the sale was due to human error. Mr PATEL confirmed that Ms PATEL was the Store Manager and that he further advised that Ms PATEL was on the phone at the time of the sale and therefore distracted. Mr PATEL has advised that Ms PATEL had received training prior to the incident and that she has received further training since.

Mr PATEL has also advised that as a result of this incident, Ms PATEL had a disciplinary hearing and that on the 17th December 2022, received a written warning in relation to the incident.

Mr PATEL has also received advice in relation to the sale of Age Restricted products on several occasions prior to the incident at his other stores.

On the 19th November 2021, a Trading Standards Officer from the Responsible Authority carried out an advice visit in relation to selling age restricted products at Nick Retail Ltd t/a Selsey Convenience store at 143 High Street, Selsey, Chichester, West Sussex, PO20 0QB and spoke with the Licence Holder Mr Sanjay PATEL. Several points were discussed during the advice visit with Mr PATEL and they discussed at length what training was given to the staff and how often the training was provided.

On the 16th August 2022, a further advice visit to Nick Retail Ltd t/a Selsey Convenience store at 143 High Street, Selsey, Chichester, West Sussex, PO20 0QB and spoke with the Licence Holder and DPS Mr Sanjay PATEL. Mr PATEL was also sent an email confirming the advice that was discussed at this visit.

On the 23rd August 2022, as part of a underage sales operation the Responsible Authority were carrying out that day, a 16 year old volunteer working under the instruction and supervision of the Responsible Authority entered Nick Retail Ltd t/a Selsey Convenience store at 143 High Street, Selsey, Chichester, West Sussex, PO20 0QB. The child volunteer selected two bottles of Kopparberg with Raspberry Cider and took them to the till. A male working behind the till area sold the two bottles of cider to the child volunteer, without asking them any questions whatsoever.

As a result of this incident, the Responsible Authority submitted a Licence Review Application in relation Selsey Convenience store at 143 High Street, Selsey, Chichester, West Sussex, PO20 0QB where Chichester District Council's Licensing Subcommittee decided at the hearing to remove Mr Sanjay Patel as the DPS, impose new conditions and suspend his alcohol licence for the maximum period of 3 months.

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 to promote said licensing objective.

In considering a 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 23rd November 2022.

In view of the above, the Responsible Authority do not believe the licensing objectives are being continually upheld 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 and as there have been further breaches at another store with the same DPS, the Responsible Authority suggests an appropriate outcome of the review would be a Revocation of said alcohol licence.

Please tick ✓ yes

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

☐

If yes please state the date of that application

Day Month Year

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

Please tick ✓ yes

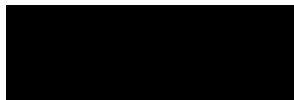
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

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



.....

Date 14/03/2023

.....

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

3rd April 2023

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

Dear Licensing Team,

RE: APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR JUSTIN RETAIL LIMITED TRADING AS PREMIER, 220 – 222 CHICHESTER ROAD, BERSTED, BOGNOR REGIS, WEST SUSSEX. PO21 5BE. UNDER THE LICENSING ACT 2003. YOUR REF: 22/117865/LAPRER.

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 and the protection of children from harm.

This is a review hearing upon the application of West Sussex County Council Trading Standards following a number of interactions with the premises.

Sussex police support the review application by Trading Standards requesting revocation of the premises licence.

It is concerning that the person who sold alcohol to a child on the test purchase operation on the 23rd November 2022 was:

- Mrs Patel the store manager;
- Mrs Patel had worked at the shop for 2.5 years prior to the sale;
- That Mrs Patel stated that she had received training on age restricted products;
- The shop operated a challenge 25 policy
- There was a till prompt on the till reminding the seller to check for ID every time alcohol was scanned through the till

and yet still alcohol was still sold to a 17 year old with no questions asked whatsoever. When questioned afterwards Mrs Patel said she thought the 17 year old child looked 26 – 27 years old.

We also note with concern that the director of the Premises Licence Holder company Mr Sanjay Patel stated to Trading Standards officers that the seller Mrs Patel was on the phone at the time of the sale and was distracted. This is unacceptable and not an excuse. There is a reason why it is illegal to use hand held mobile phones whilst driving. Equally Mr Patel should ensure that his staff do not take phone calls or allow themselves to be distracted whilst serving customers, especially when selling age restricted products.

We also note with concern that Mr Sanjay Patel is also a director of Nick Retail Ltd trading as Selsey Convenience Store at 143 High Street, Chichester. Whilst we appreciate that this is a different store in a different licensing authority, it is particularly frustrating that we have already been to a council licensing committee hearing at Chichester Council in respect of Selsey Convenience Store on the 26th January 2023, again because age restricted products including alcohol were sold to children.

Again Mr Patel had an excuse that that the member of staff who sold had a lot to deal with and was busy dealing with a new stock delivery as well as serving customers. As is the case with the mobile phone whilst serving referred to above, that is not really an acceptable excuse.

Moving back to this review application, an unannounced police licensing visit was made to the premises on the 30th March 2023. The only point of note was that the time on the CCTV system as 20 minutes out, which the supervisor promised to rectify.

It is noted that currently there are no conditions whatsoever in annexe 2 of the licence. Should the Council Licensing Committee decide not to revoke the licence or instead suspend the licence, then Sussex police invite the Committee to update the premises licence conditions up to current modern standards by imposing all of the following conditions in annexe 2 of the licence as follows:

The 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.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The time will be amended promptly when British Summer Time starts and ends.

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 Licensing Department immediately (and retain documentary evidence in the form of an acknowledgement or receipt that this has been done) & 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.

All off sales of alcohol will be made in sealed containers.

Spirits will be stored and displayed behind the server/service counter out of the reach of the public.

For the 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, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises, including the point of sale and the area where the alcohol is displayed.

The Premises Licence Holder shall ensure that all staff members (including family members, friends and all temporary staff) engaged or to be engaged, in selling alcohol at the premises shall receive 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 and refresher training undertaken by staff members shall be fully documented 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 an incident log and refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor (with the date and time of each review documented) 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. All incidents recorded in the log/refusals register will be retained on the premises for a minimum of twenty four months.

Feedback will be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.

A list of staff members who are authorized to sell alcohol on the premises will be kept. This shall be endorsed by the DPS with the date of such authorisation commences.

At all times the premises is open and undertaking licensable activities, members of staff must be able to communicate sufficiently to enable them to promote the four licensing objectives, specifically, the ability to make effect age and identification challenges and to ensure alcohol is retailed responsibly.

Conditions for alcohol delivery service:

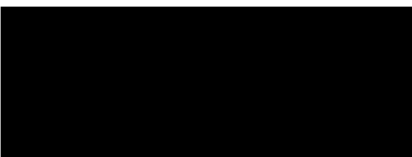
Alcohol deliveries will only be made to a residential or business address and not to a public place.

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 18 years or over, and that the intended recipient are over 18 years or over. 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:
 - 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.

Yours sincerely,



Inspector David Derrick CD295
West Sussex Licensing Inspector
Sussex Police

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Mr Richard Deighton
Roundabout House
146 Bognor Road
Chichester
PO19 7TQ

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

Tel: 01903 737755
Fax: 01903 723936

web: www.arun.gov.uk/licensing
email: licensing@arun.gov.uk

09 July 2020

Please ask for:
Licensing Team

Our Ref: Licence 6328

Dear Mr Richard Deighton

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 printed and 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: **6328**
Grant Date: **27 May 2020**

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

Premier, 220 - 222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

The opening hours of 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	10:00	22:30

Good Friday - 0800 - 2230 hours.

Christmas Day - 1200 - 1500 hours and 1900 - 2230 hours.

Where the licence is time limited the expiry date:

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	10:00	22:30

Good Friday - 0800 - 2230 hours.
Christmas Day - 1200 - 1500 hours and 1900 - 2230 hours.

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 e-mail (where relevant) of holder(s) of the premises licence:

Justin Retail Ltd
220 - 222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

Registered number of holder, for example company number, charity number (where applicable): 298945

Name and address of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: **Sanjaykumar Natvarbnai Patel**
Address: **112 The Hornet, Chichester PO19 7JR**

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

Licence Number: **1508**
Issuing Authority: **Winchester City 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:

Prevention of Crime and Disorder:

Public Safety:

Prevention of Public Nuisance:

Protection of Children from Harm:

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: 09 July 2020



Licensing Act 2003

Premises Licence

Part B - Summary

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

Premises Licence Number: **6328**
Grant Date: **27 May 2020**

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

Premier, 220 - 222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

The opening hours of 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	10:00	22:30

Good Friday - 0800 - 2230 hours.

Christmas Day - 1200 - 1500 hours and 1900 - 2230 hours.

Where the licence is time limited the expiry date:

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	10:00	22:30

Good Friday - 0800 - 2230 hours.

Christmas Day - 1200 - 1500 hours and 1900 - 2230 hours.

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

For consumption off the premises

Name and (registered) address of holder(s) of the premises licence:

Justin Retail Ltd
218 - 222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

Registered number of holder, for example company number, charity number (where applicable): 298945

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: **Sanjaykumar Natvarbnai Patel**
Licence Number: **1508**
Issuing Authority: **Winchester City Council**

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

This Licence has been authorised by:

Sarah L Meeten
Authorised Signatory

Issue Date: 09 July 2020



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STATEMENT OF WITNESS

*(Criminal Procedure Rules, Rule 16.2,
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: **MRS LAURA ANNE SANDERS**

Age of Witness: **Over 18**

(If over 18 enter "over 18")

Occupation of Witness: **SENIOR TRADING STANDARDS OFFICER**

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 8th day of December 2022

Signed



I am employed as a Senior Trading Standards Officer with West Sussex County Council Trading Standards Service.

On 23rd November 2022, I participated in an underage sales operation accompanied by my two colleagues Mrs Laura DERBY (Senior Trading Standards Officer) and Miss Natasha ALI (Trainee Trading Standards Officer). A 17-year-old female volunteer was also working under the instruction and supervision of Trading Standards. The purpose of the operation was to ensure West Sussex businesses were compliant in that they were not selling age restricted products to children under the age of 18.

Prior to visiting the premises, Mrs DERBY, Miss ALI and I collected the volunteer, briefed her, and took photographs of her appearance that day. The volunteer was assigned the unique code 'NZA1' to protect her identity.

At approximately 1508, as part of the operation, I witnessed Miss ALI enter Justin Retail Ltd t/a Premier Chichester Road at 220-222 Chichester Road, Bersted,

PO21 5BE. Shortly after, the volunteer also entered the shop. Approximately a few minutes later, the volunteer exited the shop carrying one can of a pre-mixed Pink Gin and Tonic. I then saw Miss ALI exit the store and follow the volunteer where she handed the volunteer another can of pink gin and tonic after the volunteer had accidentally left this on the counter after purchasing both cans. Both Miss ALI and the volunteer then returned to the support vehicle where both Mrs DERBY and I were waiting in full view of the shop entrance.

I observed Miss ALI place the two cans of pink gin and tonic into an evidence bag and complete the information on the bag. Whilst Miss ALI did this Mrs DERBY completed the cost sheet form from the information provided by both Miss ALI and the volunteer.

At 1518, Mrs DERBY and I returned to the store to question the seller about the sale. Whilst we were in the store there was another female in the store who was rearranging stock and putting up advertising. I observed Miss DERBY ask the female behind the counter if she wanted us to wait until the female had finished but the seller advised she was happy to continue. Mrs DERBY then went behind the counter to question the seller and I listened from in front of the counter and made notes in my notebook of the answers. At 15:26 Mrs DERBY cautioned the seller who advised us her name as Radhika PATEL. Ms PATEL advised us that the owner of the shop was a Mr Sanjay PATEL and that he also owned stores in Selsey and Chichester. During the questioning, Ms PATEL advised that for any people she refused a sale of an age restricted product that she completes the 'Refusal Log Book'. Ms PATEL showed us the Refusals Log and using my mobile phone, I took pictures of the book. I identify as evidence a printout of the pictures I took of the 'Refusal log' as Items LAS/JR/1, LAS/JR/2, LAS/JR/3 and LAS/JR/4.

Mrs DERBY and I left the store at 15:37. I identify as evidence a photocopy of my notebook entry of the notes made at the time as Item LAS/JR/5.

STATEMENT OF WITNESS

*(Criminal Procedure Rules 2020, Rule 16.2,
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: MISS NATASHA ZARA ALI

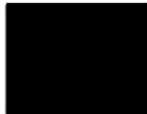
Age of witness: OVER 18

Occupation of Witness: TRAINEE TRADING STANDARDS OFFICER

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 2nd day of December 2022

Signed



I am currently employed as a Trainee Trading Standards Officer within West Sussex County Council Trading Standards Service.

On 23rd of November 2022, I participated in an Underage sales test purchase day, with two colleagues, Mrs Laura SANDERS (Senior Trading Standards Officer) and Mrs Laura DERBY (Senior Trading Standards Officer). A volunteer who is a 17-year-old female participated in the Underage sales test purchase day, under the instruction and supervision of WSCC Trading Standards. The purpose of this operation is to make sure that that West Sussex businesses are compliant with the procedures set out for age restricted products to children under the age of 18.

Prior to visiting the businesses, we collected the volunteer, where we briefed her and took photographs of her appearance that day. The volunteer is assigned a unique code "NZA1" to protect her identity.

Approximately at 1508 hours I entered Justin Retail Ltd t/a Premier, 218-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE. I went and look at the sweets. The volunteer shortly after entered the premise and went to purchase

two Gordons Pink Gin and Tonic cans. The shop employee had earphones in. The shop employee sold the alcohol to the volunteer without asking for ID. The volunteer exited the shop but with only one can of Gordons Pink Gin and Tonic the other can of Gordons Pink Gin and Tonic is left on the side of the counter. I paid for my sweets and advised the female sales assistant that I will give the can that was left to the person that has paid for it on my way out. I then left the shop while the shop employee watches from outside and I catch up with the volunteer and pretend to give the can of Gordons Pink Gin and Tonic. The shop employee then went back into the shop. Both the volunteer and I returned to the support car and I sealed the two cans of Gordons Pink Gin and Tonic into an evidence bag under the reference NA-JR-23-11-22(1), which I now produce as evidence as:

NA/JR/23/11/22/1 – 2 x Gordon's pink gin and tonic cans – seal LC00036921

At approximately 1520 hours, Mrs SANDERS and Mrs DERBY took the evidence bag and went inside Justin Retail Ltd t/a Premier, 218-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE to question the shop employee who made the sale.

At the end of the operation, we returned to our offices in Horsham, where we placed the evidence from Under-age sales test purchase day in the evidence room.

I now produce as evidence a copy of my notebook entry for this operation as exhibit NA/JR/23/11/22/2.

Witness details

Address: WSCC, PARKSIDE, CHART WAY, HORSHAM, RH12 1XH

Email address: [REDACTED]

Mobile number: [REDACTED]

Other number(s): [REDACTED]

Dates to be avoided. Delete dates of non-availability of witness:

Month of :							Month of :							Month of :						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				
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1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
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22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				

Contact details if different from above

Address:

Email address:

Mobile number:

Other number(s):

CRIMINAL PROCEDURE AND INVESTIGATIONS ACT 1996

Record below anything that may affect the credibility of the person making this statement, e.g.; previous convictions, relationship to defendant. If there is nothing state 'none' below.

None

Dated the 2nd day of December 2022

Signed:

[REDACTED]

STATEMENT OF WITNESS

*(Criminal Procedure Rules 2015, Rule 16.2,
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Laura Rachel Derby

Age of Witness: Over 18

Occupation of Witness: Senior Trading Standards Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 01/03/2023

Signed



I am a Senior Trading Standards Officer employed by West Sussex County Council. On 12th September 2022, my colleague Sam Wall (Trainee Trading Standards Officer) and I visited Justin Retail t/a Premier, 218-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE to provide them with advice and guidance in relation to the sale of age restricted products. The reason for the visit was as a result of a complaint that the service received on 18th August 2022 concerning the sale of an energy drink to a 12-year-old. Whilst energy drinks are not currently an age restricted product, it is recommended that they are not sold to anybody under the age of 16. As a result of the complaint, I was allocated a visit to the premises to discuss the complaint and their procedures for preventing a sale of age restricted products to minors.

I entered the premises and was greeted by a female who I now know as Ms Radhika PATEL (Manager). I provided her with advice, which was documented on an inspection form, ref. 2655. I noticed that there was no statutory tobacco notice displayed in the premises, so I handed one to Ms Radhika PATEL to display. I checked the refusals logs and saw that all of the entries had been made by Ms Radhika PATEL and the last entry was on 3rd August 2022. I advised Ms Radhika PATEL that a test purchase using an underage volunteer would be carried out in the

near future to confirm compliance and again, this was detailed on the form. The carbon copy of the form was left with her and I retained the original, ref. 2655 which I now produce a printed copy of in evidence as exhibit **LD/JR/01**.

On 23rd November 2022, I participated in an underage sales operation accompanied by my two colleagues Laura Sanders (Senior Trading Standards Officer) and Natasha Ali (Trainee Trading Standards Officer). A 17-year-old (17 years and 7 days old) female volunteer was also working under the instruction and supervision of Trading Standards. The purpose of the operation was to ensure West Sussex businesses were compliant in that they were not selling age restricted products to children under the age of 18.

Prior to visiting any of the premises, we collected the volunteer and briefed her, and took photographs of her appearance that day. The volunteer was assigned the unique code 'NZA1' to protect her identity.

At approximately 1508 hours, as part of the operation, I witnessed Natasha Ali enter Justin Retail t/a Premier, 218-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE. Shortly after, the volunteer also entered the shop. While Natasha Ali and the volunteer were inside the shop, Laura Sanders and I were waiting in full view of the shop. A short moment later, the volunteer exited the premises and I could see that she was carrying something in her hands. As she got nearer to us, I saw that she was carrying 1 x can of Gordon's Pink Gin & Tonic. She advised me that she had actually purchased two cans but had left one in the shop. I asked her how much they had cost and she told me the entire transaction had cost £3.98. Natasha Ali then exited the premises and joined us and had the other can of Gordon's Pink Gin & Tonic in her hand. I witnessed her place both cans into an evidence bag which she completed and sealed in front of me.

At approximately 1525 hours, Laura Sanders and I returned to Justin Retail t/a Premier, 218-222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE and I introduced us both to the female working behind the till counter who I recognised as Ms Radhika PATEL. I explained the reason for the visit and I advised

her that she had just sold alcohol to a 17 year old and advised her that I would need to ask her some questions in relation to the incident. Ms Radhika PATEL (28/11/1997) confirmed her name and provided me with her date of birth. I cautioned her and asked her a series of questions in relation to the sale and procedures the business have in place for refusing a sale of age restricted products to a minor. The answers were recorded in my pocket notebook.

I inspected the refusals log and noted that the last entry was on 22nd October 2022 which was the eighth entry since my inspection to the premises on 12th September 2022.

I now produce as evidence a copy of the questions I asked and the answers given as exhibit **LD/JR/02**.

Laura Sanders and I left the premises at approximately 1537 hours.

Address: WSCC, Parkside, Chart Way, Horsham, RH12 1XH

Email address: [REDACTED]

Mobile number: [REDACTED]

Other number(s): [REDACTED]

Date and place of birth: REDACTED

Married name: REDACTED

Female

Dates to be avoided. Delete dates of non-availability of witness:

Month of : March							Month of : April							Month of : May						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				
Month of : June							Month of : July							Month of : August						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				

Contact details if different from above

Address:

Email address:

Mobile number:

Other number(s):

CRIMINAL PROCEDURE AND INVESTIGATIONS ACT 1996

Record below anything that may affect the credibility of the person making this statement, e.g.; previous convictions, relationship to defendant. If there is nothing state 'none' below.

None

Dated: 01/03/2023

Signed

[REDACTED]

Mr Sanjay Patel
Justin Retail Ltd T/A Premier
218-222 Chichester Road,
Bognor Regis,
West Sussex
PO21 5BE

Date: 13th September 2022

Dear Mr Patel,

Our Ref: E205742

The Licensing Act 2003
The Children and Young Person's Act 1933

I am writing to you following my visit on 12th September 2022, which was initiated by a complaint that was received by West Sussex Trading Standards from a parent whose 12-year-old had purchased a 'BANG' American branded energy drink.

As we discussed, it is not an offence to sell energy drinks to children, but it is recommended that sales of this type of product are restricted to over 16s.

Despite it not being an offence to sell energy drinks to children, it is your responsibility to ensure that you have procedures in place for preventing a sale of the products that you sell that are age restricted, such as alcohol and tobacco, to a minor.

Section 7 Children and Young Persons Act 1933 makes it an offence to sell any tobacco product or cigarette papers to a person under 18.

Under Section 146 of the Licensing Act 2003 it is a criminal offence to sell alcohol to a person who is under the age of 18 years old.

As well as potential prosecution for the sale of alcohol and tobacco to children, if your business sells alcohol, you should be aware you don't necessarily have to sell alcohol to a child to lose your licence¹. The sale of other age restricted products can also lead to your alcohol licence being suspended or revoked if your business sells to an underage person.

To ensure that you and your staff are compliant with the law, you should always ask young people to produce proof of their age. For example, a driving licence photocard or passport. If a person cannot prove they are over 18, the sale should be refused.

During our visit we discussed certain procedures that could be used to help prevent the sale of age restricted products. It was good to see that you had many of the systems and procedures in place. For your reference, here is a list of actions considered best practice.

¹ West Sussex Trading Standards has a zero tolerance to the sale of alcohol to children. Unless there are exceptional circumstances, where there is sufficient evidence to show an underage sale of alcohol has taken place, we will seek a review of the premises alcohol licence with the aim of having the licence suspended or revoked. The seller and business will also be subject to enforcement action in line with our published enforcement policy.
www.westsussex.gov.uk/business-and-consumers/trading-standards-advice-for-businesses/

'Challenge 25' system:

If a person attempts to purchase an age restricted product and they appear to be under the age of 25, you should ask them to produce proof of their age. If they're unable to prove their age, a sale should then be refused.

Staff training:

You should ensure your staff are fully trained to ensure they're aware which products are age restricted, what the age restriction is, and the action they should take if they believe a person is underage when they attempt to purchase such products.

It is important you can prove your staff have understood what is required of them by the law. This can be done by keeping a record of the training and asking members of staff to sign to say that they understand it.

These records should then be checked and signed on a regular basis by the manager or owner of the business.

Maintain a refusals log:

All refusals should be recorded (date, time, incident, product and description of the potential buyer). Maintaining a refusals log will help to demonstrate you and your staff actively refuse sales and have an effective system in place. Refusal logs should be checked by the manager or owner to ensure all members of staff are using them.

Till prompts:

If your system allows it may be possible to use your till to remind staff of age restrictions via a reminder prompt when the barcode of an age restricted product is scanned. Alternatively, by way of a staff reminder, stickers could be used to cover certain product barcodes.

Signage:

Displaying posters showing age limits for certain products and a statement regarding the refusal of such sales if the person appears to be underage. This may help deter potential purchasers and act as a reminder to staff.

CCTV:

A CCTV system may help act as a deterrent and reduce underage sales. It will also help you to monitor 'blind spots' within your store if it's not possible to change the layout or relocate age restricted products behind, or closer to, the counter.

Please note the above advice is best practice and is not a legal requirement. However, the legislation states that if you are charged with an offence of selling an age restricted product to a person under the age of 18, it is a defence if you're able to prove you took all reasonable steps to determine the purchaser's age and that you reasonably believed that the purchaser was not under the age of 18.

Therefore, by carrying out the above best practice checks, it will help show you and your staff are able to satisfy this legal defence and it will help reduce the sale of age restricted products to persons under the age of 18.

Further advice and guidance on age restricted products can be found on the Business Companion website: www.businesscompanion.info/

If you have any queries or require further information, please don't hesitate to contact me.

Yours sincerely,



Sam Wall

Trainee Trading Standards Officer

Company Secretary
Sanjay Patel
Justin Retail Ltd T/A Premier
218-222 Chichester Road,
Bognor Regis,
West Sussex
PO21 5BE

23rd August 2022

Ref: SR386322

Dear Sir/Madam,

**Food Information Regs 2014
Labelling or food for sale in the UK**

Last week this Service received a complaint from a parent whose 12-year-old had purchased, from Premier, Chichester Road, a 'BANG' branded American energy drink with an age restriction warning stating '*Not intended for individuals under the age of 18*' printed on it.

It is not an offence for you to sell energy drinks to children. In 2019, the government announced it would bring in legislation to ban the sale of energy drinks to children under 16, but this has not yet happened. The complainant has been advised of this. Although there is currently no UK legislation restricting the sale of energy drinks to Under 16s, it is recommended that sales of this type of product are restricted to over 16s, but this is voluntary.

However, this complaint led me to look closer at the labelling of the product that was purchased.

In the UK, food labelling must be in English, and be compliant with UK food legislation. Although food labelled in American is technically in English, there are different requirements for UK labelling of food compared to America. This includes age restrictions (hence the 18-restriction printed on the can), ingredients that have different names in the US, different authorised health and nutrition claim requirements (for example in the UK it is unlikely we would not allow the statement Potent Brain and Body Food on this product), different approval bodies etc.

It is also important to note that some American foods are banned in the UK. There are some ingredients, colourings, preservatives etc., which are approved for use in the US but banned in the UK and other countries. Potentially making some product you may be offered, or supplied with, illegal to sell in the UK.

Prepacked food is required to bear a name and address of a food business operator (FBO) in the UK. This will normally be the manufacturer but in this case, as it is an imported product, it should be the importer. The 'BANG' drink only had a US name and address on it. The food business under whose name the food is marketed is the business that is ultimately responsible for the food should there be any issues.

It is also the responsibility of the wholesale operator to ensure the food they supply you is legal, and if legal either correctly labelled with all the mandatory information and ready for sale, or for them to supply you with the mandatory information on documentation supplied previously, or accompanying the food, to allow you to correctly re-label the products. Some wholesale operators will provide stickers for the retailer to place on the products with the relevant information.

Ultimately it is your responsibility, as the seller of food to the final consumer, to ensure products you are selling are legal, from a food safety point of view, and correctly labelled with all the mandatory information required to sell in the UK. Failure to comply with the requirements may result in formal action being taken.

There is full guidance on labelling of food for sale in the UK, and other matters, available here:

<https://www.businesscompanion.info/>

Food specific, including required mandatory information:

<https://www.businesscompanion.info/en/quick-guides/food-and-drink>

Please ensure that in future any foreign labelled (including American) products that you decide to offer are legal to sell in the UK and correctly labelled with ALL the relevant mandatory information.

Any relevant food types, as mentioned in this letter, you are currently selling should be checked to ensure they are compliant and if non-compliant are either removed from sale, or re-labelled.

Please confirm receipt of this letter by phone or email. An Officer from this Service will carry out an inspection of the premise in the near future.

If you have any questions, please do not hesitate to contact me.

Yours sincerely,



Emma Storey
Trading Standards Officer



Trading Standards Service
Parkside
Chart Way
Horsham
RH12 1XH
Tel: (01243) 642124
trading_standards@westsussex.gov.uk

Officer's Contact Details:

No: 2655

Tel: 0330 222 7654

Email: LAURA.DERBY

@westsussex.gov.uk

Proprietor: JUSTIN RETAIL LTD

Trading Name: PREMIER

Address: 220 CHICHESTER RD, BOGNOR REGIS

Tel:

Postcode: PO21 5BE

Registered Office:

Mobile:

Email:

Website:

Type of Business:

☐ Animal Health Act 1981

☐ Consumer Protection Act 1987

☒ Consumer Rights Act 2015

☐ Trade Marks Act 1994

☐ Weights & Measures Act 1985

☐ Consumer Protection from Unfair Trading Regulations 2008

☐ Dangerous Substances & Explosive Atmospheres Regulations 2002

☐ General Product Safety Regulations 2005

☐ Health & Safety at Work etc. Act 1974

☐ Petroleum (Consolidation) Regulations 2014

☐ Explosives Regulations 2014

☐ Animal Feed (Hygiene, Sampling

etc. & Enforcement) (England)

Regulations 2015

☐ Other (specify)

This report covers a summary of the inspection and does not indicate full compliance with any legislation. In case of dispute, contact the Service address above

FOOD STANDARDS INSPECTION REPORT

Food Safety Act 1990 | Food Safety & Hygiene (England) Regulations 2013 | Food Information Regulations 2014

☐ Records

☐ Specifications

☐ Production Process

☐ Composition, Labelling, Presentation

☐ Product Design & Recipe

☐ Traceability

☐ Stock Rotation

☐ Completed Product

☐ Quality / Management Systems

☐ Recall / Relabelling Systems

Key points discussed

Discussed complaint re energy drink. My colleague Emma Storey wrote to you to explain it is not an offence to sell energy drinks to under 18s but I just wanted to check your procedures for refusing a

sale of age restricted products such as alcohol / tobacco.

statutory tobacco notice - not present - one was given to be displayed.

refusals log checked - all entries by Radhika Patel.

Last entry was on 3/8/22. I signed log to confirm checked.

CCTV present + working.

Failure to comply with legal requirements may constitute an offence and may lead to enforcement action.

Comments / Recommendations (best practice guidance)

☐ Guidance to follow

Radhika confirmed only accept ID in physical form + only passport + driving licence.

Confirmed aware which age restricted products to ask ID for + confirmed knowledge of challenge 25 policy.

posters + shelf edge displays present.

Trading Standards will carry out test purchase in due

Issued by:

LAURA DERBY

Person seen (print name in capitals): course.

Signed:

(Authorised Officer)

Signed:

Date:

12

/ 9

/ 20 22

Time:

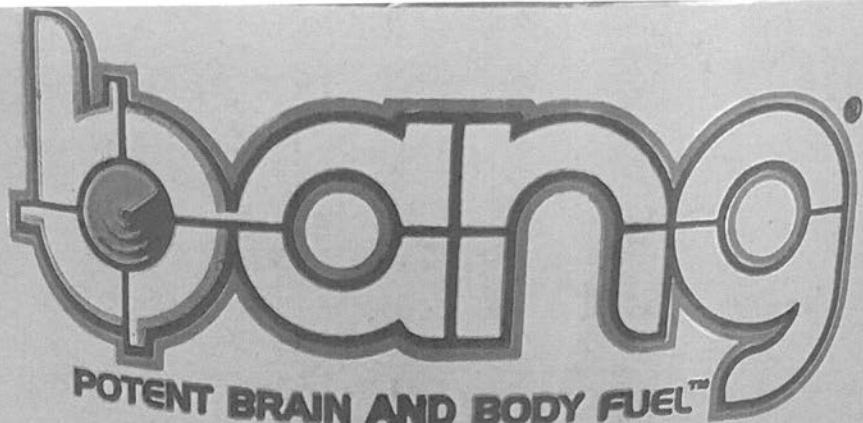
1345

Position:

Manager

Do you give consent to receive marketing emails? ☐ Yes ☐ No





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REDLINE® ENERGY PRODUCTS

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0
CARBS

0
SUGARS

0
CALORIES

0
ARTIFICIAL
COLORS

Not intended for
Individuals under the
AGE OF
18

★ ★ ★ ★ ★
MADE IN USA
DOMESTIC AND IMPORTED
INGREDIENTS
★ ★ ★ ★ ★

U.S. PATENT
9,445,466



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Holly Yandall

Public Health Lead for Alcohol and Drugs
Public Health Department

www.westsussex.gov.uk

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



Licensing Team
Environmental Health
Arun District Council
West Sussex
BN17 5LF

30th March 2023

Dear Sir or Madam,

Re: Justin Retail Ltd T/A Premier, 220 - 222 Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

The West Sussex County Council (WSCC) Public Health Directorate wishes to support the application by Trading Standards to review the licence of: Justin Retail Ltd T/A Premier, 220 – 222, Chichester Road, Bersted, Bognor Regis, West Sussex, PO21 5BE

The Public Health Directorate concurs that the Licensing Objectives of:

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

are not being promoted, as demonstrated by the illegal sale of alcohol to a person under the age of 18, as part of a Trading Standards 'test purchase' operation.

The sale of alcohol to children is of extreme concern, considering the strong evidence demonstrating the harms caused by alcohol to children and young people. It is noted that Trading Standards had recently given verbal and written advice about the sale of age restricted products to the member of staff who sold the alcohol to the underage Trading Standards volunteer. This advice had not been acted upon. Which indicates a lack of effective training at the premises and suggests a disregard for the law. The WSCC Public Health Directorate is aware of breaches of licence at another premises where the same Designated Premises Supervisor (DPS) is responsible. Therefore, the WSCC Public Health Directorate supports the recommendations made in the representation by Trading Standards.

Supporting evidence

Harms, caused by alcohol, to children and young people

In 2009, the Chief Medical Officer of England published official guidance on alcohol aimed specifically at children and young people¹. It recommends that an alcohol-free childhood is the healthiest and best option². The guidance is based on a body of evidence that alcohol consumption during any stage of childhood can have a harmful effect on a child's development.

¹ [Alcohol consumption by children and young people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204441/Alcohol_consumption_by_children_and_young_people.pdf)

² [Alcohol consumption by children and young people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204441/Alcohol_consumption_by_children_and_young_people.pdf)

Furthermore, alcohol use during the teenage years is related to a wide range of health and social problems, and young people who begin drinking before the age of 15 are more likely to experience problems related to their alcohol use³. Drinking at a young age, and particularly heavy or regular drinking, can result in physical or mental health problems, impair brain development, and put children at risk of alcohol-related accident or injury. More broadly it is also associated with missing or falling behind at school, violent and antisocial behaviour, and unsafe sexual behaviour⁴.

According to guidance provided on NHS.UK, the health risks associated with drinking alcohol before the age of 18 are as follows:

- Drinking alcohol can affect the normal development of vital organs and functions in children under 18, 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 driving⁵.

National prevalence of alcohol use by children and young people

National data indicates that alcohol remains the substance most commonly used by young people. In a 2021 national survey, 40% of pupils said they had ever had an alcoholic drink⁶, a figure which may be broadly applied to the West Sussex population of young people.

Local alcohol-related hospital admissions among children and young people

Each year in West Sussex, there are more than 60 alcohol-specific hospital admissions (where the hospital admission is wholly attributable to alcohol) among under 18s. The rate of these admissions in West Sussex (36.9 per 100,000 population, 2018/19-2020/21) is significantly higher than that rate for England overall (29.3 per 100,000)⁷.

The comparable rate for Arun district is 57.7 admissions per 100,000 under 18s. This is the highest rate out of the seven district and boroughs in West Sussex. Furthermore, Arun has the third highest rate of any local authority in the South East region and is also significantly higher than the national rate.

Under 18s using specialist alcohol treatment services in West Sussex

The latest data for 2020/2021 shows that 40% of under 18s in the West Sussex specialist children and young people's drug and alcohol service were receiving treatment for alcohol-related substance misuse.

Given the harm caused to children and young people by alcohol in West Sussex and high rate of alcohol harm in young people in Arun District, it is especially disappointing to note that staff at Justin Retail sold alcohol to a child. It is clear that, although Challenge 25 signage is displayed on the premises, it is not being adhered to. This suggests, at best, a lack of effective staff training or, at worst, a disregard for the responsibility to promote the licensing objectives.

In summary, the WSCC Public Health Directorate supports the suggestion made by Trading Standards for the Licensing Committee to consider revocation of the alcohol licence. At a minimum

³ [Alcohol consumption by children and young people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/alcohol-consumption-by-children-and-young-people)

⁴ [Part 5: Alcohol drinking prevalence and consumption - NHS Digital](https://www.nhs.uk/common-health-questions/childrens-health/should-my-child-drink-alcohol/)

⁵ <https://www.nhs.uk/common-health-questions/childrens-health/should-my-child-drink-alcohol/>

⁶ [Part 5: Alcohol drinking prevalence and consumption - NHS Digital](https://www.nhs.uk/common-health-questions/childrens-health/should-my-child-drink-alcohol/)

⁷ [Local Alcohol Profiles for England - Data - OHID \(phe.org.uk\)](https://phe.org.uk/data/local-alcohol-profiles-for-england)

we would respectfully suggest that the committee consider removal of the current DPS and suspension of the alcohol licence for a period sufficient to allow for a new DPS to be put in place and for full staff re-training in age-restricted sales, Challenge 25 and refusing alcohol sales to underage children. We believe these measures to be necessary, proportionate and reasonable in order to prevent further crime and disorder and to protect children from harm.

Yours sincerely,



Holly Yandall
Public Health Lead for Alcohol and Drugs

On behalf of the Director of Public Health

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