

**STATEMENT OF WITNESS**

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

STATEMENT OF: MISS NATASHA ZARA ALI

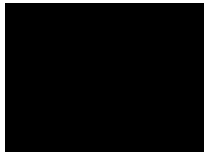
Age of witness (if over 18, enter "over 18"): OVER 18

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 7th day of August 2023

Signed

A solid black rectangular box used to redact the signature of the witness.

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

On the 3<sup>rd</sup> of April 2023, following an allegation of underage sales, I visited KK News Limited t/a Sparks News, 56 Queens Road, Haywards Heath, West Sussex, RH16 1EE. I spoke with the shop employee, who is called Mr MURUGAIVAN and explained why I had come to visit. Mr MURUGAIVAN rang the owner and I spoke to the owner who was Miss L KHANDASAMY.

I spoke to Miss L KHANDASAMY, the owner of Sparks News, and explained the reason why WSCC Trading Standards was visiting her business. I explained to Miss KHANDASAMY that I would be checking Spark News procedures to prevent age underage sales.

I then told Miss L KHANDASAMY that we will be doing a test purchase with a volunteer in future, and if Sparks News fails our test purchase, it could result in an alcohol licence review or revocation. Miss L KHANDASAMY gave me her contact

details and her email address. I explained that I would send her a follow up advice letter via email.

A Notice of Powers and Rights (61468) was filled in with Mr MURUGAIVAN, who is a shop employee of Sparks News.

Key points were discussed and checked with Mr MURUGAIVAN. I checked the shops refusal log, the last entry entered was on 03/04/2023 and was for an Elf bar. I added a Trading Standards entry to the refusal log. The next check was what ID is accepted, Mr MURUGAIVAN explained passport, driving licence. I advised not to use any mobile apps or phone ID. I located the statutory tobacco sign. I gave a replacement statutory tobacco as Mr MURUGAIVAN requested. There was no Under 25 posters present, I gave Mr MURUGAIVAN an Under 25 poster to be put up in the premise and explained what the age policy meant. I checked that there was CCTV present in the premise, there was inside and outside the business.

I asked Mr MURUGAIVAN about any training logs, he explained that he has had verbal training and that there is no signed training log. I gave two Business Companion handouts to Mr MURUGAIVAN, which are for Alcohol and Tobacco and Nicotine Inhaling products. I explained to read these handouts every month to refresh training and to make a log of this. The last check I made was regarding till prompts, there was till prompts present.

Mr MURUGAIVAN signed the visit report at the end (4682), and a copy was given to him.

At approximately 1718 hours, I exited Sparks News.

On the 6<sup>th</sup> April 2023 I sent a follow up advice letter, via email, to Miss L KHANDASAMY's [REDACTED]

On the 6<sup>th</sup> April 2023, Miss L KHANDASAMY confirmed she received the follow up advice letter that was sent to her email [REDACTED]

I produce as evidence the following:

Notice of Powers and Rights (61468) which is exhibited as **NA/SN/1**

Visit report (4682) which is exhibited as **NA/SN/2**

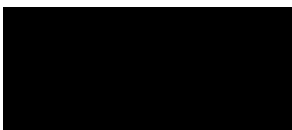
Follow up advice letter which is exhibited as **NA/SN/3**.

On 24th May 2023, I participated in an underage sales test purchase day, with three colleagues, Laura SANDERS (Senior Trading Standards Officer), Elaine LUCAS (Senior Trading Standards Officer) and Peter LEGGETT (Trainee Enforcement 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 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 briefed the volunteer and took photographs of her appearance that day. The volunteer is assigned a unique code "NZA1" to protect her identity.

At approximately 1204 hours, I saw Ms LUCAS and Mrs SANDERS enter KK News Limited t/a Sparks News, 56 Queens Road, Haywards Heath, West Sussex, RH16 1EE. I witnessed the volunteer enter Sparks News a few seconds after.

At approximately 1206 hours I witnessed the volunteer coming out of KK News Limited t/a Sparks News, 56 Queens Road, Haywards Heath, West Sussex, RH16 1E with one bottle of WKD Blue (700 ml). The volunteer handed the bottle of WKD Blue (700ml) to me. The volunteer and I went back to the operational car. I saw Ms LUCAS and Mrs SANDERS return to the operational car. The bottle of WKD Blue (700ml) is given to Ms LUCAS.



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## STATEMENT OF WITNESS

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

STATEMENT OF: Elaine Sarah LUCAS

Age of witness (if over 18, enter "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 the 7<sup>th</sup> day of July 2023

Signed



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I am the above named person and I am employed as a Senior Trading Standards Officer within West Sussex County Council Trading Standards Service. I have held this post since 20<sup>th</sup> February 2023 and previously worked within Hampshire and Southampton Trading Standards since 2008.

On 24<sup>th</sup> May 2023 I lead an underage sales test purchase operation with assistance from Senior Trading Standards Officers Laura Sanders and Trainee Trading Standards Officers Natasha Ali and Peter Leggett.

The purpose of this operation was to inspect West Sussex business' compliance with legislation that prevents the sale of age restricted products to children under 18.

A volunteer who is 17 years old participated in the Underage sales test purchase day, under the instruction and supervision of WSCC Trading Standards. The volunteer was assigned a unique code "NZA1" to protect their identity.

At approximately 12:04 I entered Sparks News 56 Queens Road Haywards Heath, West Sussex RH16 1EE with Laura Sanders. NZA1 entered the shop shortly after

us. I witnessed a man of Asian appearance, about 40 years old and approximately 5ft 9 sell a bottle of Blue WKD to NZA1. NZA1 then exited the shop. I purchased a sundry item and left the shop with Laura Sanders at approximately 12:09.

NZA1 handed the bottle of blue WKD to me, which I could see contained alcohol. I sealed the bottle in an evidence bag, I produce the bottle as **ES/SN/1**.

At approximately 12:12 I returned to Sparks News with Peter Leggett. The seller was still present and when asked gave his name as Morg KYIN and a date of birth of [REDACTED]. I informed the seller that he had sold alcohol to a child and that it was a criminal offence so I needed to ask a number of questions under caution. Morg KYIN (KYIN) was very difficult to understand due to English not being his first language. KYIN showed me he had hearing aids, so appeared to be hard of hearing. I spoke loudly to caution KYIN at 12:15, then asked him how often he works in the shop, to which he replied 3 days.

When I asked KYIN who the owner was he pointed to a health and safety training certificate on the wall, which showed the name Lakminy PAHIRATHASEELAN. It later was confirmed by KYIN that PAHIRATHASEELAN was the manager and that Lakminy THAMBU KANDASAMY (KANDASAMY) is the owner. KYIN was able to state to me that he knew alcohol, vapes and cigarettes are age restricted and that he should not sell to those under 18 year olds, he told me that he thought NZA1 was 18 years old. KYIN was able to demonstrate the till prompt to ask for identification.

KYIN also provided a refusals log on request. Peter Leggett took photographs of the log, I refer to PL-Photo-1 to 4. KYIN was asked for a training log but he could not find it and said it might be upstairs, where he lives. I noted that there were cameras above the till area, KYIN stated he could not operate the CCTV. KYIN stated that the owner would be at the shop at 3pm. I advised that we would be in contact with the owner about the underage sale.

I left the shop at approximately 12:35, with Peter Leggett.

On 21/06/2023 I sent out a formal interview to KANDASAMY, under the Police and Criminal Evidence Act 1984. On 06/07/2023 KANDASAMY sent me a response by post, including a number of documents that I produce below.

A copy of the Mid Sussex District Council Best Practice Guidance document for licenced premises, I produce as **ESL/1**.

Staff training records for MURUGAIYAN and JEYARAJAH, I produce as **ESL/2**.

DPS Sale of alcohol staff authorisation, I produce as **ESL/3**.

Premises Age Verification Policy, I produce as **ESL/4**.

Refusals register, I produce as **ESL/5**.

Photographs of tobacco notices and challenge 25 policy posters, I produce as **ESL/6**.

Photograph of the till prompt, I produce as **ESL/7**. 

Statement obtained by (print name): Elaine Sarah Lucas

**Witness details**

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

Email address: [REDACTED]@westsussex.gov.uk

Mobile number: [REDACTED]

Other number(s): [REDACTED]

Date and place of birth: [REDACTED] [REDACTED]

Maiden name: [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				
Month of :							Month of :							Month of :						
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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 the 07<sup>th</sup> July 2023

Signed [REDACTED]



## STATEMENT OF WITNESS

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

STATEMENT OF: Peter Russell LEGGETT

Age of witness (if over 18, enter "over 18"): Over 18

Occupation of Witness: Trading Standards Trainee 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 25<sup>th</sup> day of May 2023

Signed



*I am the above named person and I am employed as a Trading Standards Trainee Officer within West Sussex County Council Trading Standards Service. I have held this post since 18th April 2023.*

On 24<sup>th</sup> May 2023 I was involved in an underage sales test purchase operation with Senior Trading Standards Officers Elaine LUCAS, Laura SANDERS and Trainee Trading Standards Officers Natasha ALI.

The purpose of this operation was to inspect West Sussex business' compliance with legislation that prevents the sale of age restricted products to children under 18.

A volunteer who is 17 years old participated in the Underage sales test purchase day, under the instruction and supervision of WSCC Trading Standards. The volunteer was assigned a unique code "NZA1" to protect their identity.

At approximately 12:06 I witnessed NZA1 exit Sparks News 56 Queens Road Haywards Heath, West Sussex RH16 1EE with a bottle of Blue WKD. NZA1 then

came to meet myself and Natasha ALI. Laura SANDERS and Elaine LUCAS exited the shop a couple of minutes later.

I accompanied Elaine LUCAS back into the shop at approximately 12:11 . Elaine LUCAS showed the blue bottle of WKD which NZA1 had purchased. Elaine LUCAS then cautioned the seller. The seller didn't speak very good English but gave his name as Morg KYIN and a date of birth of [REDACTED].

Whilst Elaine LUCAS was questioning KYIN he showed us the refusals log. I took 4 photographs of the log using my work mobile phone Samsung Galaxy. I now produce a photo of the refusal log date between 28/4/23 - 24/5/23 as PL-Photo-1.

I now produce a photo of the refusal log date between 13/4/23 – 25/4/23 as PL-Photo-2. I now produce a photo of the refusal log date between 8/4/23 – 13/4/23 as PL-Photo-3. I now produce a photo of the refusal log date between 3/4/23 – 8/4/23 as PL-Photo-4.

I exited the shop with Elaine LUCAS at approximately 12:35

Statement obtained by (print name): Peter Leggett

**Witness details**

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

Email address: [REDACTED]@westsussex.gov.uk

Mobile number: [REDACTED]

Other number(s):

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
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Month of :							Month of :							Month of :						
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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 the 25<sup>th</sup> day of May 2023

Signed [REDACTED]

## 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 3<sup>rd</sup>       day of August                       2023

Signed 

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

On the 24<sup>th</sup> May 2023, I participated in an Underage sales test purchase day, with three colleagues, Ms Elaine LUCAS (Senior Trading Standards Officer), Miss Natasha ALI (Trainee Trading Standards Officer) and Peter LEGGETT (Trainee Enforcement 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 met with the volunteer at our offices in Horsham, where we briefed her and took photographs of her appearance that day. The volunteer is assigned a unique code "NZA1" to protect her identity.

At approximately 1204 hours, Ms LUCAS and I entered Sparks News 56 Queens Road Haywards Heath, West Sussex RH16 1EE. A few seconds after we entered, I observed the volunteer enter the store. I witnessed the volunteer pick up a bottle and go up to the till where she was sold a bottle of Blue WKD by a male working behind the till before then leaving the premise. The seller did not ask the volunteer for any ID. Ms LUCAS purchased some sweets and we then left the shop at approximately 12:06.

The seller was male, approximately 30 years of age, of medium build, Asian and was wearing glasses.

Ms LUCAS and I returned to the operational vehicle where the bottle of alcohol was placed into an evidence bag and I observed Ms LUCAS complete the information on the evidence bag.

Ms LUCAS and Mr LEGGETT returned to the premise to interview the seller and Ms ALI and I waited in the vehicle with the volunteer. At approximately 1236, Ms LUCAS and MR LEGGETT returned to the vehicle.

Later that day, when we returned to the office, the bottle of alcohol sold to the volunteer was placed into our evidence room.



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**Notice of Powers and Rights**

61468

Recipient: MURUGAIVAN K  
Premises: SPARKS NEWS, 56 Queens Road, RH16 1EG  
WEST SUSSEX

Date & time of visit: 03/04/2023  
Date advance notice given: (if applicable) unannounced - no answer for appointment.  
Purpose of visit: VAS advise visit

Officer Name: Natasha Ali Tel Number: [REDACTED]  
Other Persons Present: [REDACTED]

**Part A: Activities carried out using Statutory Powers**

Entry using:  Statutory powers  Court warrant (copy attached)

Legislation:  
 Consumer Rights Act 2015  Food Safety Act 1990  Other (specify below)

The powers used in respect to the legislation listed above have been summarised as far as practicable on the reverse of this Notice together with a summary of your rights.

**Part B: Activities carried out with the consent of the owner/occupier**

I am employed by West Sussex County Council's Trading Standards Service and with your permission I wish to inspect goods, records and documents held on these premises.

You should be aware:

1. You are not obliged to consent to such activity, and you can withdraw your consent at any time before the visit is concluded
2. Any goods, record or documents obtained may be used in evidence in court proceedings
3. You are not suspected of any offence (delete if inapplicable)

**I hereby consent to the officer(s) named above inspecting any goods, records or documents held on the above named premises. I have read and understand the warning above.**

Signature: ..... Print Name: .....

Job Title / Position within Company: .....

**I acknowledge receipt of a copy of this document**

Signature: [REDACTED] Print Name: .....

Job Title / Position within Company: Shop employee.



Trading Standards Serv  
County Hall No  
Chart V  
Horsh  
RH12  
01243 642  
trading.standards@westsussex.gov



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

Officer's Contact Details:  
 No. 4582  
 Email: [redacted]@westsussex.gov.uk

Proprietor: KK news limited  
 Trading Name: SPARKS NEWS  
 Address: 50 QUEEN ROAD,  
HAYWARDS HEATH, WEST SUSSEX  
 Tel: \_\_\_\_\_ Postcode: RH16 1EE

Registered Office: [redacted]  
 Mobile: [redacted]  
 Email: [redacted]  
 Website: [redacted]  
 Type of Business: off-ticence

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Animal Health Act 1981       | <input type="checkbox"/> Health & Safety at Work etc. Act 1974                             | <input type="checkbox"/> The Explosives Regulations 2014   |
| <input type="checkbox"/> Consumer Protection Act 1987 | <input type="checkbox"/> The Dangerous Substances & Explosive Atmospheres Regulations 2002 | <input type="checkbox"/> The Animal Feed (Hygiene, Sampling etc. & Enforcement) (England) Regulations 2015 |
| <input type="checkbox"/> Consumer Rights Act 2015     | <input type="checkbox"/> The General Product Safety Regulations 2005                       | <input type="checkbox"/> Other (specify)   |
| <input type="checkbox"/> Trade Marks Act 1994         | <input type="checkbox"/> The Petroleum (Consolidation) Regulations 2014                    |  |
| <input type="checkbox"/> Weights & Measures Act 1985  | <input type="checkbox"/> The Consumer Protection from Unfair Trading Regulations 2008      |  |

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
- |                                       |   |   |   |   |
|---------------------------------------|---|---|---|---|
| <input type="checkbox"/> Records      | <input type="checkbox"/> Specifications | <input type="checkbox"/> Production Process | <input type="checkbox"/> Composition, Labelling, Presentation | <input type="checkbox"/> Product Design & Recipe      |
| <input type="checkbox"/> Traceability | <input type="checkbox"/> Stock Rotation | <input type="checkbox"/> Completed Product  | <input type="checkbox"/> Quality / Management Systems         | <input type="checkbox"/> Recall / Relabelling Systems |

**Corrective actions & timescales (legal requirements)**

- 2 years KK news had had been trading
- Explained to shop employees about VAS <sup>(complaint)</sup> whose name is Mr MURGAIVAN
- spoke to the <sup>(manager)</sup> on the phone, her name is Minnie, about VAS complaint, and hid company name, and email
- I explained on phone to <sup>(Minnie)</sup> about future VAS test purchase and if business fails TP, then possible alcohol licence review.
- Two employees - 1 Mr Murgaiivan and 2nd is manager (Minnie)
- DPS is Miss Lakshmi <sup>part time</sup> & Thambu Thandassary <sup>full time</sup>

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

**Key points discussed, comments and recommendations**

- Refusal log - Present - last entry 03-04-23 - for Elf bar at 16:40 no ID. TS entry added. Actively writing
- ID accepted - Passport, driving licence, citizen card - explained no phone
- Tobacco sign located on gantry - but requested for new one ID - x1 statutory
- Under 25 poster, not present. I have given under 25 poster tobacco sign and explained what it means
- CCTV - present inside and outside, spoke about proxy sales
- Staff training - no signed training, but they had - checked vapes, they are compliant, explained verbal training and read advised about if anything over 800 RPHs, not to sell. I have given Business Camp, Tobacco & alcohol.
- Till prompts - present, ask prompt at the bottom corner up
- VAS TP explained, if business fails, alcohol licence review

**Actions to be taken by Officer**

- Follow up letter/email.
  - future VAS TP / if business fails then alcohol licence review
- Guidance to follow

Issued by: NATASHA ARI  
 Signed: [redacted] (Authorised Officer)  
 Date: 03/04/2023 Time: 17:18

Person seen (print name in capitals): \_\_\_\_\_  
 Signed: [redacted]  
 Position: Shop Employee

In the event of any dispute or complaint please contact:  
 trading.standards@westsussex.gov.uk or call (01243) 642124





**MID SUSSEX DISTRICT COUNCIL**  
**BEST PRACTICE GUIDANCE DOCUMENTS FOR LICENSED PREMISES**  
**LICENSING ACT 2003**

## Contents

1. Designated Premises Supervisor (DPS) sale of alcohol staff authorisation
2. Example Refusal/Incident Book
3. Premises Age Verification Policy
4. Training Log
5. Table of Offences Under the Licensing Act 2003

This guide provides examples of best practice documents and templates to assist premises licence holders and designated premises supervisors comply with the requirements of the Licensing Act 2003.

Some of your licences have conditions that require these documents. Failure to comply is a criminal offence per Section 136 licensing Act 2003.

In premises where the licence doesn't require these documents, we strongly advise their use as an indication of good governance.

The templates provide guidance only and can be amended to reflect the operating procedures of each premises. The templates are not exhaustive and may require updating following changes to legislation.

The rear of each template has some tips and instructions for their use.

Please ensure that you read your Premises Licence thoroughly. Not only the times and the licensable activities it authorises, but the Mandatory Conditions listed at Part A and conditions at Annex 2 and 3. It is vital that you understand the licence, what it authorises and equally what conditions you must abide by to ensure the licence remains valid. This information should be passed onto your staff, who have an important role to play in promoting the licensing objectives on your behalf.

Please remember that the Premises Licence Summary must be displayed in a prominent place on the premises. I.e. where it can be easily read by customers.

You should keep these documents, together with the original or certified copy of the original in a binder or something similar in a place that it can easily be produced upon request. Your staff should be aware of its existence and where they can access it. You may be away from the premises when it is requested.

As a business you are legally required to carry out and regularly review a Fire Risk Assessment of the Premises. Details to can be found at the West Sussex County Council website:

<https://www.westsussex.gov.uk/fire-emergencies-and-crime/west-sussex-fire-rescue-service/business-fire-safety/fire-risk-assessment/#how-to-carry-out-the-assessment>

Should you have any questions regarding the contents of this guide or the contents of your premises licence ,please contact [licensing@midsussex.gov.uk](mailto:licensing@midsussex.gov.uk) or call (01444) 477419.

*Please Note: The details listed above in relation to offences, penalties, fines and PND's issued in line with the Licensing Act 2003 may be subject to change following updates to relevant legislation. For further information regarding Penalty Disorder Notices (PND's) please refer to the Ministry of Justice Guidance.*

## **TIPS**

### **The person selling the alcohol:**

By selling alcohol to a person who is under 18, it is **YOU** that commits the offence. You could receive a penalty notice of £90 or an unlimited fine if prosecuted.

### **The customer:**

A customer who purchases alcohol for a person under 18, or attempts to do so, commits an offence. They could receive a penalty notice of £90 or a fine of up to £5,000 if prosecuted.

A customer who is under 18 and purchases alcohol or attempts to do so, or consumes alcohol on the premises also commits an offence. They could receive a penalty notice of £90 or a fine of up to £1,000 if prosecuted.

### **The licence holder:**

Persistently selling of alcohol to children is defined as selling alcohol on the same premises to a person who is under 18 on two or more occasions within a single three month period. Currently there are three avenues by which action can be taken against premises to be persistently selling alcohol to children.

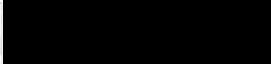
1. The licence holder, if prosecuted, can plead not guilty and go to court and if found guilty can be given an unlimited fine with up to 3 months suspension of the alcohol licence.
2. As an alternative to prosecution, the police or trading standards officers can issue a closure notice at the premises preventing sales of alcohol for between 2 and 14 days rather than face criminal liability.
3. The police can make a representation to the relevant licensing authority to ask them to review the licence. This can also happen in addition to options 1 and 2.

179(4)	Intentional obstruction of entry of authorised person to investigate unauthorised use of premises for licensable activity	Any person	Level 3 fine
<b>Underage Offences</b>			
145(1)	Knowingly allowing unaccompanied child under 16 on premises when open and used for sale or supply of alcohol for consumption there	Any person authorised to prevent	Level 3 fine
146(1)(2)(3)	Selling alcohol to person under 18 or supplying alcohol to club member or guest under 18	Any person or club	Level 5 fine or PND £90 (s 146(1) and (3))
147(1)(3)	Knowingly allowing sale of alcohol to person under 18 or knowingly allowing supply of alcohol to club member or guest under 18	Any person authorised to prevent	Level 5 fine
147A(1)	Unlawful sale of alcohol on 3 or more different occasions on same premises within period of 3 consecutive months	Premises licence holder or premises user under a TEN	£10,000 fine
148(1)(2)	Sale or supply of liqueur confectionary to person under 16	Any person or a club	Level 2 fine
149(1)(3)(4)	Purchase or supply of alcohol by or on behalf of person under 18, or attempt to do so	Person under 18 or person purchasing on his behalf	Level 3 fine (person under 18) Level 5 fine (person on behalf of under 18) or PND £90
150(1)	Knowingly consuming alcohol on premises with premises licence, CPC or TEN when under 18	Person under 18	Level 3 fine
150(2)	Knowingly allowing consumption of alcohol by person under 18 on premises with premises licence, CPC or TEN	Person working at premises, member or officer of club who could have prevented	Level 5 fine or PND £60
151(1)(2)(4)	Delivering or allowing delivery to person under 18	Person working at premises, member or officer of club who could have prevented	Level 5 fine or PND £90 (s 151(1) and (2))
152(1)	Sending person under 18 to obtain alcohol for consumption off the premises	Any person	Level 5 fine
153(1)	Knowingly allowing person under 18 to sell or supply alcohol without approval on premises with premises licence, CPC or TEN	Premises licence holder, designated premises supervisor, or person over 18 authorised by either	Level 1 fine
160(4)	Knowingly keeping premises open or allowing premises to be kept open in breach of closure order in identified area	Any manager, premises licence holder, designated premises supervisor or premises user for temporary event	Level 3 fine
161(6)	Permitting identified premises to be kept open in breach of closure order	Any person	3 months' imprisonment and/or £20,000 fine
165(7)	Permitting premises to be kept open in breach of magistrates' court closure order	Any person	3 months' imprisonment and/or £20,000 fine
168(8)	Allowing premises to be kept open in breach of closure order ending appeal against revocation of premises licence	Any person	3 months' imprisonment and/or £20,000 fine

## STAFF TRAINING RECORD

PREMISES NAME KK NEWS LTD T/A SPARKS NEWS

ADDRESS 56 QUEENS ROAD, HAYWARDS HEATH, WEST SUSSEX  
RH16 1EE

Employee Name	KALYANASUNDARAM MURUGAIYAN	
Employee Number		
Date Joined	15.04.2019	
Current Role		
Personal Licence Details	YES/NO Licence number: Licensing Authority:	
SIA Licence Details	YES/NO Type: Licence number: Licensing Authority:	
Other Qualifications	WORKING CARE HOME	
Date of Initial Training/Induction	21.04.2023	

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
MURUGAIYAN <del>OFF LICENCE</del>	21-04-2023	[Redacted]	[Redacted]
<del>OFF LICENCE</del>	<del>21-04-2023</del>	[Redacted]	[Redacted]
MURUGAIYAN	01-06-2023	[Redacted]	[Redacted]
Murugaiyan	23-06-2023	[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.

**TRAINING LOG**

Training Undertaken	Date Taken/Completed	Signature of Employee	Signature of DPS/Trainer
G. JEYARAJAN <del>OFF LICENCE</del>	21.04.2023	[Redacted]	[Redacted]
" "	01/06/2023	[Redacted]	[Redacted]
G. Jeyarajah	25.06.2023	[Redacted]	[Redacted]

Training records could include:

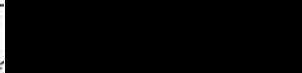
- H&S in the Workplace
- Licensing Objectives and how to promote them
- Age Verification Policy
- Licensing Activities and Conditions
- SIA Policy
- Drug Policy
- Refusal/Incident Register
- Noise management Plan
- Emergency Evacuation Procedures
- CCTV Management
- Other Policies which are relevant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

Copies of the above content should be readily accessible.

## STAFF TRAINING RECORD

PREMISES NAME KK NEWS LTD T/A SPARKS NEWS

ADDRESS 56 QUEENS ROAD, HAYWARDS HEATH, RH16 1SE

Employee Name		<u>MOVINDAPILLAI JEYARAJAH</u>
Employee Number		
Date Joined		<u>19.07.2021</u>
Current Role		
Personal Licence Details	YES/NO Licence number: Licensing Authority:	
SIA Licence Details	YES/NO Type: Licence number: Licensing Authority:	
Other Qualifications		<u>SALE ASSISTANT</u>
Date of Initial Training/Induction		 <u>21.04.2023</u>

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



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

I, LAKMINY THAMBU KANDASAMY DPS of  
KK NEWS LTD T/A SPARKS NEWS

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.

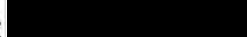
Signed:  Print Name: LAKMINY THAMBU KANDASAMY Date: 21.04.2023

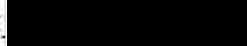
We sign below in the knowledge that it is an offence to:

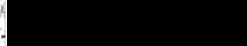
- Knowingly sell, attempting to sell or allowing sale of alcohol to person who is drunk.
- Sell alcohol to a person under 18 years of age.
- Allow licensable activities to be conducted otherwise than in accordance with the premises licence and the conditions it contains.

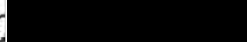
I also understand that I require individuals who appear to me to be under the age of 21

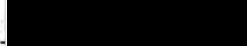
to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

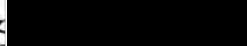
Signed:  Print Name: KALYANASUNDARAM MURUGAIYAN Date: 21.04.2023

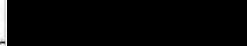
Signed:  Print Name: MURUGAIYAN MALARICO DIMARY Date: 21.04.2023

Signed:  Print Name: GOVINDAPILLAI Jeyaraj Date: 21.04.2023

Signed:  Print Name: S. JEYARAJAH Date: 01/06/2023

Signed:  Print Name: Murugaiyan Date: 01/06/2023

Signed:  Print Name: Jeyarajah Date: 25.06.2023

Signed:  Print Name: Murugaiyan Date: 23.06.2023

Signed:  Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

## TABLE OF OFFENCES – LA2003

SECTION	OFFENCE	OFFENDER	PENALTY LEVEL 1-5 FINES LEVEL 1 - £250 LEVEL 2 - £500 LEVEL 3 - £1,000 LEVEL 4 - £2,500 LEVEL 5 – Unlimited PENALTY NOTICE FOR DISORDER
<b>Premises Licence</b>			
33(6)	Failure to notify licensing authority of change in name or address	Premises licence holder	Level 2 fine
57(4)	Failure to keep premises licence or certified copy at the premises	Premises licence holder	Level 2 fine
57(4)	Failure to display summary of premises licence or certified copy and notice specifying any nominated person	Premises licence holder	Level 2 fine
57(7)	Failure to produce premises licence or certified copy to authorised person for examination	Premises licence holder or nominated person	Level 2 fine
59(5)	Intentional obstruction of authorised person exercising power of inspection prior to grant, variation or review of premises licence or issuing or provisional statement	Any person	Level 2 fine
<b>General Offences</b>			
136(1)	Knowingly allowing or carrying on unauthorised licensable activities	Any person (exceptions: s 134(2))	6 months' imprisonment and/or £20,000 fine
137(1)	Unauthorised exposure for sale of alcohol	Any person	6 months' imprisonment and/or £20,000 fine
138(1)	Unauthorised possession of alcohol with intent to sell or supply	Any person	Level 2 fine
140(1)	Knowingly allowing disorderly conduct on premises with premises licence, CPC or TEN	Any person authorised to prevent	Level 3 fine
141(1)	Knowingly selling, attempting to sell or allowing sale, or supplying, attempting to supply or allowing supply, of alcohol to person who is drunk	Any person authorised to prevent	Level 3 fine or PND £90
142(1)	Knowingly obtaining or attempting to obtain alcohol for consumption by person who is drunk	Any person	Level 3 fine
143(1)	Failure to leave premises with premises licence, CPC or TEN, or attempting to enter premises, by a person who is drunk or disorderly, following request by person in authority	Any person	Level 1 fine
144(1)	Knowingly keeping unlawfully imported goods on relevant premises	Any person authorised to prevent	Level 3 fine
158(1)	Knowingly or recklessly making false statement in connection with licensing application	Any person	Level 5 fine

## TIPS

- All staff should be adequately trained to regarding their responsibilities under the Licensing Act 2003 to ensure compliance with the terms of the premises licence and demonstrate due diligence by the licence holder and DPS.
- It is recommended that staff sign training records to clarify they have participated in and fully understand training material.
- Subject matter should include include their understanding of the Licensing Act 2003, the promotion of the licensing objectives, relevant offences under the act, the company age verification policy and the use of the refusals/incident book. However, you may also wish to include additional topics for which staff are required to be trained under separate legislation such as health and safety, fire safety and first aid.
- Such records also support any DPS authorisations and show responsible management of the premises.
- It is recommended that refresher training is carried out and documented every six months.
- Training records should be made available to the police or local authority on request.

## **TIPS**

- In order to ensure compliance with the premises licence mandatory conditions, the premises licence holder should take all reasonable steps to ensure that a proof of age policy is operated at their premises. This is also sometimes referred to a 'Challenge (age) 'Policy.
- The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- Staff must be aware of the scheme operated and be trained accordingly with written records kept of the training carried out.
- It is recommended the age verification policy that is carried out at the premises should be in writing and documented within any training or authorisations.
- Staff involved with the selling of alcohol should be aware of the policy's existence and content.
- The above example is a suggested text for an age verification policy, as per Home Office guidance. You
- It is also recommended that appropriate signage is displayed detailing the age verification policy in operation at the premises. Free point of sale posters are widely available from various sources via the internet. Posters and further advice on responsible retailing and age restricted products can also be obtained from Trading Standards via their website.

## Premises Age Verification Policy

This policy applies in relation to the sale or supply of alcohol on the following Premises:

Name and address of premises

KK NEWS LTD T/A SPARKS NEWS  
56 QUEENS ROAD  
HAYWARDS HEATH, WEST SUSSEX, RH16 1EB

Name of premises licence holder

LAKMINY THAMBU KANDASAMY

Name of designated premises supervisor

LAKMINY THAMBU KANDASAMY

1. This policy applies in relation to the sale or supply of alcohol on these premises.

2. For this policy the responsible person is one of the following:

- the holder of the premises licence;
- the designated premises supervisor;
- a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18


3. Staff serving alcohol on the premises must require any individuals who appear to the responsible person to be under the age of

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

4. Examples of appropriate identification include:

- A *passport*
- A *photo card driving licence*
- A *proof of age card bearing the PASS hologram*

4. The designated premises supervisor will ensure that the supply of alcohol at the premises is carried on in accordance with this policy.

Signed  Date 21.04.2023  
DESIGNATED PREMISES SUPERVISOR

5. The premises licence holder will ensure that staff are made aware of the existence and content of this policy.

Signed....  .....  
PREMISES LICENCE HOLDER



REFUSALS REGISTER

KK NEWS T/A SPARKS NEWS LTD

Date	Product	Time	Name of Person or Description	Observations	Staff Member
25-05-23	W K D	15-32	Boy	NO ID	[Redacted]
27-05-23	ELFBAR	18-50		NO ID	[Redacted]
29-05-23	EST LENS	10-31		NO ID	[Redacted]
31-05-23	RAW	16-12	MAN	NO ID	[Redacted]
1/6/23	Visit music licensing officer	1015		[Redacted]	[Redacted]
05-06-23	ELFBAR	19-28		NO ID	[Redacted]
06-06-23	ELFBAR	12-54		NO ID	[Redacted]
09-06-23	ELFBAR BEER	10-20	WHITE HAIR BOY + GIRL	NO ID	[Redacted]
13-06-23	ELFBAR	13-58	Boy	NO ID	[Redacted]



MANAGER'S SIGNATURE

DATE: 22.06.2023

# KK NEW SLIT/A SPARKS NEWS

## Refusals Register

Please record all refusals on the register below

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
41	28-04-23 <del>14-04-23</del>	ELFBAR	14:38		NOID	
42	28-04-23	ELFBAR	17:43	MAN	NOID	
43	04-05-23	ELFBAR	15:39		NOID	
44	11-05-23	B&H BLUE	17:22		NOID	
45	14-05-23	ELFBAR	15:58	MAN	NOID	
46	17-05-23	ELFBAR	17:15		NOID	
47	20-05-23	ELFBAR	18:38	Boy	NOID	
48	24/05/23	Trading standards REST purchase 12.26				

Date: 25/5/23

Manager's Signature:



Additional pages can be downloaded from [noidosale.com](http://noidosale.com)

KK NEWS LTD T/A SPARKS NEWS

Please record all refusals on the register below

**Refusals Register**

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
41	13-04-23	ELFBAR	13-22		NOID	[REDACTED]
42	13-04-23	ELFBAR	14-17	Boy SCHOOL UNIFORM	NOID	
43	13-04-23	ELFBAR	16-48		NOID	
44	14-04-23	Visit Licensing officer	10-00	Licensing Visit JAW BRYANT		
45	18-04-23	ELFBAR	11-02		NOID	
46	19-04-23	ELFBAR	17-23		NOID	
47	21-04-23	B-RK BYUE	17-40	Boy	NOID	
48	25-04-23	ELFBAR	10-08		NOID	
Manager's Signature: [REDACTED]					Date: 26-04-2023	

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)





KIK NEWS LTD THE SPARKS ALBANS

**Refusals Register**

Please record all refusals on the register below

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
41	18-04-23	ELFBAR	18-44		NO ID	
42	09-09-23	ELFPAA	10-22		NO ID	
43	10-04-23	OTLENS	16-25		NO ID	
44	11-04-23	ELFBAR	12-00	Boy	NO ID	
45	12-04-23	ELFBAR	10-23		NO ID	
46	12-04-23	ELFBAR	16-35		NO ID	
47	13-04-23	ELFBAR	11-40	BOX WHITE	NO ID	
48	13-04-23	Meal bars	12-15		NO ID	

Manager's Signature

Date: 15.04.2023



Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)

# KIK NEWSLOT / A SPARKS NEWS

## Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
01	Example 01/04/2022	Cigarettes	7.10pm	Male, 14 yrs Blonde, 5ft 11"	Nervous and refusing to show ID	
02	03/04/23	// TRADING STANDARDS		17:02		
03	05-04-23	ELFBAR	15:45		NOID	
04	06-04-23	OTLEN'S	19:00		NOID	
05	06-04-23	ELFBAR	18:15		NOID	
06	06-04-23	ELFBAR	18:54		NOID	
07	08-04-23	SMIRNOFF	16:10		NOID	
08	08-04-23	ELFBAR	16:31		NOID	

Manager's Signature:



Date: 09.04.2023

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



## Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
09	18-03-23	ELFBAR	16-33		NO ID	
10	30/03/23	PC LUCKS CLUBS ALLIANCE	10:00	MLPCUBS		
11	30-03-23	ELFBAR	14.15		NO ID	
12	31-03-23	ELFBAR	13-45		NO ID	
13	31-03-23	ELFBAR	15-39		NO ID	
14	31-03-23	ELFBAR	18-40		NO ID	
15	02-04-23	ELFBAR	16-19		NO ID	
16	03-04-23	ELFBAR	16-40		NO ID	

Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



## Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
25	20-01-23	ELFBAR	14:55		NO ID	
26	24-01-23	RAW	6-30	Boy	NO ID	
27	01-03-23	ELFBAR	15-35		NO ID	
28	10-03-23	ORLEN-S	15-35	man, Boy	NO ID	
29	15-03-23	ELFBAR	08-50		NO ID	
30	18-03-23	ELFBAR	16-50		NO ID	
31	20-03-23	ELFBAR	18-11		NO ID	
32	23-03-23	ELFBAR	15-40		NO ID	

Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



# Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
17	01.04.23	Fifbar	9.40		NO ID	
18						
19	13.04.23	Marlboro	11.40		NO ID	
20						
21						
22						
23						
24						

Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)





# SF ARKS NEWS

## REFUSALS REGISTER

Date	Product	Time	Name of Person or Description	Observations	Staff Member
07-01-23 <del>07-01-23</del>	cutters choice	15:27		NOI D	[REDACTED]
14-01-23	ELFBAR	16:50		NOI D	[REDACTED]
19-01-23	ELFBAR	15:25		NOI D	[REDACTED]
21-01-23	CHEERIS	17:36	BOY	NOI D	[REDACTED]
27-01-23	B-Y H BLUE	08:30		NOI D	[REDACTED]
03-02-23	ELFBAR	17:51	GIRL	NOI D	[REDACTED]
06-02-23	RAW	15:40		NOI D	[REDACTED]
09-02-23	BELLS	16:02		NOI D	[REDACTED]
10-02-23	CHEERIS	13:42		NOI D	[REDACTED]

DATE: 01-01-23



MANAGER'S SIGNATURE

**IT IS ILLEGAL TO  
SELL TOBACCO  
PRODUCTS TO  
ANYONE UNDER  
THE AGE OF 18**



Please be prepared to show proof of age when buying alcohol.

25

DRINKWARE.CO.UK

**CAN'T FIND  
WHAT YOU'RE  
LOOKING FOR?**

IF YOU WISH TO PURCHASE  
TOBACCO PRODUCTS PLEASE  
ASK A MEMBER OF STAFF

**TOBACCO  
ON SALE HERE**

- CIGARETTES
- TOBACCO
- CIGARS



**IT IS ILLEGAL**

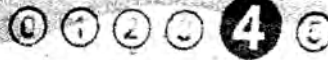
**WARNING**  
**24hr CCTV**

Images are instantly stored & monitored  
to the prevention & detection of crime.



**No smoking**  
It is against the law to  
smoke in these premises

**FOOD HYGIENE RATING**



**Radiomance**

**OPEN**

Buy a SIM and  
top up here



**Wear  
face  
mask**



**Pay, play,  
top up, pick up  
& gift here!**



Transport & Ticketing



Lotto & Gaming



Gift Cards for Everyone

**OX** OXFORD

**UNDER**

**25?**

**u25**



**DRINK AWARE.CO.UK**

**SPARKS NEWS NEW**

**OPENING HOURS**

- MONDAY = 6.00 TO 19.30
- TUESDAY = 6.00 TO 19.30
- WEDNESDAY = 6.00 TO 19.30
- THURSDAY = 6.00 TO 19.30
- FRIDAY = 6.00 TO 19.30
- SATURDAY = 6.00 TO 19.30
- SUNDAY = 6.00 TO 16.30
- BANK HOLIDAY = 6.00 TO 16.30

**THANK YOU**





[DRINKAWARE.CO.UK](http://DRINKAWARE.CO.UK)

You could face a  
£5000 fine.



It is a  
offence to





MENU



9:20 am  
29 Jun 2023  
POS 1



Total Amount Due 1.00

Cash 1.00

Change Given 0.00

-----  
29/06/23 09:17:01

LUCOZADE 1.25

Sandwiches & Baguettes 1.30

BIG 1.25

\*VOID\* TWIX XTRA

Total Amount Due 3.80

Cash 4.00

Change Given 0.20  
-----

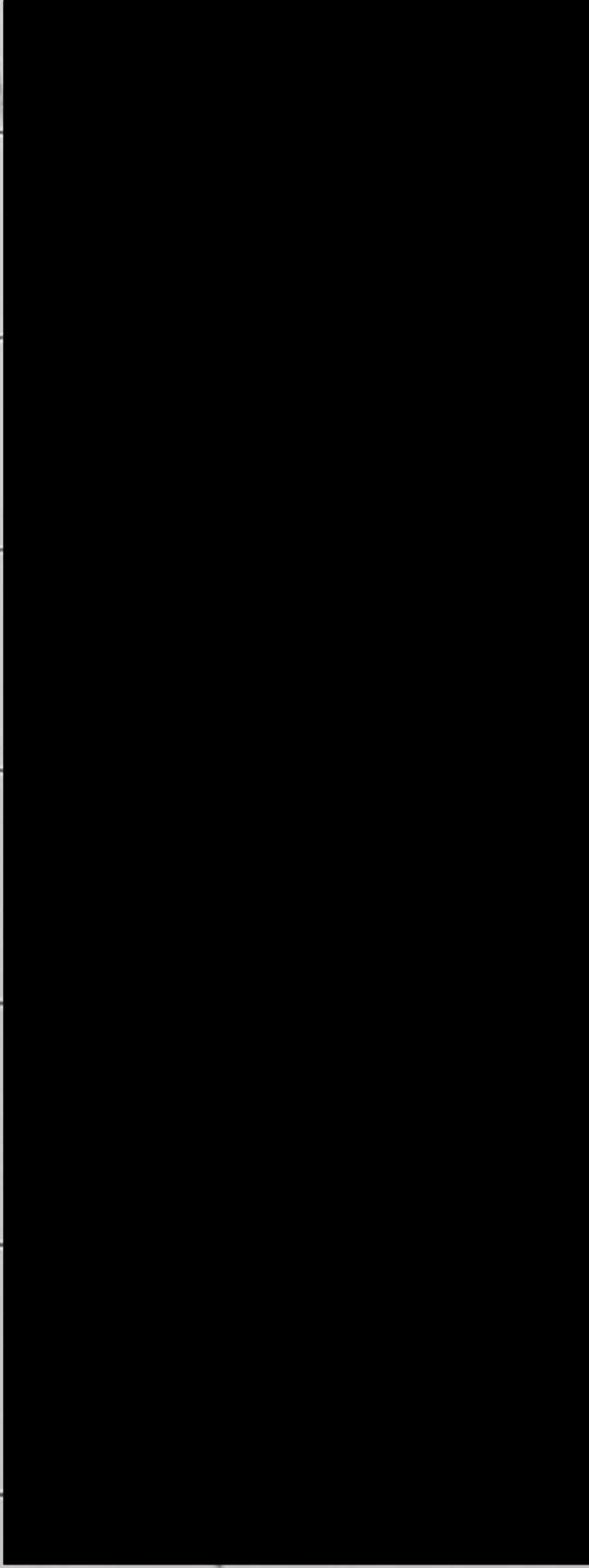


Are you over 18  
OK

Are you over 18  
DISAGREE

Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
41	<del>14-28</del> 28-04-23	ELFBAR	14-38		NOID	
42	28-04-23	ELFBAR	17-43		NOID	
43	04-05-23	ELFBAR	15-39		NOID	
44	11-05-23	B&H BLUE	17-22		NOID	
45	17-05-23	ELFBAR	15-58		NOID	
46	17-05-23	ELFBAR	17-15		NOID	
47	20-05-23	ELFBAR	18-38		NOID	
48	24/05/23	Trading standards Test purchase 12:26.				

Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



Please record all refusals on the register below

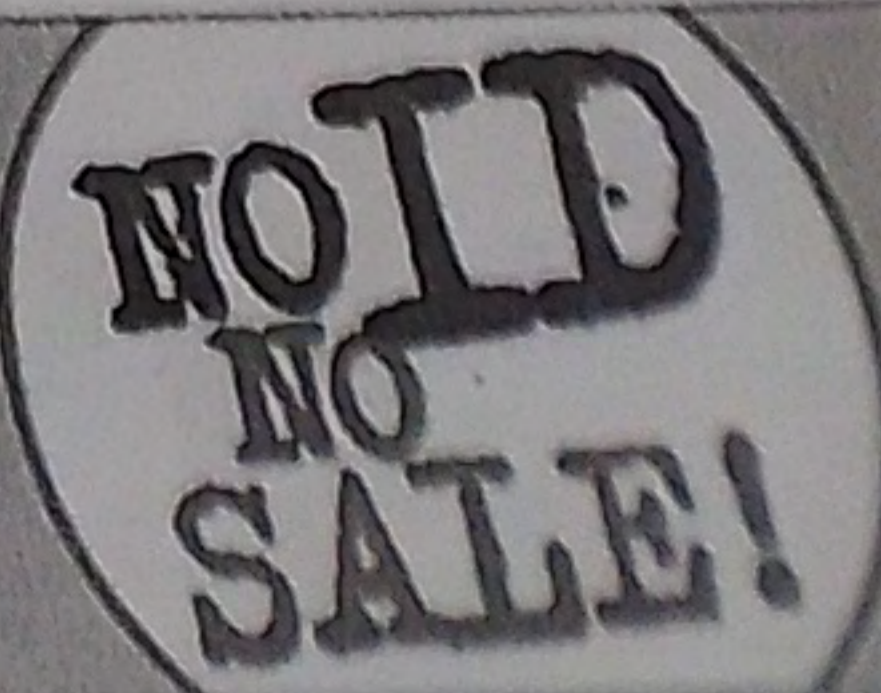
Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
41	13-04-23	ELFBAR	13-22		NOID	
42	13-04-23	ELFBAR	14-17		NOID	
43	13-04-23	ELFBAR	16-48		NOID	
44	14-04-23	Visit Licensing officer	10-00	Licensing Visit JANE BENNETT		
45	18-04-23	ELFBAR	11-02		NOID	
46	19-04-23	ELFBAR	17-23		NOID	
47	21-04-23	B-RK BLUE	17-40		NOID	
48	25-04-23	ELFBAR	10-08		NOID	

Manager's Signature:

Date:

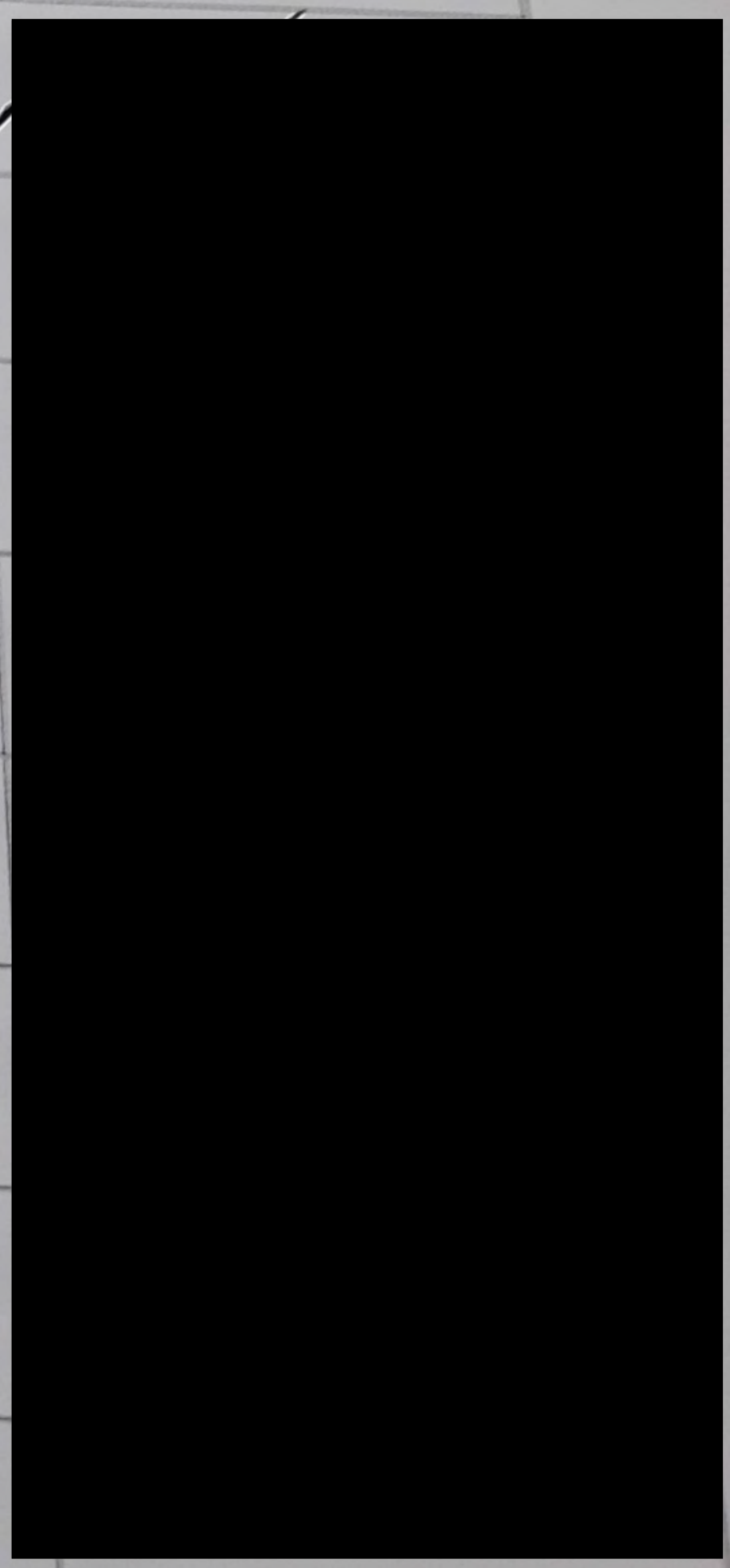
Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



Please record all refusals on the register below

### Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
42	08-04-23	ELFBAR	18-44		NOID	
42	09-04-23	ELFPAA	10-22		NOID	
43	10-04-23	CTLENS	16-25		NOID	
44	11-04-23	ELFBAR	12-00		NOID	
45	12-04-23	ELFRAR	10-23		NOID	
46	12-04-23	ELFRAR	16-35		NOID	
47	13-04-23	ELFBAR	11-40		NOID	



Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



Please record all refusals on the register below

Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
01	Example 01/04/2022	Cigarettes	7.10pm	Male, 14 yrs Blonde, 5ft 11"	Nervous and refusing to show ID	
02	03/04/23	// TRADING STANDARDS	17.02			
03	05-04-23	ELFBAR	15-45		NOID	
04	06-04-23	OTLEN'S	19-00		NOID	
05	06-04-23	ELFBAR	18-55		NOID	
06	06-04-23	ELFBAR	18-54		NOID	
07	08-04-23	SMIRN'OFF	16-10		NOID	
08	08-04-23	ELFBAR	16-31		NOID	

Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)



Miss L Khandasamy  
KK News Limited t/a Sparks News  
56 Queens Road  
Haywards Heath  
West Sussex  
RH16 1EE

Thursday 6<sup>th</sup> April 2023

Dear Miss L Khandasamy,

Our Ref: PR202304-7372

Licensing Act 2003  
Nicotine Inhaling Products (Age of Sale & Proxy Purchasing) Regulations 2015  
Childrens & Families Act 2014  
Consumer Rights Act 2015  
Tobacco & Related Products Regulations 2016  
Tobacco Products & Nicotine Inhaling Products (Amendment) (EU Exit) Regulations 2020  
Children & Young Persons Act 1933

I'm writing to you following my visit on Monday 3<sup>rd</sup> April 2023 regarding a complaint that has been received by West Sussex Trading Standards, alleging KK News t/a Sparks News, 56 Queens Road, Haywards Heath, RH16 1EE has sold alcohol and vapes to a child under the age of 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 prosecution the Act allows for an application to be made to the licensing authority for an alcohol licence to be reviewed if it can be shown age restricted products are being sold to children. Such a review could lead to your licence being suspended or revoked <sup>1</sup>.

**You don't necessarily have to sell alcohol to a child to lose your licence, the** sale of other age restricted products could also result in prosecution and can also lead to your alcohol licence being suspended or revoked if you or your business sell to an underage person.

Regulation 3 of the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 prohibits the sale of nicotine inhaling products to persons under the age of 18. Section 92(2) of the Childrens and Families Act 2014 makes it a criminal offence for a person to sell a nicotine inhaling product to a person under the age of 18.

In order for you and your staff to be 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.

<sup>1</sup> *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/](http://www.westsussex.gov.uk/business-and-consumers/trading-standards-advice-for-businesses/)

Your premises alcohol licence may contain specific conditions which should be followed, but there are also a number of best practice checks that you and your staff could implement to help prevent the sale of any age restricted products.

#### '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 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 children.



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

**I'd be grateful if you would please acknowledge receipt of the above** advice by email to [REDACTED]@westsussex.gov.uk If you also have any queries or require further information please don't hesitate to contact me.

Kind Regards,



Natasha Ali  
Trainee Trading Standards Officer

WITNESS STATEMENT

(CJ ACT 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; CPR 2013 r.27.1)

Statement of: Jonathan Bryant

Age if under 18: 0.18 (if over 18 insert 'over 18')

Occupation: Senior Licensing 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 made the same false, or do not believe to be true.

Signature:

Date: ...10/07/2023.....

I am the Senior Licensing Officer employed by Mid Sussex District Council. Part of my duties include compliance inspections and enforcement in relation to licences issued under the Licensing Act 2003.

From records held by the Authority I am able to state that Lakminy Thambu Kandasamy is the holder of a Personal Alcohol Licence issued by Mid Sussex District Council under licence number PA0783. This licence was issued on the 25th June 2008.

There is a Premises Licence issued by Mid Sussex District Council under the Licensing Act 2003 for Sparkes News, 56 Queens Road, Haywards Heath, RH16 1EE. This is licence number PWA0551 and was first issued on the 11th March 2017. This permits the sale of alcohol for the consumption off of the premises.

I can produce a copy of the Premises Licence PWA0551 as item JB/1.

The Premises Licence Holder (PLH) and the Designated Premises Supervisor (DPS) for this licence is Lakminy Thambu Kandasamy.

On Thursday 30th March 2023 I conducted a visit to Sparkes News accompanied by Pc Lucas of Sussex Police to conduct a licensing compliance visit of the premises to establish if they were complying with the Premises Licence conditions. This visit was following receipt of information from the Police that they had alcohol taking place at the premises.

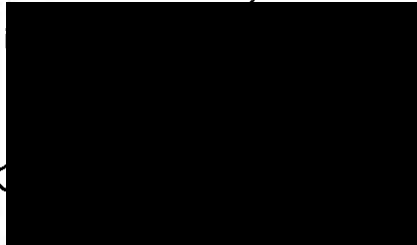
Sign

Signature witnessed by:.....

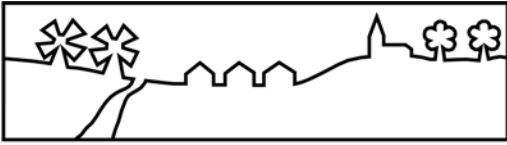
Continuation of Witness Statement: Jonathan Bryant

During this inspection visit to the premises I inspected the records held on the premises and I spoke with Ms Kandasamy. There were a number of matters that were identified that required her attention and further action to become compliant with the licence conditions. The same day I wrote Ms Kandasamy a letter setting out the findings of the compliance visit and the areas that required remedial attention. I

can produce this letter as



Signature:..... Signature Witnessed by:.....



# MID SUSSEX DISTRICT COUNCIL

Licensing Section  
Oaklands  
Oaklands Road  
HAYWARDS HEATH  
West Sussex  
RH16 1SS

## Licensing Act 2003 Premises Licence PWA0551

### Part 1 - Premises Details

#### Postal address of Premises / Ordnance Survey map reference / Description of site

**Sparks News**  
56 Queens Road  
Haywards Heath  
West Sussex  
RH16 1EE

Telephone: [REDACTED]

#### Where the Licence is time limited - the dates

Commences :- 11 March 2017

#### Licensable Activities authorised by the Licence and the times the Licence authorises the carrying out of Licensable Activities

**Sale by retail of alcohol**  
Everyday 06:00 - 20:30

#### The opening hours of the Premises

**Everyday** 05:30 - 20:30

#### Where the Licence authorises supplies of alcohol whether these are On and / or Off supplies

Alcohol is supplied for consumption **off** the Premises

**Part 2**

Name, (registered) Address, Telephone number and Email (where relevant) of holder of Premises Licence

Miss Lakminy Thambu Kandasamy  
Sparks News  
56 Queens Road  
Haywards Heath  
West Sussex  
RH16 1EE

Telephone: [REDACTED]

Electronic Mail: [REDACTED]

Registered number of holder of premises licence (if applicable)

Name, Address and telephone number of Designated Premises Supervisor if the Premises Licence authorises the supply of Alcohol

Miss Lakminy Thambu Kandasamy

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Personal Licence number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the Premises Licence authorises for the supply of Alcohol

Personal Licence Reference: PA0783

Licensing Authority: Mid Sussex District Council

### Annex 1 - Mandatory Conditions

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.

- |          |  |
|----------|--|
| <b>1</b> | <p>No supply of alcohol may be made under this licence:-</p> <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence; or</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul>  |
| <b>2</b> | <p>Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.</p>   |
| <b>3</b> | <ul style="list-style-type: none"> <li>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.</li> <li>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. <ul style="list-style-type: none"> <li>a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:- <ul style="list-style-type: none"> <li>(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),</li> <li>(ii) or drink as much alcohol as possible (whether within a time limit or otherwise);</li> </ul> </li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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).</li> </ul> </li> </ul> |
| <b>4</b> | <p>The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available. <i>(This condition does not apply to premises licensed for the sale of alcohol for consumption OFF the premises only)</i></p>  |
| <b>5</b> | <ul style="list-style-type: none"> <li>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.</li> </ul>   |

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- 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

The responsible person must 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 Pricing Drinks**

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- 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) In this condition:–
  - (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
    - (iii) were charged on the date of the sale or supply of the alcohol, and 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,
    - (iii) or the personal licence holder who makes or authorises a supply of alcohol under such a licence; and

(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 this 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.

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#### **If the Premises Licence/Club Premises Certificate allows Exhibition of Films**

The admission of persons under the age of 18 to the exhibition of films must be restricted in accordance with any recommendation of the *British Board of Film Classification*, or, where there is no such recommendation or the licensing authority has notified the holder that section 20(3)(b) of the Licensing Act 2003 applies to the film, the recommendation of the licensing authority.

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#### **If the Premises Licence has conditions in respect of Door Supervisors**

1) Each individual, who in accordance with a condition on the premises licence, is present at the licensed premises to carry out a security activity must:

a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

b) be entitled to carry out that activity by virtue of section 4 of that Act.

2) "security activity" means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 applies, and which is licensable conduct for the purposes of that Act).

#### **Conditions consistent with the operating schedule**

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. Signage advertising the policy will be displayed at the point of sale as a minimum.

2. 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 to cover the servery, alcohol storage area and the entrance to the premises as a minimum. The system shall be on and recording at all times the premises licence is in operation.

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



- b. CCTV footage will be stored for a minimum of 31 days.
  - c. 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.
  - d. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - e. Subject to Data Protection 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 for the police without difficulty or delay and without charge to Sussex Police.
3. The premises shall at all times maintain and operate a sales refusals log and an incident log book. These will be kept to record all refusals and incidents of crime or disorder. These records shall be kept for a minimum of twelve months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff
  4. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed and refresher training thereafter at intervals of no more than six months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff

**Conditions attached after a hearing by the Licensing Committee**

**Plan of premises**

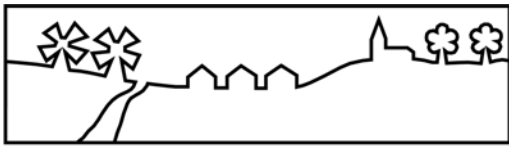
See attached

Signature of authorised officer



Date of Issue: 11 March 2017

Date printed: 3 May 2017



# MID SUSSEX DISTRICT COUNCIL

Licensing Team  
Oaklands  
Oaklands Road  
HAYWARDS HEATH  
West Sussex  
RH16 1SS

Licensing Act 2003

## Premises Licence Summary

### PWA0551

#### Premises Details

##### Postal Address of Premises / Ordnance Survey map reference / Description of site

**Sparks News**  
56 Queens Road  
Haywards Heath  
West Sussex  
RH16 1EE

##### Where the Licence is time limited - the dates

Commences:- 11 March 2017

##### Licensable Activities authorised by the Licence and the times the Licence authorises the carrying out of Licensable Activities

###### **Sale by retail of alcohol**

Everyday 06:00 - 20:30

##### The opening hours of the Premises

**Everyday** 05:30 - 20:30

##### Where the Licence authorises supplies of alcohol whether these are On and / or Off supplies

Alcohol is supplied for consumption **off** the Premises

##### Name and (registered) address of holder of premises licence

Miss Lakminy Thambu Kandasamy  
Sparks News  
56 Queens Road  
Haywards Heath  
West Sussex  
RH16 1EE

##### Registered number of holder of premises licence (if applicable)

##### Name of Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol

Miss Lakminy Thambu Kandasamy

##### State whether access to the Premises by children is restricted or prohibited

# UK POLICE REQUIREMENTS FOR DIGITAL CCTV SYSTEMS

This document offers guidance to potential users of digital CCTV systems, where the pictures are intended to be used by the police or are likely to be used in an investigation. For CCTV recordings to be effective in detecting and investigating crime they must be fit for purpose and easily accessible by police investigators. For digital CCTV there are four main areas that must be considered:

**QUALITY** - are the pictures good enough?

**STORAGE** - are the pictures stored appropriately?

**EXPORT** - can the pictures be easily exported from the system?

**PLAYBACK** - can the pictures be easily viewed by authorised third parties?

By ensuring that your digital CCTV system is capable of meeting a few simple requirements, the potential evidential value of the pictures can be greatly increased and the time taken by the police to access and process them greatly reduced. Supporting notes are provided on the reverse of this sheet to clarify the requirements.

## QUALITY WHAT RESOLUTION? WHAT COMPRESSION? HOW MANY PICTURES PER SECOND?



1. Specify your requirement - decide what you want to see and where, and select a system that will do it.
2. View the recorded pictures or print out, not the live screen, to assess the system performance.
3. The system clock should be set correctly and maintained (taking account of GMT and BST).
4. Picture quality should not be reduced to fit the available storage capacity of the system.
5. Regular maintenance should be conducted on all aspects of the system.

## STORAGE WHAT SHOULD I KEEP? HOW SHOULD I KEEP IT?



6. The system should be operated and recorded pictures retained in a secure environment.
7. Electronic access controls, such as passwords or encryption, should not prevent authorised access to the system or recordings.
8. The system should have sufficient storage capacity for 31 days good quality pictures.
9. The system should be capable of securing relevant pictures for review or export at a later date.

## EXPORT HOW MUCH VIDEO SHOULD THE SYSTEM EXPORT AND IN WHAT FORMAT?



10. A system operator should be available who is able to replay and export recordings.
11. A simple system operator's manual should be available locally to assist with replay and export.
12. The operator should know the retention period of the system and export time for various amounts of data.
13. The system should be able to quickly export video and stills to a removable storage-medium, with time and date integral to the relevant picture.
14. Export should include any software needed to view or replay the pictures.
15. The system should have an export method proportionate to the storage capacity.
16. Pictures should be exported in the native file format at the same quality that they were stored on the system.

## PLAYBACK CAN THE PICTURES BE EASILY VIEWED?



17. The playback software should:
  - have variable speed control including frame by frame, forward and reverse viewing;
  - display single and multiple cameras and maintain aspect ratio i.e. the same relative height and width;
  - display a single camera at full resolution;
  - permit the recording from each camera to be searched by time and date;
  - allow printing and/or saving (e.g. bitmap) of pictures with time and date.
18. The time and date associated with each picture should be legible.
19. Once exported to removable media it should be possible to replay the files immediately.

## Supporting Notes:

### QUALITY - are the pictures good enough?

1. Before installing a CCTV system you should have a clear idea of what you want the system to do and how it should perform. This should include exactly what you want to see and where, e.g. recognise the face of someone walking through a doorway, read a vehicle registration number or record a particular type of activity, such as walking across a room, exchange of money or an assault. More detailed guidance on how to do this can be found in PSDB publication 17/94 CCTV Operational Requirements Manual. This is available free from the Home Office website. [http://www.homeoffice.gov.uk/docs/or\\_manual.pdf](http://www.homeoffice.gov.uk/docs/or_manual.pdf)

There are no definitive performance criteria for video to be legally admissible. It is for the court to decide whether the pictures are accepted, and this is done on the grounds of relevance to the case, reliability of the evidence, etc. The appropriate resolution, level of compression and number of pictures per second will be determined by what you wish to see in the recording. If you can't see it then it's not fit for purpose. It should not be expected that enhancement features, such as zoom controls, will provide extra detail.

A good way to ensure that the system is capable of achieving the requirement is to do a subjective test. Set-up a camera and get a volunteer to walk through the door or park a car in the place of interest and record the pictures. This should be done under the conditions that the system is intended to be used - performance of the system may be different when there are a number of cameras being recorded.

2. The quality of the recorded or printed pictures may differ from the live display.
3. Time and date information is often critical to an investigation. If it is incorrect this can drain police time and resources.
4. The quality of the pictures should not be compromised to allow more to be squeezed onto the system. There is some scope however for using a sliding scale of image quality based on time since recording. For example, high quality high frame rate video for the first 24 hours with gradually increasing compression or decreasing frame rate after this, but retaining useful images up to 31 days. This would be dependent on the nature of the installation and the type of recordings being made. Guidance should be sought from your local police force.
5. To ensure continued quality of recording it is essential that regular maintenance of all aspects of the system be conducted - especially camera focus, cleaning of lenses, housings, etc.

### STORAGE - are the pictures stored appropriately?

6. Access to the system and recorded images should be controlled to prevent tampering or unauthorised viewing. A record should be kept of who has accessed the system and when. Further information on this can be found in the BSI document 'Code of Practice for Legal Admissibility of Information Stored Electronically' (BIP0008) or from your local Crime Prevention Officer.

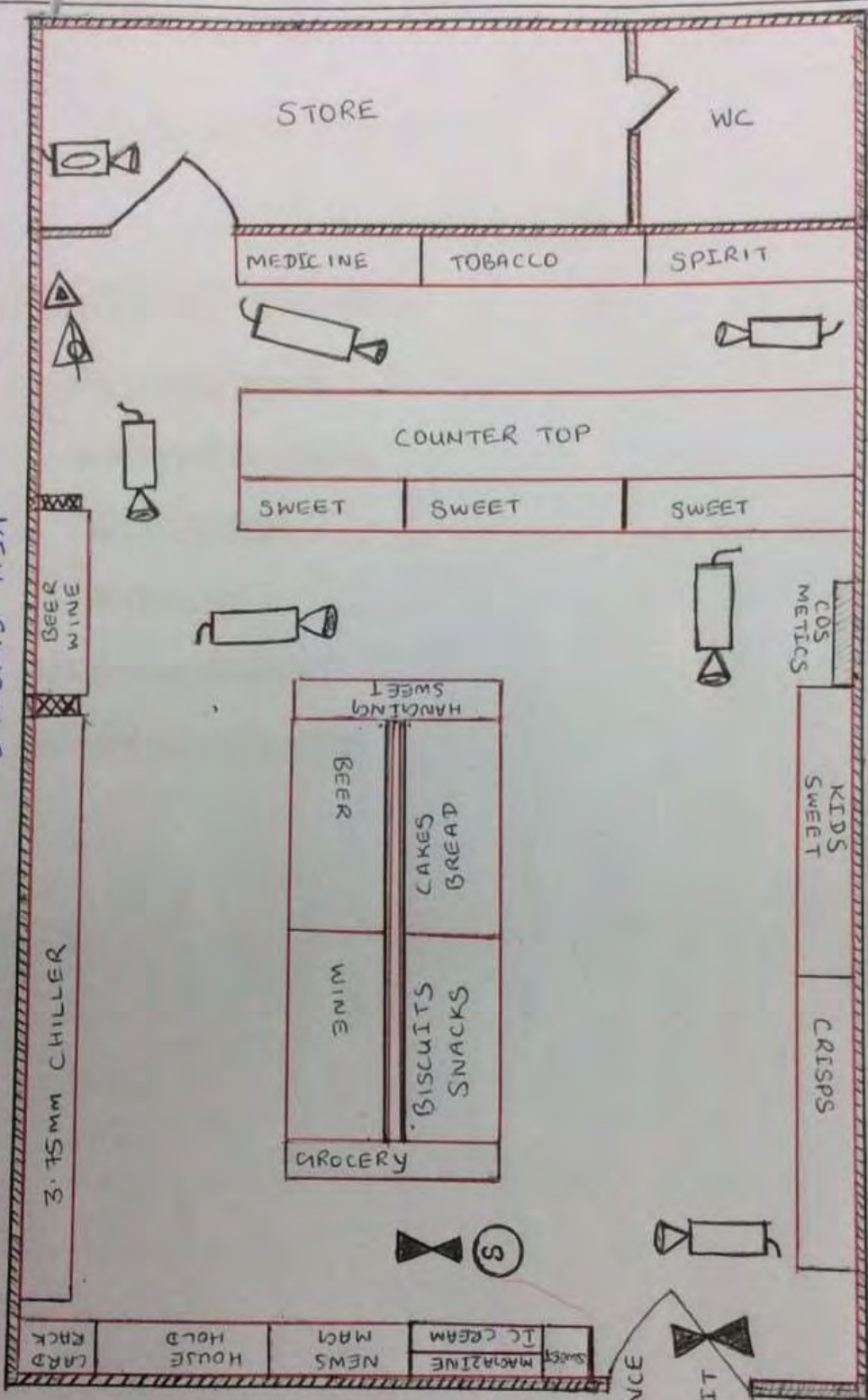
7. Electronic protection methods that require proprietary software or hardware will hinder an investigation if they prevent the pictures from being provided to authorised third parties, e.g. police and CPS. Physical methods of access control, e.g. system in a locked room, are just as effective if documented appropriately.
8. It is important that recordings cover a sufficiently long period to assist in investigations. Retention beyond 31 days may be useful in some circumstances, but should not affect the quality of the more recent recordings.
9. It should be possible to protect specific pictures or sequences, identified as relevant to an investigation, to prevent overwriting before an investigator can view or extract them.

### EXPORT - can the pictures be easily exported from the system?







10. and 11. It is unlikely that the investigator will be familiar with the operation of your system. To facilitate replay and export a trained operator and simple user guide should be available locally.
12. and 13. Export of medium and large volumes of data can take a substantial period of time. The operator should know the retention period of the system and approximate times to export short (e.g. 15 minutes), medium (e.g. 24 hours), and large (up to all of the system) amounts of data.
14. If the software needed to replay the pictures is not included at export, viewing by authorised third-parties can be hindered. Export of a system event log or audit trail, and any system settings with the pictures will assist with establishing the integrity of the pictures and system.
15. The amount of video that an investigator will need to export will be dependent on the nature of the investigation. For example a shop robbery may only require a few stills or a short sequence, however a more serious incident such as a murder or terrorist related enquiry may require anything up to all the video contained on the system to be exported. It is essential that the system is capable of doing this quickly and to an appropriate medium. An ideal solution for medium-to-large downloads, would be for the system to have the facility to export to a 'plug-and-play' hard drive. Export and recording should be possible at the same time without affecting the performance of the system.
16. The system should not apply any compression to the picture when it is exported from the system as this can reduce the usefulness of the content. Also, the picture should not undergo any format conversion that affects the content or picture quality.

### PLAYBACK - can the pictures be easily viewed by authorised third parties?

17. and 18. The replay software must allow the investigator to search the pictures effectively and see all the information contained in the picture and associated with it.
19. It should be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.



KEY SYMBOLS

-  SMOKE DETECTOR
-  EMERGENCY LIGHT
-  CO<sub>2</sub> FIRE EXTINGUISHER
-  WATER FIRE EXTINGUISHER
-  FIRE ESCAPE SIGN
-  CCTV

SPARKS NEWS  
 56 QUEENS ROAD  
 HAYWARDS HEATH  
 WEST SUSSEX  
 RH16 1EE

**Contact:** Mr Jon Bryant  
**Tel:** [REDACTED]  
**Email:** [REDACTED]@[midsussex.gov.uk](mailto: [REDACTED]@midsussex.gov.uk)

**Your Ref**  
**Our Ref** PWA0551

**Date:** 30<sup>th</sup> March 2023

Attn: Miss Lakminy Thambu Kandasamy  
Sparks News  
56 Queens Road  
Haywards Heath  
West Sussex  
RH16 1EE

Dear Miss Kandasamy,

I am writing to confirm the findings of the compliance assessment undertaken during a visit to Sparks News on the 30<sup>th</sup> March 2023. I have diarised a revisit to the premises at **10am on Friday 14<sup>th</sup> April 2023** for a supplementary inspection.

The main objective of the assessment was to establish compliance with the four licensing objectives:

1. The Prevention of Crime and disorder
2. Promotion of Public safety
3. Prevention of Public Nuisance
4. Prevention of Harm to children and young people.

The aim is to achieve this by ensuring that the licensable activities are being carried out in accordance with:

- The Premises Licence and associated conditions.
- The provisions of the Licensing Act 2003
- Guidance issued under Section 182 Licensing Act 2003
- Our Statement of Licensing Policy

The visit today was a joint visit with the Police following a complaint that they had received regarding sales of age restricted products to a 15 year old male. The purpose of the visit was to ensure that you were ensuring due diligence in respect of sales by yourself and your staff.

Unfortunately, the assessment identified several issues that require your immediate attention as summarised below.

There is a legal requirement for the original or certified copy of the full licence to be kept on the premises. You were unable to find this. Please contact the Licensing Support Team on [licensing@midsussex.gov.uk](mailto:licensing@midsussex.gov.uk) to arrange for a replacement of the licence. There is a fee of £10.50 for the copy of the licence.

### **DPS Authorisation**

As the DPS you authorise members of staff to sell alcohol on your behalf. There should therefore be a record/form showing which members of staff have this authorisation. This was not available at the time of the visit. This is mandatory condition 2 on your licence.

## Age Verification policy

In order to ensure that the licence mandatory conditions are complied with there should be an Age Verification policy in place. This is mandatory condition 5 on your licence. There was no such policy available for me to view.

## Premises Licence Condition - Conditions consistent with the operating schedule

1. *Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally to cover the server, alcohol storage area and the entrance to the premises as a minimum. The system shall be on and recording at all times the premises licence is in operation.*
  - a. *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
  - b. *CCTV footage will be stored for a minimum of 31 days.*
  - c. *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.*
  - d. ***The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.***
  - e. *Subject to Data Protection 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 for the police without difficulty or delay and without charge to Sussex Police*

The time on the CCTV was not correct and was 55 minutes out. Please arrange for the CCTV to be adjusted to show the correct time.

2. *All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed and refresher training thereafter at intervals of no more than six months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff*

Your training records were very out of date, there was no indication of any refresher training having taken place and you confirmed that the member of staff present during our visit had received no training. These records need to be brought up to date to be compliant with your licence conditions.

I have enclosed a guide and best practice guidance documents for Licensed Premises. This includes the DPS sale of alcohol staff authorisation, a template Age Verification Policy, and example training records.

You can either use these supplied templates or create your own, the expectation is that all the above issues will be rectified by the time of my re-visit and I have received assurances that all of these areas will be addressed. The expectation will be that on my re-visit the business will be fully compliant.

Finally, I must point out that the Premises Licence Holder and the Designated Premises Supervisor, are ultimately responsible for the lawful conduct of this business and are reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises in breach of the conditions of a Premises Licence.

The maximum penalty on conviction for each breach is six months imprisonment and/or an unlimited fine. Furthermore, a review of this premises licence may be called for if further breaches of the Licence are substantiated.

If there are any questions about this inspection, please do not hesitate to contact me and I look forward to my re-visit on the 14<sup>th</sup> April.

Yours sincerely

Jon Bryant  
Senior Licensing Officer