

Mid Sussex District Council

APPENDIX 8

Application for a review of a Premises Licence – 22 September 2023

Anish's Londis Mini Supermarket, 65 Lingfield Road, East Grinstead.

Premises Licence Holders Documentary Evidence Bundle

Contents:

Document	Page
Index	1
Camelot Pass Test Purchase Letter 10/08/22	2
Electric bill dated 30/01/23	3
Electric bill dated 01/02/23	4
Staff authorisation form	5
Copy of refusals register	6-9
Copies of staff training records	10-30
Copy 'The Essentials of Alcohol' training workbook	31-38
Alcohol and Children Policy	39-43
Extracts of S182 Guidance for ease of reference	44-45
Extracts from Hope and Glory and from Daniel Thwaites cases	46



Private & Confidential

10/08/2022



Camelot UK Lotteries Limited
Tolpits Lane
Watford WD18 9RN

Operator of The National Lottery

Registered office Tolpits Lane Watford WD18 9RN
Registered in England and Wales No.2822203

The Store Owner

LONDIS ANISHS MINI SUPERMARKET - 460674
65 LINGFIELD ROAD
EAST GRINSTEAD
RH19 2EU

460674

Ref: 1249725

Dear Store Owner,

On 6/08/2022 at 10:06:00 AM we sent a mystery shopper, who appeared under the age of 18 years old, to attempt to buy a National Lottery product in your store. I am very pleased to say that [REDACTED] correctly refused the sale and asked for proof of age. Congratulations!

It's great to see you're as committed to responsible selling as we are and I want to thank you for your support in ensuring National Lottery products are sold responsibly.

Please keep up the good work and remind your staff the importance of applying safeguards to prevent the sale of National Lottery products to anyone under the age of 18 years old.

Regards

James Dunbar
Head of Field Sales
Camelot UK Lotteries Ltd

Queries on the content of this letter? Please phone 01844 211 422 or email retailhelp@camelotgroup.co.uk
Or call the Retail Hotline on 0800 8 40 50 60 for general queries regarding our mystery shopper programme.

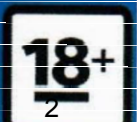
*** Please note, if applicable, your head office will be notified***

**TOP
TIPS**

BE A RESPONSIBLE RETAILER

- Make sure everyone is trained to request proof of age
- Always look at the customer

Liquor Licensing Panel - 22 September 2023
If a customer asks for help with their play habits, please...



Bill date: 30 January 2023

Bill number: 975741539

This is a VAT invoice
VAT registration number 684966762

Side 1 of 2



Account number

6007 [REDACTED]

Contact us



Questions about your bill?
Just scan this code with
your smartphone to
chat with us directly

0333 009 5778*

Mon to Fri 8am to 6pm



39472 007920 0042 E 348500

Anish's Mini supermarket
65 Lingfield Road
East Grinstead
West Sussex
RH19 2EU



S

Your business electricity bill

Site address: 65 Lingfield Road, East Grinstead, West Sussex RH19 2EU

Billing period: 25 December 2022 to 26 January 2023

Your account

Since your previous bill

Outstanding balance - 25 December 2022	£2,490.06
Payment received - 16 January 2023, thank you	£2,490.06 CR
Balance from last bill	£0.00

New charges this bill

Electricity charges	£4,118.32
Total discounts	£1,983.55 CR
Standing charges	£131.08
Climate Change Levy (CCL)	£78.38
Total charges exc VAT	£2,344.23
VAT	£468.84
Total new charges this bill inc VAT	£2,813.07

Total amount due **£2,813.07**

We'll claim this amount from your bank by Direct Debit on or immediately after
16 February 2023 - your payment reference is [REDACTED] 180814

Your Fixed Price Energy Plan

Your current energy plan ends on 11 Jan 2024. Call us on **0333 009 5821** so we can discuss your options with you. We've made some changes to our Terms & Conditions. You no longer need to give us 30 days' notice to switch you'll just need to pay all outstanding bills before you leave us.

Energy Bill Relief Scheme

This bill contains a discount as part of the Government's scheme. The discount will only apply to eligible energy use between 1 October 2022 and 31 March 2023. For more information go to britishgas.co.uk/supportforbusinesses

087

Bill date: 1 February 2023
Bill number: 958959355

This is a VAT invoice
VAT registration number 684 9667 62

Side 1 of 2



Anish's Mini supermarket
65 Lingfield Road
East Grinstead
West Sussex
RH19 2EU



Account number

6007 [REDACTED]

Contact us



Questions about your bill?
Just scan this code with
your smartphone to
chat with us directly

0333 009 5778*

Mon to Fri 8am to 6pm

5

Your business electricity bill - revised

Site address: 65 Lingfield Road, East Grinstead, West Sussex RH19 2EU

Billing period: 25 December 2022 to 26 January 2023

Your account

Since your previous bill

Outstanding balance - 25 December 2022 £2,600.01

Balance from last bill **£2,600.01**

New charges this bill

Electricity charges £4,118.38

Standing charges £131.08

Climate Change Levy (CCL) £78.38

Total charges exc VAT **£4,327.84**

VAT £865.56

Total new charges this bill inc VAT **£5,193.40**

Total amount due £7,793.41

We'll claim this amount from your bank by Direct Debit on or immediately after
20 February 2023 - your payment reference is [REDACTED] 180814

Your Fixed Price Energy Plan


Your current energy plan ends on 11 Jan 2024. Call us on 0333 009 5821 so we can discuss your options with you. We've made some changes to our Terms & Conditions. You no longer need to give us 30 days' notice to switch you'll just need to pay all outstanding bills before you leave us.

082

Designated Premises Supervisor (DPS). Sale of alcohol - staff authorisation

I, PINKY BHARAT PATEL DPS of

ANISH'S MINI SUPERMARKET, 65 LINGFIELD ROAD, EAST GRINSTEAD, RH19 2EU,
hereby authorise the following persons to sell alcohol under the Licensing Act 2003 on these premises at any time during the permitted hours and in accordance with the premises licence. This authority applies whether or not I, or any other Personal Licence holder, are present on the premises at the time of the sale or supply of alcohol. I can confirm these persons have been made aware of his/her legal responsibilities under the Act.

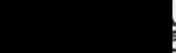

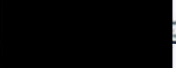
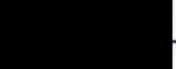
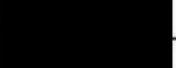
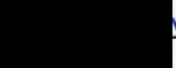
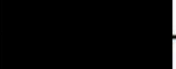

Signed:  Print Name: PINKY BHARAT PATEL Date: 27/02/23

We sign below in the knowledge that it is an offence to:

- Knowingly sell, attempting to sell or allowing sale of alcohol to person who is drunk.
- Sell alcohol to a person under 18 years of age.
- Allow licensable activities to be conducted otherwise than in accordance with the premises licence and the conditions it contains.

I also understand that I require individuals who appear to me to be under the age of

to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Signed: 	Print Name: 	Date: <u>27-02-23</u>
Signed: 	Print Name: <u>J</u>	Date: <u>27-02-23</u>
Signed: 	Print Name: <u>A</u>	Date: <u>27-02-23</u>
Signed: 	Print Name: <u>K</u>	Date: <u>27-02-23</u>
Signed: 	Print Name: <u>A</u>	Date: <u>27-02-23</u>
Signed: 	Print Name: <u>PA</u>	Date: <u>25-04-23</u>
Signed: 	Print Name: <u>M</u>	Date: <u>31-05-23</u>
Signed: _____	Print Name: _____	Date: _____
Signed: _____	Print Name: _____	Date: _____
Signed: _____	Print Name: _____	Date: _____

Name of premises : ANISH'S MINI SUPERMARKET,

Refusal/Incident Book

Date	Time	Product	Reason for Refusal / Description of incident	Description of Person / Action taken	Name and Signature of staff member	Date record checked and signed by DPS
2.3.23	8:30	Elfbar	No ID	No Sale	[Redacted Signature]	
3.3.23	12:05	Cigarettes	No ID	No Sale		
13/23	7:15	Vape	No ID	No Sale		
2.3.23	4:20	Alcohol	No ID	No Sale		
3.3.23	3:30	Vape	No ID	No Sale		
4.4.23	6:30	Vape	No ID	No Sale		
11.4.23	8:25	Goldbar	No ID	No Sale		
14.4.23	3:30	Lost Mary	No ID	No Sale		
22.4.23	6:30	lottery	No ID	No Sale		
27.4.23	4:45	Vape	No ID	No Sale		
6.5.23	12:45	Alcohol	No ID	No Sale		
9.5.23	5:30	Alcohol	No ID	No Sale		
13.5.23	13:00	VAPE	No ID	No Sale/Boy		
19.5.23	11:00	lottery	No ID	No Sale		
22.5.23	9:00	Cigarettes	No I.D.	No Sale		
31.5.23	11:25	Vape	No ID	No Sale		
4.6.23	14:30	ELFBAR	No ID	GIRL / NO SALE		
8.6.23	5:45	Goldbar	No ID	No Sale		

Name of premises : ANI'S MINI SUTTER MARKET

Refusal/Incident Book

Date	Time	Product	Reason for Refusal / Description of incident	Description of Person / Action taken	Name and Signature of staff member	Date record checked and signed by DPS
16.6.23	11:00	Lottery	No ID	No ID (girl)	[Redacted Signature]	
16.6.23	4:15	Vape	No ID	No sale.		
16.6.23	7:30	Vape	No ID	No sale (boy)		
16.6.23	1:45	strutsband	No ID	No ID (BOY)		
17.6.23	10:30	Alcohol	No I.D.	No Sale		
19.6.23	15:40	Scratchcard	No I.D.	No Sale		
23.6.23	5:40	Alcohol	No ID	No Sale.		
27.6.23	5:00	Alcohol	No ID	No ID (BOY)		
11.7.23	6:45	Vape	No I.D.	No Sale		
11.7.23	6:30	Alcohol	No ID	No sale (girl)		
11.7.23	3:30	lottery	No ID	No Sale.		
17.7.23	7:00	Coldbar	No I.D.	No Sale		
21.7.23	4:45	Goldbar.	No ID	No sale.		
24.7.23	7:00	lost mart	No I.D.	No sale (boy)		
29.7.23	9:45	Lost Mary Vape	No I.D.	No sale (boy)		

Name of premises : ~~AMISH'S~~ MINI SUPERMARKET.

Refusal/Incident Book

Date	Time	Product	Reason for Refusal / Description of incident	Description of Person / Action taken	Name and Signature of staff member	Date record checked and signed by DPS
08/23	11:25	Cigarettes.	No ID	No sale	[Redacted]	
11/8/23	8:30	Vape	No I.D.	No sale		
11/18/23	11:24	Vape	No ID	No sale (boy)	[Redacted]	
19/18/23	1:30	vape	No ID	No sale (boy)		
19/18/23	3:48	Alcohol	No ID	No sale (boy)		
20/18/23	A:00	vape	No ID	No sale (girl)		
22/18/23	7:40	vape	No ID	No sale (boy)	[Redacted]	
28/18/23	6:01	V A P E	Digital ID	No sale (boy)		
29/18/23	7:30	Alcohol	Before time	No sale (boy)		
31/18/23	7:10	Alcohol	Before time	No sale (boy)	[Redacted]	
2/19/23	7:30	V A P E	No I.D.	No sale (boy)		
4/19/23	9:01	Cigarettes	No ID	No sale (girl)		
6/19/23	11:30	Scratchcard	No ID	No sale (girl)		

Name of premises : ANISH'S MINI SUPERMARKET.

Refusal/Incident Book

Date	Time	Product	Reason for Refusal / Description of incident	Description of Person / Action taken	Name and Signature of staff member	Date record checked and signed by DPS
14/9/23	7:15	Coors (Alcohol)	Before time	No Sale	A [Redacted]	
14/9/23	4:05	Riba Paper	Underage	No sale (boy)	D [Redacted]	
14/9/23	6:35	beers (Alcohol)	Before time	No sale	A [Redacted]	
16/9/23	7:48	cigarette	Under age	No sale (boy)		
16/9/23	11:00	Alcohol	No ID	No sale (girl)		
16/9/23	3:20	lollypop	No ID	No sale (girl)		

STAFF TRAINING RECORD

PREMISES NAME ANISH'S MINI SUPERMARKET.

ADDRESS 65, LINGFIELD ROAD, EAST GRINSTEAD, RH19 2EU

Employee Name	J [REDACTED]
Employee Number	01
Date Joined	
Current Role	MANAGER.
Personal Licence Details	YES/NO Licence number: NO Licensing Authority:
SIA Licence Details	YES/NO Type: Licence number: N/A Licensing Authority:
Other Qualifications	
Date of Initial Training/Induction	27/02/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- Who is the licence holder and who is the DPS (or secretary)
- Where the licence (certificate) is stored and where the summary is on display
- Authorisation to sell or supply alcohol
- Age verification Policy
- Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
27/02/23	27/02/23	[REDACTED]	[REDACTED]
10/08/23	10/08/23	[REDACTED]	[REDACTED]

Training records could include:

- H&S in the Workplace
- Licensing Objectives and how to promote them
- Age Verification Policy
- Licensing Activities and Conditions
- SIA Policy
- Drug Policy
- Refusal/Incident Register
- Noise management Plan
- Emergency Evacuation Procedures
- CCTV Management
- Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) J [REDACTED]

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) JA [REDACTED]
confirm that I have completed The Essentials of Alcohol Licensing
Workbook and essential knowledge test, covering both licensing law
and alcohol sales.

Signed [REDACTED]

Date 10/8/23

TRAINER/MANAGER

I (name) B [REDACTED]
confirm that the above-named trainee correctly completed The
Essentials of Alcohol Licensing Workbook and essential knowledge
test.

Signed [REDACTED]

Date 10/8/23

Personal Licence Number (if applicable) _____

It is recommended that Refresher Training takes place 3-6 months after initial training.

STAFF TRAINING RECORD

PREMISES NAME ANISH'S MINI SUPERMARKET.

ADDRESS 65, LINGFELD ROAD, RH19 2EU.





Employee Name	E [REDACTED] L
Employee Number	19
Date Joined	
Current Role	MANAGER, PARTNER
Personal Licence Details	YES/ NO Licence number: TA [REDACTED] 9 Licensing Authority:
SIA Licence Details	YES/NO Type: NO Licence number: Licensing Authority:
Other Qualifications	
Date of Initial Training/Induction	27/02/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- (a) The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- (b) Who is the licence holder and who is the DPS (or secretary)
- (c) Where the licence (certificate) is stored and where the summary is on display
- (d) Authorisation to sell or supply alcohol
- (e) Age verification Policy
- (f) Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
27/02/23	27/02/23		
10/08/23	10/08/23		

Training records could include:

- H&S in the Workplace
- Licensing Objectives and how to promote them
- Age Verification Policy
- Licensing Activities and Conditions
- SIA Policy
- Drug Policy
- Refusal/Incident Register
- Noise management Plan
- Emergency Evacuation Procedures
- CCTV Management
- Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) B [REDACTED]

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) B [REDACTED]
confirm that I have completed The Essentials of Alcohol Licensing Workbook and essential knowledge test, covering both licensing law and alcohol sales.

Signed [REDACTED]

Date 10/08/23

TRAINER/MANAGER

I (name) F [REDACTED]
confirm that the above-named trainee correctly completed The Essentials of Alcohol Licensing Workbook and essential knowledge test.

Signed [REDACTED]

Date 10/08/23

Personal Licence Number (if applicable) _____

It is recommended that Refresher Training takes place 3-6 months after initial training.

STAFF TRAINING RECORD

PREMISES NAME ANISH'S MINI SUPERMARKET.

ADDRESS 65, LINGFIELD ROAD, EAST GRINSTEAD, RH19 2EU.

Employee Name	A [REDACTED] A
Employee Number	27
Date Joined	
Current Role	SALES ASSISTANT.
Personal Licence Details	YES/NO Licence number: Licensing Authority: NO
SIA Licence Details	YES/NO Type: Licence number: N/A Licensing Authority:
Other Qualifications	
Date of Initial Training/Induction	27/02/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- Who is the licence holder and who is the DPS (or secretary)
- Where the licence (certificate) is stored and where the summary is on display
- Authorisation to sell or supply alcohol
- Age verification Policy
- Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
27/02/23	27/02/23	[Redacted]	[Redacted]
14/08/23	14/08/23	[Redacted]	[Redacted]

- Training records could include:
- H&S in the Workplace
 - Licensing Objectives and how to promote them
 - Age Verification Policy
 - Licensing Activities and Conditions
 - SIA Policy
 - Drug Policy
 - Refusal/Incident Register
 - Noise management Plan
 - Emergency Evacuation Procedures
 - CCTV Management
 - Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) P [REDACTED] S

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) P [REDACTED] S
confirm that I have completed The Essentials of Alcohol Licensing
Workbook and essential knowledge test, covering both licensing law
and alcohol sales.

Signed [REDACTED]

Date 10-08-2023

TRAINER/MANAGER

I (name) E [REDACTED] S
confirm that the above-named trainee correctly completed The
Essentials of Alcohol Licensing Workbook and essential knowledge
test.

Signed [REDACTED]

Date 10/08/23

Personal Licence Number (if applicable)

It is recommended that Refresher Training takes place 3-6 months after initial training.

STAFF TRAINING RECORD

PREMISES NAME ANISH'S MINI SUPERMARKET.

ADDRESS 65 LINGFIELD ROAD, EAST GRINSTEAD, RH19 2EU.

Employee Name	K [REDACTED]
Employee Number	21
Date Joined	
Current Role	SALES ASSISTANT
Personal Licence Details	YES/NO Licence number: Licensing Authority: NO
SIA Licence Details	YES/NO Type: Licence number: N/A Licensing Authority:
Other Qualifications	
Date of Initial Training/Induction	27/02/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- Who is the licence holder and who is the DPS (or secretary)
- Where the licence (certificate) is stored and where the summary is on display
- Authorisation to sell or supply alcohol
- Age verification Policy
- Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
27-02-23	27-02-23	[Redacted]	[Redacted]
10-08-23	10-08-23	[Redacted]	[Redacted]

- Training records could include:
- H&S in the Workplace
 - Licensing Objectives and how to promote them
 - Age Verification Policy
 - Licensing Activities and Conditions
 - SIA Policy
 - Drug Policy
 - Refusal/Incident Register
 - Noise management Plan
 - Emergency Evacuation Procedures
 - CCTV Management
 - Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) K [REDACTED]

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) K [REDACTED]
confirm that I have completed The Essentials of Alcohol Licensing
Workbook and essential knowledge test, covering both licensing law
and alcohol sales.

Signed [REDACTED]

Date 10/08/2023

TRAINER/MANAGER

I (name) E [REDACTED]
confirm that the above-named trainee correctly completed The
Essentials of Alcohol Licensing Workbook and essential knowledge
test.

Signed [REDACTED]

Date 10/08/23

Personal Licence Number (if applicable) _____

It is recommended that Refresher Training takes place 3-6 months after initial training.

STAFF TRAINING RECORD

PREMISES NAME ANISH'S MINI SUPERMARKET.

ADDRESS G5, LINGFIELD ROAD, EAST GRINSTEAD, RH19 2EY.

Employee Name	A [REDACTED]
Employee Number	30
Date Joined	30-01-22
Current Role	SALES ASSISTANT.
Personal Licence Details	YES/NO Licence number: Licensing Authority: NO
SIA Licence Details	YES/NO Type: Licence number: Licensing Authority: N/A
Other Qualifications	
Date of Initial Training/Induction	27/02/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- Who is the licence holder and who is the DPS (or secretary)
- Where the licence (certificate) is stored and where the summary is on display
- Authorisation to sell or supply alcohol
- Age verification Policy
- Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
27-02-23	27-02-23	[Redacted]	[Redacted]
05-06-23	05-06-23	[Redacted]	[Redacted]
10-08-23	10-08-23	[Redacted]	[Redacted]

Training records could include:

- H&S in the Workplace
- Licensing Objectives and how to promote them
- Age Verification Policy
- Licensing Activities and Conditions
- SIA Policy
- Drug Policy
- Refusal/Incident Register
- Noise management Plan
- Emergency Evacuation Procedures
- CCTV Management
- Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) A [REDACTED]

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) A [REDACTED]
confirm that I have completed The Essentials of Alcohol Licensing Workbook and essential knowledge test, covering both licensing law and alcohol sales.

Signed [REDACTED]

Date 10/8/23

TRAINER/MANAGER

I (name) [REDACTED]
confirm that the above-named trainee correctly completed The Essentials of Alcohol Licensing Workbook and essential knowledge test.

Signed [REDACTED]

Date 10/08/23

Personal Licence Number (if applicable) _____

It is recommended that Refresher Training takes place 3-6 months after initial training.

STAFF TRAINING RECORD

PREMISES NAME ANISH'S MINI SUPERMARKET

ADDRESS 65 LINGFIELD ROAD, EAST GRINSTEAD, RH19 2EU



Employee Name	F [REDACTED]
Employee Number	
Date Joined	25-04-23
Current Role	SALES ASSISTANT
Personal Licence Details	<p>YES/NO Licence number: Licensing Authority: NO</p>
SIA Licence Details	<p>YES/NO Type: Licence number: Licensing Authority: N/A.</p>
Other Qualifications	
Date of Initial Training/Induction	25/04/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- Who is the licence holder and who is the DPS (or secretary)
- Where the licence (certificate) is stored and where the summary is on display
- Authorisation to sell or supply alcohol
- Age verification Policy
- Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
25/04/23	25/04/23		
10/08/23	10/08/23		

- Training records could include:
- H&S in the Workplace
 - Licensing Objectives and how to promote them
 - Age Verification Policy
 - Licensing Activities and Conditions
 - SIA Policy
 - Drug Policy
 - Refusal/Incident Register
 - Noise management Plan
 - Emergency Evacuation Procedures
 - CCTV Management
 - Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) F [REDACTED]

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) F [REDACTED]
confirm that I have completed The Essentials of Alcohol Licensing Workbook and essential knowledge test, covering both licensing law and alcohol sales.

Signed [REDACTED]

Date 10/8/23

TRAINER/MANAGER

I (name) B [REDACTED]
confirm that the above-named trainee correctly completed The Essentials of Alcohol Licensing Workbook and essential knowledge test.

Signed [REDACTED]

Date 10/08/23

Personal Licence Number (if applicable)

It is recommended that Refresher Training takes place 3-6 months after initial training.

STAFF TRAINING RECORD

PREMISES NAME AHISH'S MINI SUPERMARKET,
 ADDRESS 65 LINGFIELD ROAD EAST GRINSTEAD, RH19 2BU,

Employee Name	M [REDACTED] A
Employee Number	33
Date Joined	31/05/23
Current Role	SALES ASSISTANT.
Personal Licence Details	YES/NO Licence number: Licensing Authority: NO
SIA Licence Details	YES/NO Type: Licence number: Licensing Authority: N/A.
Other Qualifications	
Date of Initial Training/Induction	31/05/23

It is your responsibility to ensure you are fully trained for the role you are employed for. Refresher training must be completed at intervals determined by the management or as a condition to the Premises Licence.

Initial/Induction Training must contain details of

- (a) The premises Licence or Club Certificate – what licensable activities are authorised and times and details of conditions attached to the Licence or Certificate
- (b) Who is the licence holder and who is the DPS (or secretary)
- (c) Where the licence (certificate) is stored and where the summary is on display
- (d) Authorisation to sell or supply alcohol
- (e) Age verification Policy
- (f) Refusal Register

TRAINING LOG

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
31/05/23	31/05/23	J [Redacted]	[Redacted]
10/08/23	10/08/23	[Redacted]	[Redacted]

- Training records could include:
- H&S in the Workplace
 - Licensing Objectives and how to promote them
 - Age Verification Policy
 - Licensing Activities and Conditions
 - SIA Policy
 - Drug Policy
 - Refusal/Incident Register
 - Noise management Plan
 - Emergency Evacuation Procedures
 - CCTV Management
 - Other Policies which are relevant to the premises

Copies of the above content should be readily accessible.

Alcohol Licensing Staff Training Record



Training Record for (name) M [REDACTED] A

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) J [REDACTED] A
confirm that I have completed The Essentials of Alcohol Licensing Workbook and essential knowledge test, covering both licensing law and alcohol sales.

Signed J [REDACTED]

Date 10/08/23

TRAINER/MANAGER

I (name) E [REDACTED]
confirm that the above-named trainee correctly completed The Essentials of Alcohol Licensing Workbook and essential knowledge test.

Signed [REDACTED]

Date 10/08/23

Personal Licence Number (if applicable) _____

It is recommended that Refresher Training takes place 3-6 months after initial training.

Introduction

Welcome to The Essentials of Alcohol Workbook

If you sell alcohol to the public for consumption off the premises, for example in a supermarket or off licence store, this workbook will provide you with the knowledge you need to sell alcohol legally and responsibly.



Work through both sections, completing the **'FIND OUT'** activities as you go. This should take you between 30 and 60 minutes. Attempt the seven Essential Knowledge Test questions and sign the training declaration at the back of the workbook. Your employer may keep a copy of this for their training records.

You must ask your trainer or supervisor if you are unsure about any aspect of alcohol sales.

Learning outcomes

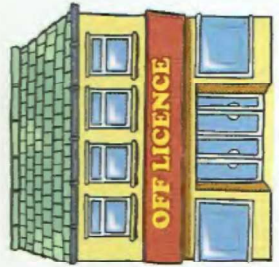
By the end of *The Essentials of Alcohol Workbook* you will:

- understand the essential requirements for sellers of alcohol under the licensing law
- understand the consequences and penalties for selling alcohol to under-18s
- understand the procedure to be followed before any sale of alcohol is made
- identify acceptable proof-of-age documentation
- explain what is meant by test purchasing and how this is carried out
- understand how to authorise the sale of alcohol by those aged under 18



Contents

Introduction	1
The Learning Outcomes	1
Section 1: Essential Licensing Law	2
Section 2: Essentials of Alcohol Sales	6
Essential Knowledge Quiz	12
Training Declaration	13



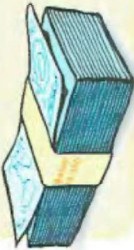
Section 1: Essential Licensing Law

What is The Licensing Act 2003?



This is the law which controls the sale of alcohol in England and Wales.

You are personally responsible for selling and serving alcohol according to the law. You should also follow your store procedures at all times.



Breaking the law may result in prosecution and fines for the individual, the company, or both.

The law states that you MUST:



NEVER sell alcohol to anyone under the age of 18

COMPLY with mandatory conditions – these include implementing the age verification policy.



ONLY sell alcohol within the permitted times on the premises licence appears to be drunk



REFUSE the sale of alcohol to anyone who is or who appears to be drunk



To sell alcohol legally, a store must have a premises licence.

Essential WORDS: premises licence

A licence allowing the store to sell alcohol at certain times.

Section 1: Essential Licensing Law

What are the times when alcohol may be sold?

This is different for every licensed premises. You will find the times for your store on the premises licence summary, clearly displayed near the main entrance to the store.

Essential POINT:

It is an offence for which the maximum penalty is an unlimited fine, or 6 months in prison or both.

selling alcohol outside the permitted times



FIND OUT: What are the times during which alcohol can be sold on your premises? Make a note of them in the following table:

DAY	Times when alcohol can be sold or served
MONDAY	
TUESDAY	
WEDNESDAY	
THURSDAY	
FRIDAY	
SATURDAY	
SUNDAY	
Special times or notes	

Are your premises also licensed to sell alcohol for consumption on the premises? YES NO

Section 1: Essential Licensing Law

Do I need permission to sell alcohol?

To sell alcohol, you must first get permission (often called authorisation) from a personal licence holder.

You may be asked to sign a written record of authorisation.



Essential WORDS: personal licence holder

A person holding a personal licence who is able to authorise staff to sell alcohol on licensed premises.

Who is responsible for making sure alcohol is sold legally?

All stores selling alcohol must have someone responsible for making sure the premises operate legally. This person is called the designated premises supervisor (DPS).

Essential WORDS: designated premises supervisor (DPS)

The person in charge with responsibility for the sale of alcohol on licensed premises.

FIND OUT: Who is the designated premises supervisor for your store? Write their name down here:

FIND OUT: Are there other personal licence holders? Write their names down here:



NB If there are more than 4 names, then make a note where the list of the names can be found.

Section 1: Essential Licensing Law

What are the licensing objectives?

These are the four important principles on which licensing law is based.



The licensing objectives are:

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

Essential POINT: licensing objectives

Four principles that must be supported by all staff involved in the sale of alcohol.

Who checks that licensed premises are operating legally?

From time to time, officials such as a **police officer** or a **licensing officer** may arrive to check your store is operating legally.

If this happens, you must cooperate by contacting the designated premises supervisor (DPS), a personal licence holder or the duty manager.



Section 2: Essentials of Alcohol Sales

What is alcohol?

Alcohol is any product with an alcoholic strength of over 0.5 % alcohol by volume (abv). Alcohol includes spirits, wine, beer, lager, cider, fortified wines and vermouth.



You may need to watch out for products containing 'hidden' alcohol such as:

Fruit in alcohol



Alcohol contained in hampers or gift packs



Cheese and wine or cheese and port gift packs



Alcohol sold in unusual shaped bottles



FIND OUT: Are there any products containing 'hidden' alcohol for sale on your premises?

Make a list here

Hand-drawn lines for making a list.

Section 2: Essentials of Alcohol Sales

What are age-restricted products?

Age-restricted products must **NEVER** be sold to anyone under the age indicated.



18

16

12 15 18



Lottery tickets and scratch cards



Videos/DVDs



18

18

16



Fireworks



Party poppers



18

18

18

Solvents



Cigarettes & tobacco



Section 2: Essentials of Alcohol Sales

What is the law regarding selling alcohol to under-18s?



Essential POINT: alcohol sales to under-18s

Alcohol or products containing alcohol must **NEVER** be sold to anyone under the age of 18.

What is test purchasing?



The police or Trading Standards officers send underage people into stores to try to purchase age-restricted products, such as alcohol. It aims to check if stores are refusing to sell alcohol to under-18s.



Essential POINT: test purchasing

It aims to ensure premises are refusing to sell alcohol to under-18s.



What may happen if alcohol is sold to under-18s?

If a person sells alcohol to an under 18-year-old, they have broken the law. They may be issued with a fixed penalty notice (on the spot fine) of £90 and face disciplinary action by their employer.

If prosecuted, a court may impose an unlimited fine.

Stores where alcohol is persistently sold to under-18s (twice in a three-month period) may receive an unlimited fine and have their premises licence suspended for up to three months.



What is meant by age verification?

Premises selling alcohol must, by law, have an age verification policy in place. As a minimum, anyone who looks under 18 must produce proof of age before any sale takes place. This is often called a 'no proof of age - no sale' policy.

When must I ask for proof of age?

If you think a person attempting to buy alcohol looks under 18 you must always ask them to produce valid ID to prove their age. However, many premises operate a Challenge or 25 policy whereby anyone who looks under 21 or 25 must be asked to provide valid photographic evidence they are 18 or over before any sale takes place.



Essential POINT:

Remember – 'No Proof, No Sale'

Always ask for proof of age if you have doubts. Watch out for borrowed ID and never sell alcohol until you are sure the person is at least 18.

What proof-of-age documents may be acceptable?

The following are usually acceptable but there may be other forms of identification which are acceptable, depending upon the policy of the company.



A valid passport



A valid European Union photocard driving licence

A valid photographic identity card bearing the national Proof of Age Standard Scheme (PASS) hologram.



How do I check proof-of-age documents?

You must hold the document yourself and check the following:

- **Date of birth** – calculate their age to show whether or not they are at least 18
- **Photograph** – must be a true likeness of the person, if not it may be borrowed
- **Validity** – check it is still in date and has not expired
- **Hologram** – is it on the proof-of-age scheme card
- **Forgery** – look for signs of alteration or that it may not be genuine

What is the best way to refuse a sale?

If you have any doubts, politely ask for proof of a person's age first rather than a direct refusal. If they are unable to provide acceptable proof that they are at least 18, firmly but calmly refuse to sell alcohol. Explain the reasons for refusal by referring to the law or company policy. Always call a manager or supervisor if you have any problems or are unsure about the procedure.

A procedure to help you avoid making underage sales is shown on the back of this booklet.

Section 2: Essentials of Alcohol Sales

FIND OUT: Does your store operate a Challenge 21, Challenge 25 or similar policy? Make notes on your findings here.

When must a sale of alcohol be refused?

You must refuse to sell alcohol if:

- A person attempting to buy alcohol is or appears to be under 18
- Your store has a Challenge 21 or 25 policy and a person appears under 21/25 but cannot prove they are 18 or over
- An adult may be buying alcohol for an under-18 known as a proxy sale
- A drunk person attempts to buy alcohol

Following a refusal, you may be required to complete a refusal log or book. This provides an essential record of what took place. It must be completed accurately to protect you and your company in the event of an alleged underage sale.

Essential POINT: sales of alcohol to a drunken person

Anyone who is or who appears to be drunk must **NEVER** be sold alcohol.

Are under-18s allowed to sell alcohol?

They may not sell alcohol on licensed premises, unless each and every sale is specifically authorised by a responsible person.

If you are 18 or over and are asked to authorise a sale of alcohol, it is essential you witness each sale by an under-18-year-old and follow the 'refusing a sale' procedure on the back of this booklet or your own company's procedure.



Essential Knowledge Quiz

All questions must be answered. Tick the correct answer.



1: How old must a person prove themselves to be before you sell any alcohol or alcohol products to them?

- a) At least 21
- b) 25 or over
- c) 18 or over
- d) At least 17 if with an adult

2: After assessing the likely age of a person trying to buy alcohol, you decide to ask for proof-of-age documentation. Which of the following may be acceptable?

- a) A recent Student Union card
- b) A bank statement showing their name and address
- c) A valid passport
- d) Their National Health Service card

3: If you sell alcohol to an under-18-year-old during a test purchase operation, you are most likely to:

- a) receive a fine of up to £20,000
- b) be sent to prison for up to 2 years
- c) receive a £90 fixed penalty notice
- d) be banned from ever selling alcohol

4: Who is responsible for ensuring licensed premises operate legally?

- a) Designated premises supervisor
- b) Local licensing officers
- c) All employed staff
- d) All personal licence holders

5: You may be asked to authorise sales of alcohol by a member of staff under the age of 18. How will you do this?

- a) Look carefully at the person trying to buy alcohol, follow procedures and authorise every sale
- b) Authorise every sale by shouting 'yes' across the store
- c) Instruct the member of staff to call you if they have any concerns about a customer's age
- d) Ask every customer trying to buy alcohol for proof-of-age documentation, just to be on the safe side

6: The times when alcohol can legally be sold in your store may be found on the premises licence summary. These times are:

- a) only a guide to the opening hours for the premises
- b) flexible and can be changed to meet the needs of the customers
- c) the set hours for all licensed premises in an area
- d) specific to every store and must always be followed

7: The sale of alcohol must be refused to someone who:

- a) is 18 years old
- b) appears drunk
- c) is accompanied by children
- d) has a criminal record



Remember to put into practice what you have learned.

Alcohol Licensing Staff Training Record



Training Record for (name)

This declaration should be signed by both trainee and trainer/manager and kept on file.

DECLARATION

TRAINEE

I (name) confirm that I have completed The Essentials of Alcohol Licensing Workbook and essential knowledge test, covering both licensing law and alcohol sales.

Signed

Date

TRAINER/MANAGER

I (name) confirm that the above-named trainee correctly completed The Essentials of Alcohol Licensing Workbook and essential knowledge test.

Signed

Date

Personal Licence Number (if applicable)

Useful notes

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

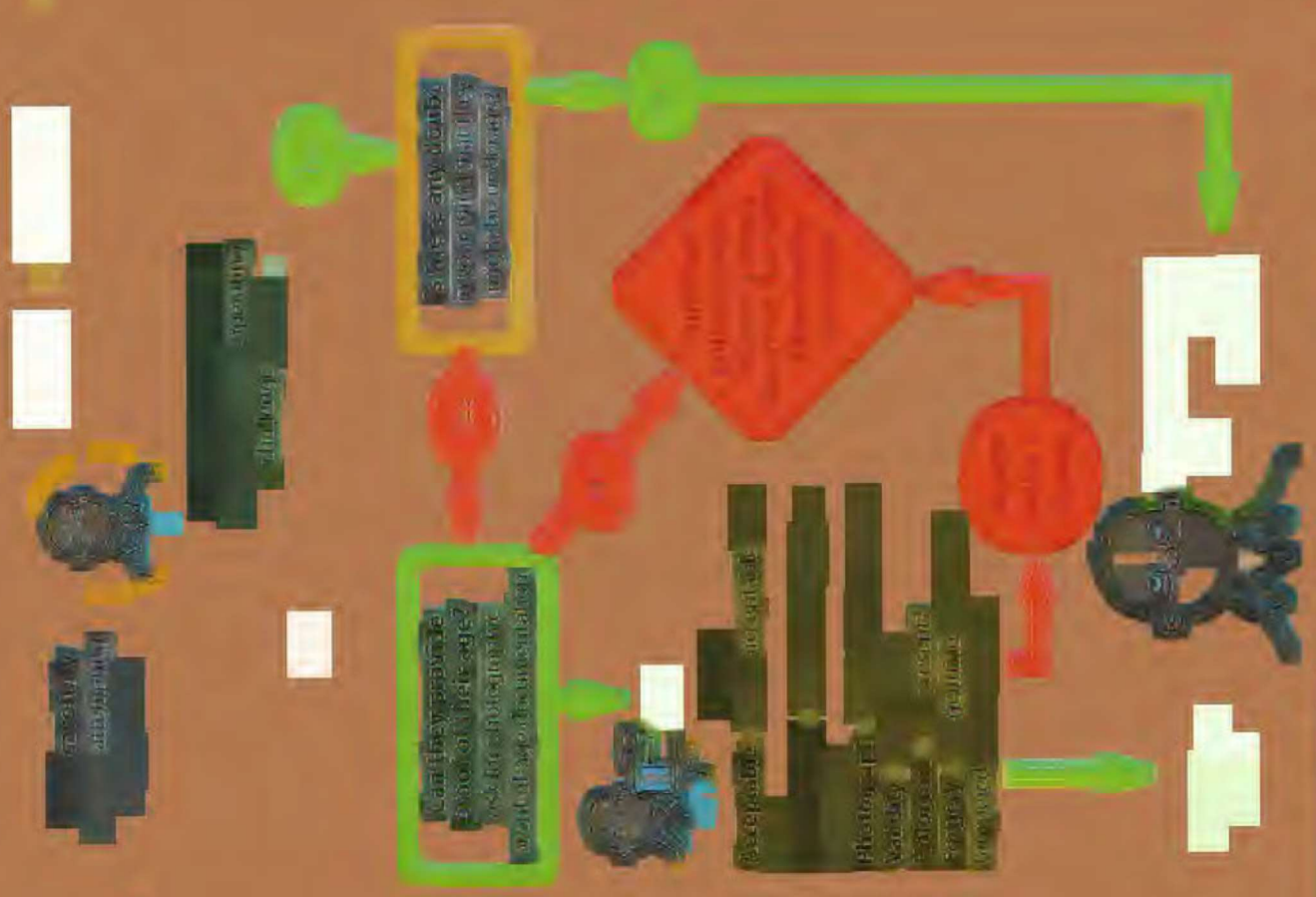
REMEMBER: LADS

- L** Look carefully at every person attempting to buy alcohol
- A** Assess their likely age. Do they look under 18 (or under 21/25)?
- D** Decide whether or not to ask for proof-of-age documentation
- S** Sure? make sure they are 18 or over. Is the documentation acceptable?



Tear here

Tear here





LICENSING MATTERS

you serve • we protect

LICENSING MATTERS LTD

Alcohol & Children Policy

Premises Name:

Londis Mini Supermarket

Address:

**65 Lingfield Road
East Grinstead
RH19 2EU**

Designated Premises Supervisor:

Pinky Bharat Patel

Issue Date: August 2023

All members of staff are required to read and sign this Policy document.

This Policy document is to be retained at the premises with the Premises Licence and made available for inspection if requested by the Police, Licensing Authority or any other Responsible Authority

For further information and assistance please contact Licensing Matters Ltd at

www.licensingmatters.net – 01282 500322



LICENSING MATTERS

you serve • we protect

LICENSING MATTERS LTD

Alcohol and Children Policy - Licensing Act 2003

This document sets out the policy of these premises in regard to alcohol and children.

All employees (paid and unpaid) are expected to adhere to this policy.

All employees (paid and unpaid) will face disciplinary action should they not adhere to the contents of this document.

The Law States

1. It is an offence to sell alcohol to anyone under 18 years old at any time. There are no exceptions.
2. It is an offence to knowingly allow the sale of alcohol to anyone under 18 years old. This means if you permit a colleague to sell alcohol to someone you know is under 18 you also commit an offence.
3. It is an offence for a person under 18 to purchase or attempt to purchase alcohol. *(The exception to this is when an under 18 year is empowered by the police or trading standards to attempt to purchase or purchase alcohol during a 'Test Purchase' operation.)*
4. It is an offence for anyone to attempt to purchase alcohol for a person under 18. *(The exception to this is that a person aged 18 or over may purchase beer, wine or cider for a person aged 16 or 17 to consume whilst the person aged 16 or 17 is having a table meal provided the person aged 18 or over purchases the beer, wine or cider and is also having a table meal.)*
5. It is an offence for an under 18 to consume alcohol on licensed premises *(other than stated in 4)*
6. It is an offence for a member of staff to knowingly permit an under 18 to consume alcohol on licensed premises *(other than in 4)*
7. It is an offence for an unaccompanied person under the age of 16 to be present on premises primarily or exclusively used for the sale of alcohol for consumption on the premises whilst they are open and being used for the supply of alcohol. For a person under the age of 16 to be present they must be accompanied by an adult.
8. It is an offence for an unaccompanied person under the age of 16 to be present on any premises licensed for the sale of alcohol for consumption on the premises whilst they are open and being used for the supply of alcohol between the hours of midnight and 5am. For a person under the age of 16 to be present they must be accompanied by an adult.



Company Policy

1. Points 1 to 8 under the heading 'The Law States' must be adhered to at all times
2. When a customer appears to be aged 25 or under they must be asked to provide proof of their age.
3. The only forms of identification to be accepted are ones with a photograph and from the following list:
 - a. A valid photo drivers licence
 - b. A valid passport
 - c. A recognised valid proof of age scheme card bearing the PASS hologram logo.
4. Any identity documents provided should be checked for the following:
 - a. Photo matches the holder
 - b. Date of birth makes the holders age 18 or over
 - c. It is current and valid
 - d. It has not been tampered with
 - e. It is not a fake
5. If you still have any doubts after examining a form of identification you should still refuse to serve the customer.
6. If caught selling alcohol to an under 18 or committing an offence such as listed in points 1 to 8 under the heading 'The Law States' you may be issued with a fixed penalty fine by the police of £90. In such circumstances it the responsibility for payment of such fine will be that of the person the fine was issued to. Alternatively you could face a fine of up to £5,000 (Level 5).
7. In cases where an employee is issued with a fixed penalty or where an employee does not adhere to points 1 to 8 under the heading 'The Law States' they will face a disciplinary hearing which may result in dismissal from the company.
8. If you refuse service for any reason an entry should be made in the refusals register.



Using the 5 Step Checking Process for PASS ID Cards:

Step 1 Check the PASS Hologram

- Look for the 3D effect in the background of the hologram.
- Look for the small PASS text in the background.
- The PASS hologram must be flush with the plastic of the card - NOT stuck on top of the plastic.
- If in doubt, compare it with a sample card.



Step 2 Check the Photograph

- Ensure that the photograph is of the person presenting the card – if necessary, politely ask the person to remove their hood, hat or sunglasses to be sure.
- The photograph must be printed directly on to the plastic of the card – NOT stuck on top of the plastic.

Step 3 Check the Date of Birth

- Calculate the age of the person from the date of birth.
- Make sure they are old enough to buy the goods or services requested.
- The date of birth must be printed on to the plastic – NOT stuck on top of the plastic.

Step 4 Check the Card

- Ensure that the card has not been tampered with or altered.
- Feel the card – it should be completely smooth – NO ridges or anything stuck on to the card.

Step 5 Check the Person

- If you are still unsure about a person's age, your legal responsibility is to refuse to sell.
- If you refuse to sell items because you believe that the person is too young, once the person has left, report the incident to your supervisor or manager, and record.



LICENSING MATTERS
you serve • we protect
LICENSING MATTERS LTD

By signing the below you acknowledge that you have read and understand the contents of this Alcohol and Children Policy and that you agree to abide by its contents.

Payroll Number	Employee Name	Date of Birth	Signature	Date

**AMENDED GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003 – July 2023 –
Extracts For Ease of Reference (Some emphasis added in bold type)**

1. Introduction

Legal Status

1.9 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

Hearings

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

Determining actions that are appropriate for the promotion of the licensing objectives

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

11. Reviews

The review process

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, ***it is good practice for them to give licence holders early warning of their concerns*** and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

Powers of a licensing authority on the determination of a review

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. ***The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.***

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. ***Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives*** or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. ***However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives*** and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Case No. CI/2009/1736 - THE QUEEN ON THE APPLICATION OF HOPE AND GLORY PUBLIC HOUSE LTD Claimant v CITY OF WESTMINSTER MAGISTRATES' COURT Defendant – Lord Justice Toulson
Extracts

42. Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the “heads or tails” variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.

43. The statutory duty of the licensing authority to give reasons for its decision serves a number of purposes. It informs the public, who can make their views known to their elected representatives if they do not like the licensing sub-committee’s approach. It enables a party aggrieved by the decision to know why it has lost and to consider the prospects of a successful appeal. If an appeal is brought, it enables the magistrates’ court to know the reasons which led to the decision. The fuller and clearer the reasons, the more force they are likely to carry.

Case No: C0/5533/2006 - Daniel Thwaites Plc Claimant v Wirral Borough Magistrates' Court Defendant - The Honourable Mrs Justice Black Extract

My overall conclusions

63. It would be wrong, in my judgment, to say that the magistrates failed to take account of the licensing objectives. At the outset of their Reasons, they correctly identify those which are relevant. Similarly, as the First Interested Party submits, whilst they did not articulate that the curtailment of the hours sought was “necessary” to promote those objectives, it is implied in their decision that they did take this view and it can also be inferred from their comment that because of the concept of migration, public nuisance and crime and disorder would be “an inevitable consequence” of leaving the hours as granted by the Local Authority. However, in my view their approach to what was “necessary” was coloured by a failure to take proper account of the changed approach to licensing introduced by the Act. **Had they had proper regard to the Act and the Guidance, they would have approached the matter with a greater reluctance to impose regulation and would have looked for real evidence that it was required in the circumstances of the case.** Their conclusion that it was so required on the basis of a risk of migration from other premises in the vicinity was not one to which a properly directed bench could have come. **The fact that the police did not oppose the hours sought on this basis should have weighed very heavily with them whereas, in fact, they appear to have dismissed the police view because it did not agree with their own.** They should also have considered specifically the question of precisely how frequently the premises would be likely to be open late and made findings about it. They would then have been able to compare this to the winter opening pattern in relation to which they accepted there had been no complaints and draw proper conclusions as to the extent to which the summer months would be likely to differ from the winter picture. Having formed a clear view of how frequently late opening could be anticipated, they would also have been able to draw more reliable conclusions about the willingness of customers from further afield to migrate to Saughall Massie. **They proceeded without proper evidence and gave their own views excessive weight and their resulting decision limited the hours of operation of the premises without it having been established that it was necessary to do so to promote the licensing objectives. In all the circumstances, their decision was unlawful and it must be quashed.**