



LICENSING AUTHORITY

Mid Sussex District Council, Oaklands, Oaklands Road, Haywards Heath RH16 1SS

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 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 apply for the review of a Premises Licence under Section 51 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 club premises, or if none, ordnance survey map reference or description

Londis, Anishs Mini Supermarket
65 Lingfield Road

Post town: East Grinstead

Post code (if known): RH19 2EU

Name of Premises Licence holder or Club holding Club Premises Certificate (if known)

Pinky Bharat Patel

Number of Premises Licence or Club Premises Certificate (if known)

PWA0494

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)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname

First names

Please tick ✓ yes

I am over 18 years old or over

Current postal address if different from premises address

Post town

Postcode

Daytime contact telephone number

Email 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) [REDACTED]
E-mail (optional) [REDACTED] westsussex.gov.uk

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

Please tick one or more boxes ✓

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

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

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

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

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

Prevention of crime and disorder

On the 8th of February 2023, during a controlled Trading Standards test purchasing exercise, a Partner of the partnership for Londis, Anishs Mini Supermarket Shop, 65 Lingfield Road, East Grinstead, West Sussex, RH19 2EU 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 the store displaying Challenge 25 signage around the premises and claiming to operate such policy, the seller did not follow the guidance of such policy, contrary to the Licence Mandatory condition:

“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”

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

2022

In June 2022, the Responsible Authority received intelligence, alleging Londis, Anishs Mini Supermarket, 65 Lingfield Road, East Grinstead, West Sussex, RH19 2EU was selling Vapes to individuals under the age of 18.

On the 5th August 2022 a Trading Standards Officer from the Responsible Authority conducted an advice visit in relation to selling age restricted products. The Trading Standards Officer spoke to one of the Partners of the business, Mr Bharat Chaturbhai Patel. Several points around age restricted products and training were discussed during the advice visit with Mr Bharat Chaturbhai Patel.

On the 8th August 2022, a follow up advice letter, which reiterated what was discussed from the advice visit, was sent to Mr Bharat Chaturbhai Patel.

2023

On the 8th of February 2023 as part of an underage sales operation the Responsible Authority were carrying out that day. A 17-year-old volunteer under the instruction and supervision of the Responsible Authority entered Londis, Anishs Mini Supermarket, 65 Lingfield Road, East Grinstead, West Sussex, RH19 2EU. The child volunteer selected one bottle of Blue WKD Cocktails and took it to the till. A male working behind the till area sold the bottle of Blue WKD Cocktails to the child volunteer, without asking them for any identification.

After securing the bottle of WKD Blue Cocktails as evidence, Trading Standards Officers immediately returned the shop to explain to the seller about the test purchase and take all the necessary and relevant information to instigate an investigation. Under caution, the seller who was Bharat Chaturbhai Patel, stated the volunteer looked 19 or 20 years old. The seller explained that he was distracted by the energy bill he received and that he has not been recently trained but reads articles online, however he does train all the other employees. When the seller was asked about 'Think 25' Policy the seller explained what it means and that they were trained on this policy.

The seller explained that the alcohol was sold to the underage volunteer because his attention was on the energy bill he received.

Further questions were put by the Responsible Authority to a representative of the partnership. Manjulaben Ambarish Patel, Ambarish Ambalal Patel, Bharat Chaturbhai Patel, and Pinky Bharat Patel are partners of Londis, Anishs Mini Supermarket.

Bharat Chaturbhai Patel responded to the questions that were put forward. Bharat Chaturbhai Patel explained that the sale of alcohol was due to his attention on the energy bill he received. All training is done verbally to all shop employees; there is no written record of any training.

Bharat Chaturbhai Patel runs a second business and is the DPS of Anishs Londis, 5/6 The Parade, Felbridge, East Grinstead, West Sussex, RH19 1QL.

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 is 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'. The licensee has failed in their responsibilities to promote this licensing objective.

In considering a review of this premises licence, the committee are reminded that the second licensing objective 'Prevention of Crime and Disorder' has also been failed by commission of the criminal offence that took place on the 8th of February 2023.

In view of the above, the Responsible Authority do not believe the licensing objectives are being continually upheld at Londis, Anishs Mini Supermarket, 65 Lingfield Road, East Grinstead, West Sussex, RH19 2EU 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 age advice had been provided before the sale of alcohol was made to a Trading Standards volunteer. The Responsible Authority suggests an appropriate outcome of the review would be a three-month suspension.

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			

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

Part 3 – Signatures (please read guidance note 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 10th August 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 by e-mail 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.