

# Crawley Borough Council

	<b>PES/069</b>	<b>A</b>
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## Report to Licensing Sub Committee

Thursday 22<sup>nd</sup> March 2012

### Application to Review the Premises Licence applicable

To

**'Best One' 4 The Broadway**

**Crawley, West Sussex**

ANGELA TANNER  
Head of Planning and Environmental Services

*Reference  
Documents and  
Guidance*

#### 1. Details of Application

- 1.1 On the 6<sup>th</sup> February 2012, Trading Standards as a 'responsible authority' submitted an application to the Council as the Licensing Authority for the Borough of Crawley for a REVIEW of the above-mentioned premises licence. **Appendix A**  
Copy of the Review Application
- 1.2 Trading Standards has requested a review on the grounds that the licence holder is not promoting the statutory objective(s) of:-  
(I) Preventing crime and disorder  
(II) Public Safety s.51 of the Act
- 1.3 The premises licence issued in accordance with the provisions of the Licensing Act 2003 is currently held by;- **Appendix B**  
Copy of the current premises licence  
Mr Preet Singh Dhawan
- 1.4 Mr Dhawan currently has a premise licence for the sale by retail of alcohol for consumption off the premises.

- 1.5 The 'designated premises supervisor' (DPS) named on the licence at the date of submission of the review application was :- Appendix B

'Mr Preet Singh Dhawan'

## 2. Consultation

- 2.1 On the 1<sup>st</sup> March 2012, a relevant representation was submitted by Sussex Police, another responsible authority, in support of the application. Appendix C

- 2.2 No further relevant representations have been received regarding this application from any other responsible authority or from any interested party.

## 3. Background

- 3.1 Crawley Borough Council ("the Council") is the relevant licensing authority in relation to any premises within the Borough of Crawley which is to be used for one or more licensable/qualifying activities in accordance with the Licensing Act 2003 ("the Act").

- 3.2 Section 51 of the Act states where a premises licence has effect, an interested party and/or a responsible authority may apply to the relevant licensing authority for a review of the premises licence provided that the grounds for the review are relevant to the 'licensing objectives' and are not frivolous, vexatious or repetitious. s.51(1) of the Act

- 3.3 Government guidance states that the proceedings set out in the Act for reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence. s.182 Guidance  
Para 11.1

- 3.4 Before determining the application for the review, the Council must hold a hearing to consider it and any relevant representations. s.52(2) of the Act

## 4. Statutory considerations and Guidance issued by Government

- 4.1 The licensing authority must, having regard to the application and any relevant representations, take such of the steps set out below (if any) which it considers necessary for the promotion of the licensing objectives: s.52(3) of the Act  
s.182 Guidance  
Para 11.18

(a) to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);

(b) to exclude a licensable activity from the scope of the licence;

- (c) to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence.

- |     |  |                              |
|-----|--|------------------------------|
| 4.2 | Section 4 of the Act provides that in carrying out its functions, the Council must “have regard to” guidance issued by the Secretary of State under section 182. Some relevant extracts from the Guidance are set out below.   | s.4 of the Act               |
| 4.3 | However, nothing in the Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on the authorities under human rights legislation) Some of the relevant sections of the Guidance are set out below.  | s.182 Guidance<br>Para 1.8   |
| 4.4 | The licensing authority may decided that no action is necessary if it finds that the review does not require any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. | s.182 Guidance<br>Para 11.17 |
| 4.5 | In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.  | s.182 Guidance<br>Para 11.19 |
| 4.6 | For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.  | s.182 Guidance<br>Para 11.20 |
| 4.7 | Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented.  | s.182 Guidance<br>Para 11.21 |

- 4.8 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives. s.182 Guidance Para 11.22
- 4.9 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them. s.182 Guidance Para 11.23
- 4.10 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence. s.182 Guidance Para 11.24
- 4.11 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The Guidance states that such criminal activity includes the use of the licensed premises for the sale of smuggled tobacco and alcohol. s.182 Guidance Para 11.26

4.12	It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.	s.182 Guidance Para 11.27
4.13	The following parties may appeal the decision of a licensing authority on any application for review of a club premises certificate:	Part 2 Schedule 5 of the Act
	(a) the applicant for the review,	
	(b) the holder of the premises licence.	
	(c) any other person who made a relevant representation in relation to the application.	
<b>5.</b>	<b>Policy considerations</b>	
5.1	Members must give due consideration to the merits of each individual case. Attention is drawn to the following sections of the ‘Members’ Information Pack’:	
	<ul style="list-style-type: none"> <li>• The Council’s Licensing Sub-Committee Hearing Procedure</li> <li>• Role of Elected Members</li> <li>• Council’s Licensing Policy</li> <li>• LACORS Guidance</li> </ul>	Part A Part B Part C Part D
5.2	The aim of the policy is to promote the licensing objectives set out in the Act whilst securing the safety and amenity of residential communities and facilitating a sustainable entertainment and cultural industry.	CBC Alcohol Licensing Policy 1.2
5.3	The Council recognises both the needs of residents for a safe and healthy environment in which to live and work and the importance of safe and well run premises providing entertainment to the local economy and vibrancy of the borough.	CBC Alcohol Licensing Policy 1.7
5.4	The Council recognises that licensing is about control of licensed premises, qualifying clubs and temporary events, within the terms of the Act. The terms and conditions attached to various permissions will be focused on matters which are within the reasonable control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.	CBC Alcohol Licensing Policy 2.4

5.5	The Policy states that the Council will primarily focus on the direct impact the activities taking place at licensed premises may have on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the reasonable control of the individual, club or business holding a licence, certificate or relevant permission.	CBC Alcohol Licensing Policy 2.5
5.6	The policy states the key controls in respect of preventing crime and disorder arise from good operational planning and good management of activities at the premises.	CBC Alcohol Licensing Policy 2.10
5.7	The essential purpose of the licence is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. The Council will not, therefore, seek to use, conditions attached to licenses to manage the behaviour of customers once they are beyond the direct management of the licence holder and his staff or agents.	CBC Alcohol Licensing Policy 2.11
5.8	No conditions relating to the management competency of designated premises supervisors will be attached to premises licences, unless it could be demonstrated that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and/or disorder and public safety.	CBC Alcohol Licensing Policy 2.12
5.9	The Council Policy states that conditions will be used if they can control issues that directly impact on the behaviour of those under the licensee's direction, when on the premises or in the immediate vicinity of the premises as they seek entry or leave. The pool of conditions laid down in Annex D of the Statutory Guidance can be used as a resource for drafting conditions in respect of general management controls on crime and disorder, although these should not be applied universally irrespective of circumstances.	CBC Alcohol Licensing Policy 2.14 and s.182 Statutory Guidance Annex D
5.10	The Council's policy states that it will look to the Police as the main source of advice on matters relating to the reduction of crime and disorder objective and this advice will be given considerable weight.	CBC Alcohol Licensing Policy 2.14
5.11	The Council in its policy recognises that the public safety objective is concerned with the physical safety of the people using the relevant premises and not public health which is dealt with in other legislation.	CBC Alcohol Licensing Policy 2.27
5.12	Once a premises licence is issued, it remains in place for the life of the business: there is no "annual renewal" of the licence, but applications are required to pay an annual fee to cover the Council's costs concerning the exercise of its statutory obligations under the Act as set out in the statute. However, should problems arise; it is possible for representations to be made to the Council, to review the licence.	CBC Alcohol Licensing Policy 5.1
5.13	The Policy states that the Council intends to use the review procedures effectively to deter crime. Where reviews arise and the Council determines that the crime prevention objective is being undermined through the premises being used to further crimes, we	CBC Alcohol Licensing Policy 5.10

will seriously consider that revocation of the licence/certificate, even in the first instance.

- 5.14 The only conditions which should be imposed on a premises licence or club premises certificate are those which are necessary and proportionate for the promotion of the licensing objectives. Accordingly, if other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties on the premises licence holder or club. CBC Alcohol Licensing Policy 5.34

## **6. Staffing, Equalities, Financial, and Legal Implications**

- 6.1 There are no extra staffing or financial implications to the Council, save for those in respect of possible appeal(s)
- 6.2 The Council is required to consider the impact any decision may have on an individual's Human Rights, however as the premises licence holder is a company, this does not arise in this review.
- 6.3 The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998) which states as follows:
- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,
    - (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and
    - (b) the misuse of drugs, alcohol and other substances in its area; and
    - (c) re-offending in its area.

## **7. Recommendations**

7.1 **The Sub-Committee must, having regard to the application and the relevant representations made, take such steps (if any) as it considers necessary for the promotion of the licensing objectives.** s.52(3) of the Act

7.2 **The steps are:** s.52(4) of the Act

- (i) to modify the conditions of the licence;**
- (ii) to exclude a licensable activity from the scope of the licence;**
- (iii) to remove the designated premises supervisor;**
- (iv) to suspend the licence for a period not exceeding three months;**
- (v) to revoke the licence.**

## **8. Background Papers**

8.1 All associated paper work regarding this application  
The information pack

Contact Officer:- Mike Lyons Direct Line:- 01293 438698



# Appendix A

RECEIVED

06 FEB 2012

ENVIRONMENTAL AND HOUSING DIRECTORATE

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 **GRAEME MACPHERSON, HEAD OF SERVICE, WEST SUSSEX COUNTY COUNCIL TRADING STANDARDS SERVICE**

*(Insert name of applicant)*

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

## Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Best One 4 The Broadway Crawley West Sussex RH10 1DS	
<b>Post town</b> Crawley	<b>Post code (if known)</b> RH10 1DS

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Preet Singh Dhawan
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<b>Number of premises licence or club premises certificate (if known)</b> 11/00987/LAPRE
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## 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 Richard Sargeant, Trading Standards Team Manager County Hall North Chart Way Horsham RH12 1XH FOR & ON BEHALF OF THE APPLICANT.
Telephone number (if any) 01903 839 728
E-mail address (optional) richard.sargeant@westsussex.gov.uk

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

Please tick one or more boxes

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

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

West Sussex County Council Trading Standards Service contends that the above licensing objective, the prevention of crime and disorder has been seriously undermined by the carrying on of licensable activities at these premises. Full particulars in support of the application are to be found in the next section, but in summary:

Selling Alcohol which was incorrectly labelled and misleading contrary to the Food Safety Act 1990 and the Consumer Protection from Unfair Trading Regulations 2008

Selling tobacco products which were not labelled in compliance with the Tobacco (Manufacture, Presentation, Sale) (Safety) Regulations 2002 and which were also counterfeit and in breach of the Trade Marks Act 1994 and the Consumer Protection from Unfair Trading Regulations 2008.

Selling Jacobs Creek wine which was counterfeit and therefore breached the Trade Marks Act 1994. The product was also incorrectly labelled and misleading contrary to the Food Safety Act 1990 and the Consumer Protection from Unfair Trading Regulations 2008.

This product was also purchased from an un-trusted source and no invoices were obtained and therefore there is no traceability for these products contrary to the requirements in the General Food Regulations 2004.

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

On the 18th January 2011 this service carried out a programmed inspection to the business premises A1 Supermarket (now called Best One), 4 The Broadway, Crawley, West Sussex, RH10 1DS.

During this inspection 3 bottles of 'Napoleon' was found on display for sale and subsequently taken as a sample. The 'Napoleon' drink has been analysed by the Worcestershire County Council Public Analyst who found that the drink contained very low levels of higher alcohols unlike what is found in genuine Brandy and concluded that the drink was not brandy within the definition of the Spirit Drinks Regulations 2010. Therefore, this drink did not meet the compositional requirements of Brandy and offences had therefore been committed under section 14(1) of the Food Safety Act 1990 which states that any person who sells to the purchaser's prejudice any food which is not of the nature or substance or quality demanded by the purchaser shall be guilty of an offence.

Also found during this inspection and taken as a sample was 4 bottles of 'Granton' vodka. This vodka did not display on its labelling a name and address of manufacturer/importer as required by Regulation 5 of the Food Labelling Regulations 1996 and therefore an offence has been committed under Regulation 44 (1) (a) of the aforementioned Regulations.

In relation to the 'Napoleon' drink, offences would have also been committed under Regulation 9 of the Consumer Protection from Unfair Trading Regulations 2008 which states that it is an offence to engage in a commercial practice which is a misleading action which is defined in Regulation 5. A commercial practise is deemed to be a misleading action if:

- (a) it contains false information and is therefore untruthful in relation to any of the matters in paragraph (4) or if it or its overall presentation in any way deceives or is likely to deceive the average consumer in relation to any of the matters in that paragraph, even if the information is factually correct; and
- (b) It causes or is likely to cause the average consumer to take a transactional decision he would not have taken otherwise.

One of the matters listed in paragraph 4 is the main characteristics of the product, one of which being the quality of the product which is listed in paragraph 5.

On the 24th June 2011, this service inspected this premises again in relation to a complaint which was received regarding the sale of counterfeit cigarettes. During this inspection the following products were found:

- 8x Benson and Hedges Special Filter cigarettes
- 3x Mega Red cigarettes
- 3x Mega Blue cigarettes
- 1x Marlboro Gold cigarettes

None of these products were labelled in accordance with the Tobacco (Manufacture, Presentation, Sale) (Safety) Regulations 2002 as the required health warnings were not on the products packaging as per Regulation 7. This is an offence under Section 15 (1) of the Consumer Protection Act 1987. There was also an indication that these products had not been duty paid. The Benson and Hedges Special Filter Cigarettes have subsequently been confirmed as counterfeit. Section 92 (1) of the Trade Marks Act 1994 states that 'a person commits an offence who with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor—

- (a) Applies to goods or their packaging a sign identical to, or likely to be mistaken for, a registered trade mark, or

(b) Sells or lets for hire, offers or exposes for sale or hire or distributes goods which bear, or the packaging of which bears, such a sign.

Benson and Hedges is a registered trademark and therefore offences have been committed under the above Act. Additional offences would have also been committed under Regulation 9 of the Consumer Protection from Unfair Trading Regulations 2008.

On the 13th September 2011 this service carried out an inspection against the above mentioned premises. On this occasion 57 bottles of Jacobs Creek wine were seized on suspicion of being counterfeit and a further 9 bottles were taken as three, three part samples to be sent for analysis. The suspicion arose as the country Australia was spelt wrong on the reverse of the bottle which is an indication that the product is counterfeit. The Jacobs Creek wine has now been analysed by Pernod Ricard, the trade mark representative for Jacobs Creek and has found that the products are counterfeit and breach registered trade marks. Offences have therefore been committed under the Trade Marks Act 1994 and further offences would have also been committed under Regulation 9 of the Consumer Protection from Unfair Trading Regulations 2008.

The owner of the store has since admitted in writing that the Jacobs Creek wine was purchased from an unmarked white van and no invoices/receipts were given. EC Regulation No. 178/2002 states in Article 18 (2) that:

'Food and feed business operators shall be able to identify any person from whom they have been supplied with a food, a feed, a food-producing animal, or any substance intended to be, or expected to be, incorporated into a food or feed.

To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.'

Regulation 4 of the General Food Regulations 2004 makes it a legal requirement to comply with Article 18 and failure to do so is an offence.

It is contended that the sale of illegal alcohol not only breaches the licensing objective 'the prevention of crime & disorder' but the products being sold could potentially be unfit for human consumption or even hazardous. Mr cannot know what these products contain and is, therefore, failing in his responsibility as a licence holder to promote the licensing objective concerning public safety.

Despite several seizures of stock and written advice, this trader has continued to trade illegally with his purchases of non compliant products and has repeatedly breached legislation enforced by this Service. The business is also acting in flagrant disregard of the Licensing Act in general by its failure to promote the licensing objectives.

In view of the above, West Sussex County Council Trading Standards Service no longer have confidence that the licensing objectives will be promoted by the carrying on of licensable activities at these premises, and deem it is both proportionate and necessary to invite the committee to consider revocation of the premises licence or at the very least a suspension of the licence, for a period not exceeding 3 months, to act as a deterrent to further criminal activity by this licence holder and to other operators considering such illegal conduct.

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

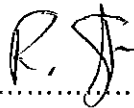
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**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

~~26<sup>th</sup> January 2012~~

2<sup>ND</sup> FEBRUARY 2012

Capacity Trading Standards Team Manager

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

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**


**Notes for Guidance**

1. 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.

# Appendix B

## Premises Licence

(Licensing Act 2003 – Part A)

<b>CRAWLEY BOROUGH COUNCIL</b> Licensing Section, Town Hall, The Boulevard, Crawley, West Sussex. RH10 1UZ 01293 438289	
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**PREMISES LICENCE NUMBER**

**10/00758/LAPRE**

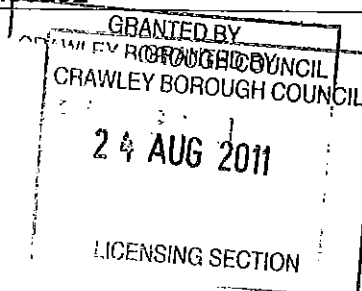
### Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b> 4 The Broadway			
<b>Post town:</b>	Crawley	<b>Post code:</b>	RH10 1TN
<b>Telephone number:</b>	Not Known		
<b>Where the licence is time limited the dates:</b>	Not Applicable		
<b>Licensable activities authorised by the licence:</b>	Supply of alcohol		
<b>The times the licence authorises the carrying out of licensable activities:</b>			
<u>Supply of Alcohol (Off the Premises)</u>			
<u>Standard days and timings:</u>		Monday – Sunday	07.00 – 23.30
<b>The opening hours of the premises:</b>			
<u>Standard days &amp; timings:</u>		Monday – Sunday	07.00 – 23.30
<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies:</b> Off the Premises			

### Part 2

<b>Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence:</b>	Mr Preet Singh Dhawan 123 Harlech Gardens Heston Middlesex TW59PT
<b>Registered number of holder, for example company number, charity number (where applicable):</b>	N/A
<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>	Mr Preet Singh Dhawan 123 Harlech Gardens Heston Middlesex TW59PT

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>	London Borough of Houslow H03232
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## **IMPORTANT:**

This licence is issued subject to the relevant (Licensing Act 2003, the Act) legislation and does not constitute an authorisation for any other purpose administered by Crawley Borough Council and it may not be construed that the grant of this premises licence shall indicate the approval of any other authorisation administered by this Council.

This licence forms an authorisation which indicates the approved licensable activities applicable to the premises so mentioned, the times of these activities, the approved layout of the premises and the conditions by which the premises may lawfully operate.

You are advised that in accordance with s136 on the Act, a person commits an offence if they carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or knowingly allow a licensable activity to be so carried on.

### **Annex 1 – Mandatory Conditions**

- 1 If this premises licence authorises the supply/sale of alcohol, the following two conditions apply:
  - i. No supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated supervisor does not hold a personal licence or his personal licence is suspended.
  - ii. Every supply/sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 2 If this premises licence authorises the exhibition of film(s), the admission of children under the age of 18 years is restricted in accordance with the age restrictions of the British Board of Film Classification (BBFC) or authority designated under Section 4 of the Video Recordings Act 1984.
- 3 If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity (as defined by the Private Security Industry Act 2001) then such individuals must be licensed by the Security Industry Authority.  
*(Conditions 4 to 6 effective from 6<sup>th</sup> April 2010 – Sch 4 Policing & Crime Act 2010)*
- 4 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply Alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.

- 5 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  - 6 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available
- (Conditions 7 & 8 effective from 1<sup>st</sup> October 2010 – Sch 4 Policing & Crime Act 2010)*
- 7 (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 or supply of alcohol.  
(2) 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 a holographic mark.
  - 8 The responsible person shall ensure that–
    - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
      - (i) beer or cider: ½ pint;
      - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
      - (iii) still wine in a glass: 125 ml; and
    - (b) customers are made aware of the availability of these measures.

#### **Annex 2 – Conditions consistent with the Operating Schedule**

*(Additional conditions 1-5 agreed by the Sussex Police and the Applicant)*

1. An internal CCTV system shall be installed, fully maintained and operated in accordance with Police recommendations to a standard acceptable to Sussex Police. Images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the Police. Any breakdown or system failure will be notified to the Police as soon as possible & remedied as soon as practicable.
2. All alcohol will only be sold in closed containers to be consumed off the premises.
3. A refusal register will be used to record all sales of alcohol refused and will be available to inspection by Sussex Police as and when required.
4. Challenge 25 will be used on the premises
5. Only photographic ID will be accepted, i.e. diving licence, passport or a recognised ID card that clearly displays the PASS logo.

*(Conditions 6 & 7 in accordance with the Operating Schedule)*

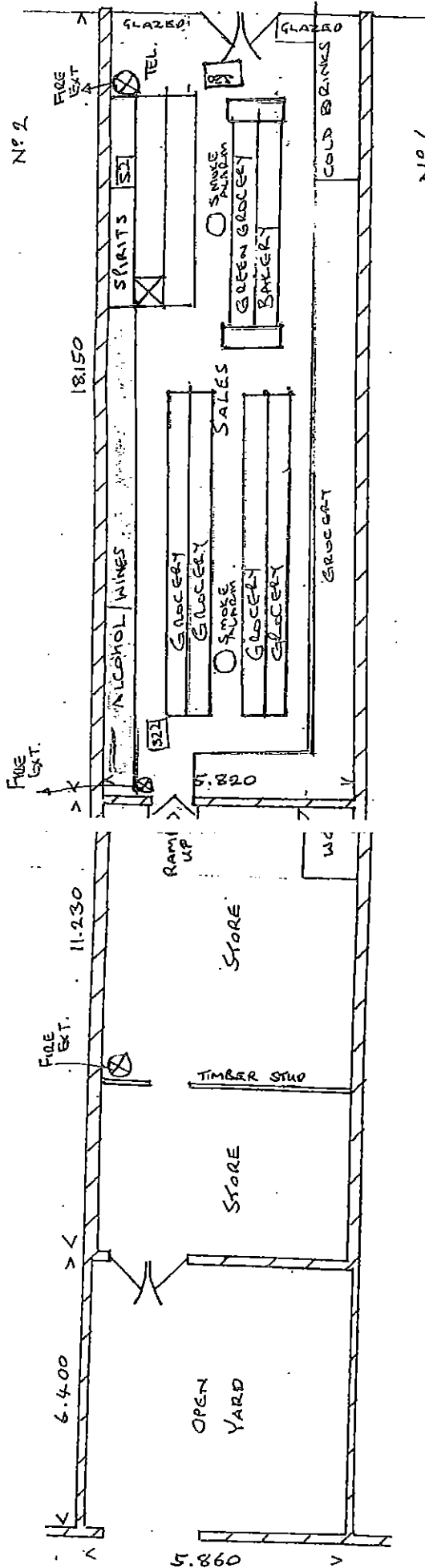
6. Sprints will be kept behind the counter along with tobacco.
7. Signs will be displayed for customers to leave the premises quietly especially at night time.

#### **Annex 3 – Conditions attached after a hearing by the licensing authority**

Not applicable

#### **Annex 4 – Plans:-**

***This licence is issued subject to the attached approved plan (plan which was submitted as part of the application process) and now forms a very important part of the 'authorisation'. (Any alternation made to the premises or a substantial change to the approved plans which are currently in the possession of the Council may require a variation of the licence. You are advised to consult with this Licensing Authority before you make any proposed changes).***



MM  
 Lic. oec. LACKERMANN

*(Handwritten signature)*

*(Handwritten signature)*

DRAWN by GAL 6.3.2006

Nº 4 BROADWA CRAWLEY, RHIO. IDS.

SCALE 1:100

# Premises Licence Summary

(Licensing Act 2003 – Part B)

## CRAWLEY BOROUGH COUNCIL

Licensing Section, Town Hall The Boulevard, Crawley, West  
Sussex. RH10 1UZ  
01293 438289



### PREMISES LICENCE NUMBER

10/00758/LAPRE

#### Premises details

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

4 The Broadway

**Post town:**

Crawley

**Post code:** RH10 1TN

**Telephone number:**

Not Known

**Where the licence is time limited the dates:**

Not Applicable

**Licensable activities authorised by the licence:**

Supply of alcohol

**The times the licence authorises the carrying out of licensable activities:**

Supply of Alcohol (Off the Premises)

Standard days and timings: Monday – Sunday 07.00 – 23.30

**The opening hours of the premises:**

Standard days & timings: Monday – Sunday 07.00 – 23.30

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

Off the premises

**Name, (registered) address of holder of premises licence:**

Mr Preet Singh Dhawan  
123 Harlech Gardens  
Heston  
Middlesex  
TW59PT

GRANTED BY  
CRAWLEY BOROUGH COUNCIL

24 AUG 2011

LICENSING SECTION

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

not known

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

Mr Preet Singh Dhawan

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

Prohibited

