



Surrey Heath Borough Council
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Friday, 14 April 2017

To: The Members of the **Licensing SUB COMMITTEE**
(Councillors: Bill Chapman, Pat Tedder, Valerie White and David Lewis (Reserve))

Dear Councillor,

A meeting of the **Licensing SUB COMMITTEE** will be held in the Council Chamber, Surrey Heath House on Monday, 24 April 2017 at 2.00 pm. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

AGENDA

Pages

Part 1 (Public)

1 Election of Chairman

2 Declarations of Interest

Members are invited to declare that they do not have a Disclosable Pecuniary Interest or non-pecuniary interest. Members who have a Disclosable Pecuniary interest in the application will not be able to take part in its consideration and would be advised not to participate if they have a non-pecuniary interest. Members who consider they may have an interest MUST consult the Monitoring Officer or the Democratic Services Officer prior to the meeting as the meeting cannot proceed without all members being present.

3 Licensing Sub Committee Procedure

1 - 2

To note the procedure that will be following by the Licensing Sub-Committee during the hearing.

4 Application to Review a Premises Licence- Dimons Convenience Store, 126 Frimley Road, Camberley,

3 - 42

Following objections received, to consider an application to review the premises licence for Dimons Convenience Store, 126 Frimley Road, Camberley.

- Annex 1 Application for the review of a premises licence received from Surrey Police Force
- Annex 2 - Current Premises Licence and Floor Plan
- Annex 3 – Representations from Responsible Authorities
 - i. Surrey County Council Child Employment

THE PROCEDURE FOR HEARINGS OF THE LICENSING PANEL

ORDER OF THE HEARING

Licensing Sub-Committee hearings shall be conducted as follows:

- 1) A Chairman will be elected for the duration of the Sub-Committee hearing.
- 2) The Chairman will open the proceedings by stating the nature of the matter which is to be considered and will welcome the parties, introduce them and confirm the roles of those present.
- 3) The Chairman shall first call upon the Licensing Authority's representative to put forward their case. This will include confirmation of whether or not the formal requirements in respect of the matter to be considered have been complied with.
- 4) If satisfied as to the formal requirements, the Sub-Committee will consider the merits of the application or proposed suspension/revocation and the report of the officer. The Panel may ask the Licensing Authority's representative for clarification of any points.
- 5) The applicant shall have an opportunity to put questions to the Licensing Authority's representative.
- 6) The Chairman will then invite (if any) interested parties who have made representations to speak. The Sub-Committee may ask interested parties questions and points of clarification.
- 7) The Chairman will then invite the applicant or licence holder to make any representations.
- 8) The Chairman, members of the Sub-Committee and the Licensing Authority's representative may ask the applicant questions and points of clarification. Having heard the applicant's statement, any Responsible Authorities in attendance will be given the opportunity to respond.
- 9) An opportunity shall be given to the Licensing Authority's representative and the applicant, in that order, to sum up their case (but not to add any new facts).
- 10) The Sub-Committee members, the representative from Legal Services and Clerk to the Sub-Committee shall withdraw. Officers present do not take part in the decision making but will provide legal and procedural advice and record the decision.
- 11) The members of the Sub-Committee consider their decision. The applicant or his/her representative (if any) and any officer present is asked to remain in attendance and if any further clarification or information is required from the applicant or licence holder or any officer, this will be sought by the clerk.
- 12) The decision of the Sub-Committee shall be notified to the applicant and her/his representative (if any) within five working days following the meeting. In most cases, a verbal decision will be given on the day of the hearing.

ROLES OF THOSE AT THE HEARING

- 1) The Licensing Authority's representative is present at the hearing to present the professional officer's case for refusal, suspension or revocation of licences. They are also present to challenge points put forward by the applicant.
- 2) Members of the Sub-Committee are present to consider and determine an application or to consider if a licence should be suspended or revoked. In doing so they will follow the above procedure.
- 3) The Reserve Committee Member will be present throughout the hearing up until the Sub-Committee retires to deliberate the application in private. The Reserve member will not take part in either the public discussions or the private deliberations unless they are required to substitute for one of the Sub-Committee members for any reason.
- 4) The Legal representative is present to provide legal and procedural advice to the members of the Sub-Committee and to assist in the clarification of any issues which might arise.
- 5) The representative from Democratic Services is present to provide procedural advice to members of the Sub-Committee and to record the decision.

Report to **Licensing Sub-Committee**
Date of **14 April 2017**
meeting
Author Derek Seekings, Senior Licensing Officer



DECISION REQUIRED
Not exempt

Report Title: Application for the Review of a Premises Licence in respect of 126 Frimley Road, Frimley Road, Camberley, Surrey GU15 2QN submitted by Surrey Police

SUMMARY

The report presents an application for the review of a premises licence relating to 126 Frimley Road, Frimley Road, Camberley, Surrey GU15 2QN and trading as Dimon's Local. The Licensing Authority is required to hold a hearing in order to determine an application for the review of a premises licence.

The purpose of the hearing is for the Licensing Sub-Committee to consider the application, in relation to the Licensing Act 2003's Licensing Objectives. The Licensing objectives being:

- 1 The prevention of crime and disorder
- 2 Public safety
- 3 The prevention of public nuisance
- 4 The protection of children from harm

Copies of the application, relevant representations and other correspondence received to date are attached to this report.

RECOMMENDATIONS

The Sub-Committee is recommended:

- i) To determine the application for a review of a premises licence.

REASONS FOR RECOMMENDATIONS

- i) The Sub Committee is required to make a decision under the Licensing Act 2003

BACKGROUND INFORMATION

1 INTRODUCTION

The purpose of this report

- 1.1 For the Sub-Committee to determine the application for a Premises Licence in respect of 126 Frimley Road, Frimley Road, Camberley, Surrey GU15 2QN and trading as Dimon's Local.

The application is submitted under Section 51 and determined under Section 52 of the Licensing Act 2003.

1.2 **Background of the premises**

Statutory background

1.3 The Licensing Act 2003 and secondary legislation in the form of Regulations there under.

Relevant Government policy

1.4 Guidance issued under section 182 of the Licensing Act 2003. (effective from March 2015). Chapter 11 makes reference to reviews and paragraphs 11.16 to 11.23 deal with the powers of a licensing authority on the determination of a review.

Relevant Council policy

1.5 Statement of Licensing Policy.

2. **DETAILS**

2.1 **Application**

The application is made by Inspector Bob Darkens of Surrey Police, Surrey Heath Borough Council Offices, Knoll Road, Camberley, Surrey, GU15 3HD and relates to a premises licence held by Grover Convenience Store Ltd, trading as Dimon's Local, 126 Frimley Road, Frimley Road, Camberley, Surrey GU15 2QN.

The application is attached at 'Annex 1'

2.2 **Grounds for the Hearing**

Surrey Police, in its capacity as one of the Responsible Authorities contend that the carrying on of licensable activities at the premises could lead to the following licensing objectives being seriously undermined:

- i) The prevention of crime and disorder;
- ii) Public Safety
- iii) The prevention of public nuisance
- iv) The protection of children from harm;

The Premises Licence

2.3 The premises subject of the application is currently licensed for the sale of alcohol for consumption off the premises only between the hours of 0600 and 2300 hours daily. Regulated entertainment and late night refreshment are not licensed. A copy of the licence is attached at 'Annex 2'

Responsible Authority Representations/ Comments

2.4 Details of Responsible Authority representations received:

2.4.1 **Police**

Surrey Police are the applicants in this case. Further statements have also been included in support of the application, all of which are recorded as 'Restricted' and relate to the drugs offences outlined within the body of the application.

2.4.2 **Fire**

No representations.

2.4.3 Local Planning Authority

No representations.

2.4.4 Environmental Health

No representations.

2.4.5 Child Protection Agency

A representation has been received from Joanne Booth, Surrey County Council Child Employment & Strategy Manager. A copy of the representation is copied at 'Annex 3'.

2.4.6 Licensing Authority

The application was submitted on 07 March 2017. The application was completed correctly and advertised as required by the Licensing Act 2003, on site, on the Council's notice board and the Council's website.

The premises management have cooperated with the Licensing Authority by permitting the public notice advertising the review to be displayed from inside the premises.

2.4.7 Health and Safety Executive

No representations.

Any Other Person - Representations

2.5 Details of 'any other person'. No representations have been received from 'other persons'.

2.6 Policy Considerations

Details of relevant policy considerations, including local policy statement:

Paragraphs 1 – 89, 95 – 158 of the Council's Licensing Policy Statement are applicable to the consideration of this application.

Paragraphs 22 – 52 make particular reference to premises where alcohol is supplied.

3. NEXT STEPS

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives.

In making its decision, the Sub-Committee is also required to have regard to Guidance issued under Section 182 Licensing Act 2003, as amended, and the Council's own Licensing Policy.

The Sub-Committee must have regard to all the representations made and the evidence it hears.

The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the Licensing Objectives:

- To modify the conditions of the licence;
 - To exclude a licensable activity from the scope of the licence;
 - To remove the designated premises supervisor;
 - To suspend the licence for a period not exceeding three months;
 - To revoke the licence;
- and for this purpose the conditions of the licence are modified if any of

them is altered or omitted or any new condition is added.

The Sub-Committee is asked to note that it may not take any of the above courses of action merely because it considers it desirable to do so. It must actually be appropriate and proportionate to promote the licensing objectives.

4. **HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY**

Human Rights and Equality issues will be taken into account on the determination of the Application by balancing the competing rights of the applicant, responsible authorities and 'other persons'.

Attachments:

Annex 1: Application for the review of a Premises Licence

Annex 2: Current Premises Licence

Annex 3: Representation from Surrey County Council Child Employment

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Inspector Bob Darkens

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Dimons Convenience Store 126 Frimley Road Camberley	
Post town CAMBERLEY	Post code (if known) GU15 2QN

Name of premises licence holder or club holding club premises certificate (if known) Manmeet Grover Grover Convenience Store Ltd 126 Frimley Road Camberley GU15 2QN

Number of premises licence or club premises certificate (if known) SHBCPR-14322

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises

- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
SURREY POLICE
SURREY HEATH BOROUGH COUNCIL OFFICES
KNOLL ROAD
CAMBERLEY SURREY GU15 3HD

Telephone number (if any)
01483631786

E-mail address (optional)
rab.carnie@surrey.pnn.police.uk

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

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

.Dimons Convenience Store is situated on a very busy main road surrounded by residential properties. Surrey Police had received a number of intelligence reports relating to the premises selling Nitrous Oxide Capsules Nitrous oxide was brought under the Psychoactive Substances Act 2016 (the legislation that banned “legal highs”) in the UK on 26 May 2016. The premises has also failed a test purchase for alcohol on the 9th of September 2015

Please provide as much information as possible to support the application
(please read guidance note 2)

Some background information leading up to the premises licence being reviewed

Camberley Police are very active in relation to carrying out test purchase operations for alcohol throughout the Surrey Heath Borough and on the 9th September 2015 the Police carried out a test purchase operation at the premises and the 15 year old test purchaser was sold some alcohol. Police dealt with the incident by issuing the person who made the sale a fixed penalty notice

In June 2016 Camberley Police had received some information that Dimons Convenience Store was selling Nitrous Oxide Capsules and the sales were mostly to young persons under 18 years of age

Rab Carnie the Police licensing enforcement officer arranged a visit at the premises on Wednesday the 29th June 2016 with the Police drug liaison Officer Graham Kendal and Police Sergeant 3310 Adam Luck and the officers arrived at 14:20 hours Sergeant Luck spoke to the male serving behind the counter a Mr Mamoon Ali of 5 Courteners House Frimley Road Camberley. Sergeant Luck explained the reason for visiting the premises that information had been received that the premises was selling Nitrous Oxide Capsules which were now illegal to sell as the law had recently changed. Mr Ali then spoke to the owner on the phone and he then handed the phone to Sergeant Luck and Sergeant Luck again explained to the owner why the Police had attended the shop. The owner confirmed that he had been selling Nitrous Oxide Capsules and stated that there were a number of boxes in the shop. Sergeant Luck then inform the owner that all the capsules would be seized and removed. The owner stated that he could not attend as he was flying of to India that afternoon. The owner was informed that due to the recent change in the law the Police would take no further action this time but if the shop was to continue selling the capsules then they risk being prosecuted and their licence reviewed A letter was then served on Mamoon Ali informing them of the change in the law and that the capsules were now unlawful to sell. Mamoon Ali then showed the officers where the capsules were stored and in total 2,400 capsules were seized. Sergeant Luck and the drug liaison officer Graham Kendal have provided witness statements which is attached to the review papers

In September 2016 Police received a further report about the store selling Nitrous Oxide Capsules and then two further reports on the 1st February 2017 stating that the store was selling the Capsules

Police decided to carry out a test purchase operation and at 10:10 hours on Thursday the 9th of February a plain clothes Police Community Support officer Kyle Miller attended the premises and attempted to buy some Nitrous Oxide Capsules. The male serving behind the counter was a Tajinder Jandu and he said to the officer "We don't have any at the moment as we sold them all last night. If you come back at two thirty the boss will bring more with him" The officer then left the store and reported what was said to Police office Anna Whiteside who was in charge of the operation. It was decided that the officers would return at 14:30 hours and again attempt to buy some of the capsules.

At 14:30 hours Community Support Officer Miller entered the shop and this time the same male Tajinder Jandu sold him a box of Nitrous Oxide Capsules for £10. The officer then left the shop and reported to PC Whiteside and informed her that he had been sold some capsules.

Uniform officers then entered the premises and Police Support Officer Kyle Miller identified the male Tajinder Jandu as the male who had sold him the box of Nitrous Oxide Capsules to PC Whiteside. PC Whiteside then arrested Tajinder Jandu for selling Nitrous Oxide Capsules under the Psychoactive Substances Act 2016 and

cautioned him and he made no reply. The premises was then searched and PC Tom Kimnell found a cardboard box containing 24 boxes of Nitrous Oxide Capsules under the main counter. Each of the 24 boxes contained 24 capsules in all 600 capsules were seized which included the box of 24 capsules bought during the test purchase. No other capsules were found during the search. The shop assistant Tajinder Jandu was then de-arrested by PC Whiteside and he was to attend the Council Offices in Camberley at 18:00 hours on Friday the 10th of February to be interviewed regarding the selling of the Nitrous Oxide Capsules

Mr Jandu attended the council offices as requested and was interviewed by PS Jon Castell and PC Anna Whiteside. Mr Jandu fully admitted selling the Nitrous Oxide Capsules but also stated that he only works at the shop and sells what he is told to sell. After the interview was concluded Mr Jandu made a statement regarding his employment and the statement is attached in the review papers. The Police took no further action against Mr Jandu.

After interviewing Mr Jandu PS Castell and PC Whiteside decided to attend the shop Dimons to speak to the manager Hashmeet Kapoor in relation to the canisters of Nitrous Oxide being sold at the premises. As the officers arrived they saw Mr Kapoor go to the boot of a black vauxhall astra motor vehicle registration number RV06FKG and remove a large cardboard box and carry it into the shop. As PC Whiteside walked towards the shop a 17 year old female Holly Gospel came out of the shop carrying a small black carrier bag. PC Whiteside said "Is that Nitrous Oxide" Miss Gospel replied "Yes she had just bought it from a male with a beard in the shop". Miss Gospel also stated that a male had just left the shop before her and he bought 3 boxes. Miss Gospel later made a statement which is attached to the review papers. PC Whiteside then entered the shop and arrested Hashmeet Kapoor for supplying a Psychoactive substance. PC Whiteside cautioned him and he replied."Yeah they are cream chargers" A search was then carried out in the store and also Mr Kapoor's vehicle and in total 2,376 Nitrous Oxide Canister were seized. Hashmeet Kapoor was conveyed to Guildford Police station and at 00:30 hours on Saturday the 11th February he was interviewed regarding selling Nitrous Oxide Capsules at the shop. Initially Mr Kapoor stated that he could not believe that he could be held responsible for what people do with them he did not believe he could be considered to be committing an offence. After some further questioning Mr Kapoor decided to tell the truth and stated that he has been selling the canisters when they were legal up until May 2016 but stopped selling them after he got caught in June or July 2016. He started selling the canisters again in November 2016 in the knowledge that it was illegal and he knew that people were buying them to inhale gas. He stated that he sold about 3000 canisters a week. each box of 24 canisters cost him £5 and he sold them for £10 no money ever went through the till or his books. After the interview Mr Kapoor was given Police bail pending further enquiries. A short summary of the interview is attached to the review papers along with statements from PS Castell and Pc Whiteside. It is the intention of the Police to prosecute in this case

It is quite clear in this case that the manager Hashmeet Kapoor was fully aware that selling Nitrous Oxide Canisters was unlawful and yet he continued to sell them even after having 600 canisters seized in June 2016 and advised then that they were unlawful. The manager has disregarded all 4 licensing objectives as all he was concerned about was making as much money as he could. He totally ignored the seriousness as to what the effect could be to the health of the young people he was selling the canisters to. The premises also failed a test purchase for alcohol in September 2015 by selling to a 15 year old test purchaser. The Police strongly feel that the premises has no respect for the law or for the 4 licensing objectives and will continue to unlawfully sell prohibited products unless severe action is taken. The Police strongly recommend that the premises licence be revoked with immediate effect.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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

Please tick yes

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

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity Borough Inspector

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

11701 R CARNIE
CAMBERLEY POLICE STATION
CAMBERLEY SURREY

Post town
CAMBERLEY

Post Code
GU15 3SN

Telephone number (if any) 01483631786

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) carnie11701@surreypnn.police.uk

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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

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Premises Licence

Regulation 33 34

Schedule 12
Part A

Premises licence number SHBCPR-14322

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description 126 Frimley Road Camberley Surrey GU15 2QN	
Post town: Camberley	Post code: GU15 2QN
Telephone number:	

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence: Sale or Supply of Alcohol - Off the Premises

The times the certificate authorises the carrying out of licensable activities: Sale or Supply of Alcohol - Off the Premises Tuesday: 06:00hrs - 23:00hrs Monday: 06:00hrs - 23:00hrs Wednesday: 06:00hrs - 23:00hrs Thursday: 06:00hrs - 23:00hrs Friday: 06:00hrs - 23:00hrs Saturday: 06:00hrs - 23:00hrs Sunday: 06:00hrs - 23:00hrs
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The opening hours of the premises Monday: 06:00hrs - 23:00hrs Tuesday: 06:00hrs - 23:00hrs Wednesday: 06:00hrs - 23:00hrs Thursday: 06:00hrs - 23:00hrs Friday: 06:00hrs - 23:00hrs Saturday: 06:00hrs - 23:00hrs Sunday: 06:00hrs - 23:00hrs

Where the certificate authorises supplies of alcohol whether these are on and/or off supplies: Sale or Supply of Alcohol - Off the Premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Manmeet Grover
Grover Convenience Store Ltd
126 Frimley Road
Camberley
Surrey
GU15 2QN

07773 026320
manmeet-grover@hotmail.co.uk

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

Company Type: Limited Company
Company Number: 07601397

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Manmeet Grover
62 Hounslow Road
Hanworth
Feltham
Middlesex
TW13 6QH

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

Issuing Authority: London Borough of Hounslow
Personal Licence Number: H03217

Annex 1

Mandatory conditions

S19

i) No supply of alcohol may be made under the premises licence -

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or at

(b) a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

ii) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

S19A

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale of alcohol.

(2) 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.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

(a) a holographic mark, or

(b) an ultraviolet feature.

6.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

P = D+(DXV)

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)

“relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d)

“relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)

“value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from 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.

No alcohol shall be sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Annex 2 - Conditions consistent with the operating Schedule

General

1. Management shall ensure that an effective training system is in place.
2. All staff be trained on the premises licence requirements.
3. Management shall ensure training includes awareness of the four licensing objectives, and the following points;
 - Underage challenge
 - Drunk and Disorder behaviour
 - CCTV recording

Prevention of Crime and Disorder

4. A Tamper resistant CCTV system shall be in place at the premises which shall be kept in an efficient working order.
5. CCTV images shall be kept for a minimum period of 28 days.
6. Recordings of any incidents at the premises shall be made secure for inspection by police and shall be provided on lawful request.
7. A member of staff shall be available within 24 hours of an incident occurring who shall be capable of operating the CCTV system and providing recordings.

Public Safety

8. A member of management shall be on the premises at all times the store is trading who shall be trained to manage the store and looking after the safety of public.
9. A current fire safety risk assessments shall be in place.
10. The management shall insure there is public liability insurance provided in respect of the premises.

Prevention of Public Nuisance

11. Management shall ensure that an incident book is kept at the premises for incidents to be entered and recorded by any member of staff.

Protection of Children from Harm

12. All staff shall be trained and regularly refreshed with 'Challenge 25' policy when selling age restricted products.
13. Management shall ensure any tills installed shall operate a prompt for the 'Challenge 25' policy.
14. As a minimum requirement any person appearing to be aged 25 or under must prove that they are in fact over the lawful age of 18 for the purpose of sale of alcohol.
15. Management shall ensure that 'Challenge 25' policy signage is displayed.

Annex 3 - Conditions attached after a hearing by the licensing authority

No further conditions added

Annex 4 - Plans

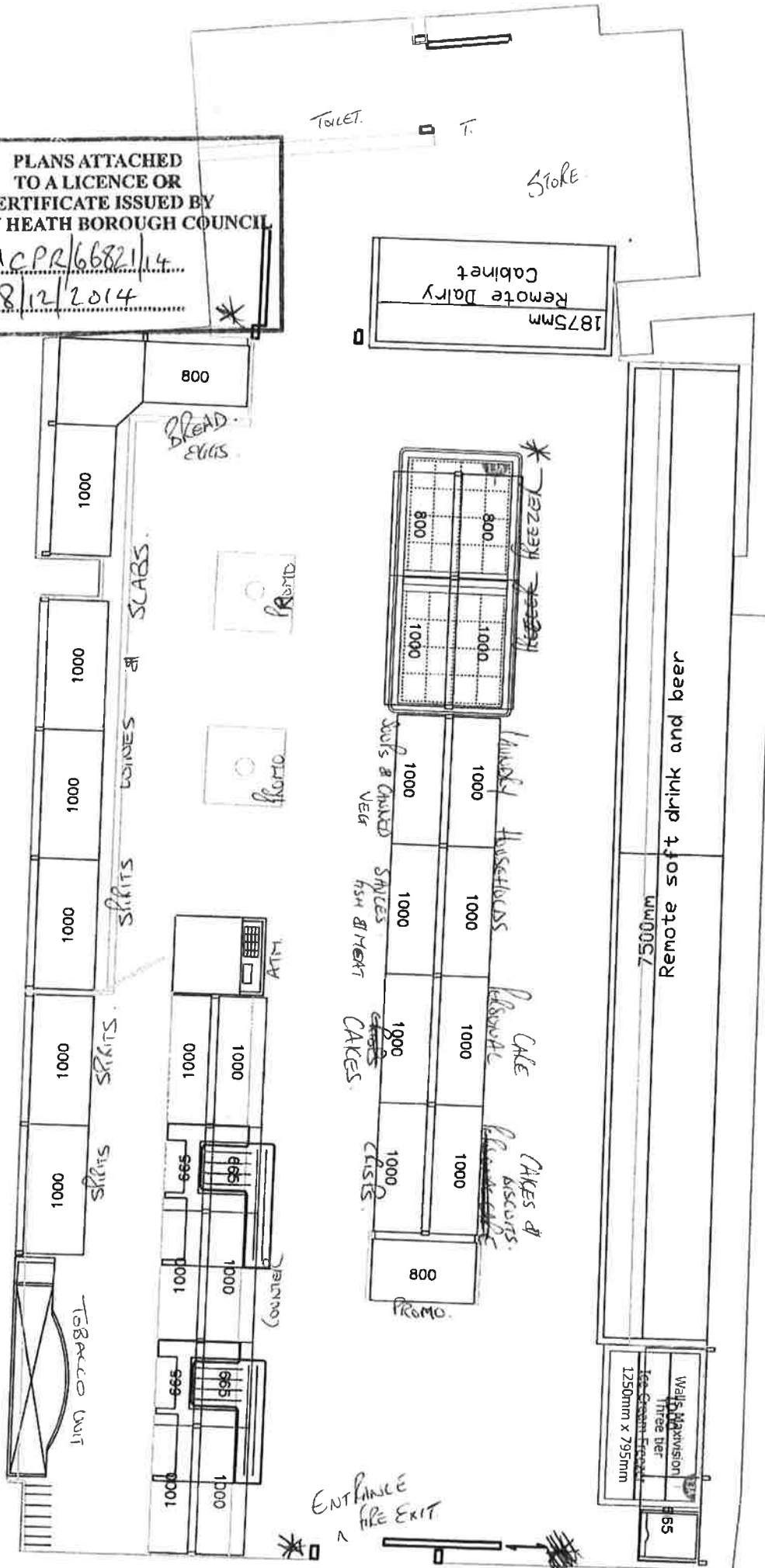
Please see certified plans attached



PLANS ATTACHED TO A LICENCE OR CERTIFICATE ISSUED BY SURREY HEATH BOROUGH COUNCIL

REF NO. LICPR/6682/14

DATE: 18/12/2014



* EXTINGUISHERS
 * ALL AREA ON PLAN IS REQUESTED FOR ALCOHOL LICENSE

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Derek Seekings

From: Joanne Booth <joanne.booth@surreycc.gov.uk>
Sent: 16 March 2017 09:02
To: licensing
Cc: carnie11701@surreypnn.police.uk
Subject: Application for a review of premise licence - Dimons Convenience Store

Dear Licensing Department.

I have received from Surrey Police, a copy of the papers connected with an application for a review of the premises licence for:
Dimons Convenience Store
126 Frimley Road
Camberley GU15 2QN

As the responsible authority under the licensing act 2003, regarding the licensing objective, the protection of children from harm, I wish to add my support for this review application made by Surrey Police.

It is clear from the information provided by the police that children have been harmed and placed at risk of harm, due to the continuing sale of illegal substances at these premises despite the owner and manager being given clear information by the police that the sale of these substances (Nitrous Oxide) are illegal. This premises licence holder has failed to promote the licensing objective of the protection of children from harm. The police have provided evidence that children (under 18yrs) have been sold alcohol, a clear breach of the laws to prevent the sale of alcohol to underage persons.

Through the premise licence holder's failure to promote the licensing objective of the protection of children from harm, children have suffered actual harm and placed at risk of harm. Failure to follow a robust ID checking process (Challenge 25) in relation to age restricted sales is contrary to the agreed measures to protect children from harm. I would strongly recommend withdrawal of this premise licence due to the failure to protect children from harm as evidenced by the police reports.

Please let me know if you require further clarification regarding my support of this review.

Joanne Booth
County Child Employment Enforcement & Strategy Manager
Quadrant Court
35 Guildford Road
Woking
GU22 7QQ
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All applications for performance licences must be received on the new standard performance licence application form V3 available from www.surreycc.gov.uk/childemployment This form when fully completed should be sent to childemployment@surreycc.gov.uk together with a copy of the child's photo, birth certificate, copy of contract if issued, and authorisation from school for any school absence. Applications should be received more than 5 full working days before the first performance. Sending everything together in one email will enable us to issue licences promptly.

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