

**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 Hannah Wong, on behalf of Cheshire East Council Consumer Protection and Investigations
(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Bargain Booze London Road South	
Post town Poynton	Post code (if known) SK12 1LA

Name of premises licence holder or club holding club premises certificate (if known) Krishnadas Bhudia
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Number of premises licence or club premises certificate (if known) PR/0109
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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

Please tick yes ☐

I am 18 years old or over

**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 Hannah Wong Consumer Protection and Investigations Cheshire East Council Westfields Middlewich Road Sandbach Cheshire CW11 1HZ
Telephone number (if any) 01270 686695
E-mail address (optional) Hannah.Wong@cheshireeast.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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

The premises has been subject to surveillance as part of police operations; on two separate occasions, strong evidence suggests sales have been made to children under the age of 18.

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

On the evenings of the 7th and 14th of January 2011, Cheshire Constabulary undertook an operation targetting proxy sales of alcohol in the Poynton area; proxy sales are sales of alcohol to adults who specifically pass onto children for consumption.

On the 7th of January, the police apprehended a 16 year old male twice during the evening, the male admitted during an interview under caution that he had purchased alcohol from the Bargain Booze on London Road South, and although challenged for ID he was able to complete the transaction without production of identification and on the basis of verbal confirmation of a false date of birth. The police attended the premises and spoke with the seller, who denied the sale, this could have been easily proved/disproved with the in-store CCTV however the seller could not download or play the recording. A witness statement has been provided by PC Jackson on the events, and the transcript of the recorded interview with the youth has also been provided.

On the 14th of January, the police positioned a mobile patrol to observe the Bargain Booze on London Road South, during the evening, as youths exited the premises the police approached them; these youths were found to be in possession of alcohol, when questioned all admitted they had purchased the alcohol from Bargain Booze. One group confirmed nobody asked for ID, and stated that they had been advised to buy alcohol at this store because the staff do not ask for ID. A witness statement detailing these events has been provided by PC Bassirat.

The premise is a family run business, operating with only two members of staff; where the premise licence holder acts also as the DPS. Both were interviewed under caution and found to have a good understanding of the law surrounding age restricted goods including age verification policies and acceptable ID, which leads me to believe that sales were made to those underage based not on ignorance of the law, but rather on poor attitude in complying with the law.

Based on this I would recommend particular conditions to be applied to the licence; for a new DPS to be appointed, and all staff members to be trained to operate the CCTV, ensuring recordings are retained for a suitable period of time, also that the staff keep and record challenges and refusals in a suitable log.

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 14 December 2011

Capacity Enforcement Officer, CPI

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.

RESTRICTED (when complete)Cheshire Constabulary**WITNESS STATEMENT****APPENDIX - 1**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of: David Jackson

Age if under 18: over 18 (if over 18 insert "over 18")

Occupation: Police 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.

Signature:

Date: 18th Januray 2011

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

I am Constable 3431 Jackson of the Cheshire Constabulary currently stationed at Poynton. At 1755hrs on Friday 7th January 2011 I was on uniformed mobile patrol in a plain car in company with PCSO Massey. At that time we were on Queensway in Poynton at the side of Morrisons Supermarket. As I drove by the side fire exit I saw a male and two females standing under a stair way, the male appeared to be holding something in his hand and I could also see he had a carrier bag containing what looked like a box on the floor by his feet. I caused the vehicle to turn around and pulled up in front of these people illuminating them with my headlights at a short distance away of about 5 meters. I could see the male was holding a can of Stella Artois lager. He looked younger than 18 years old and the females appeared even younger. I got out of the Police car and approached the male. I asked the male his age to which he replied 16 years, I then informed him that he was too young to have the alcohol and that there was a local by-law in place which did not permit the drinking of alcohol in public. I asked the male his name to which he replied [REDACTED] [REDACTED] dob [REDACTED] of [REDACTED]. I asked [REDACTED] "WHERE DID YOU GET THE ALCOHOL FROM?" [REDACTED] replied "I GAVE A MAN THE MONEY AND GOT HIM TO GET IT FOR ME FROM BARGAIN BOOZE." [REDACTED] could not say who the male was. At this I advised him who I was, I asked him for any identification which he said he did not have. I then advised [REDACTED] that I intended to search him for anything that would suggest he was older than 16 years, which he may have used in order to be served with the alcohol. [REDACTED] was happy with this, he was searched which proved negative and was provided a copy of the search record. I confiscated the alcohol and resumed patrol. At 1940 hrs that same day I responded to a colleague, PCSO 20320 Howard, who called me over the Police radio, he was located in the CCTV control room at Macclesfield and was watching live CCTV footage around Poynton. PCSO HOWARD advised me that he had just seen a male that appeared under age leave Bargain Booze On London road South in Poynton with two small bottles of Vodka and was seen to hand these bottles to a smaller, younger person outside. PCSO Howard stated the male that walked out the shop with

Signature:

Signature witnessed by: PTO



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continuation of Statement/Interview of:

DAVID JACKSON

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the Vodka was wearing a dark jacket with FIREFLY written on the front. He also stated that younger male was wearing a hoodie and was seen to put the vodka bottles into the back pockets of his trousers. As a result of what he told me I drove to London road south and was directed to the side of a shop called DOGANO which is about 30-40 meters from Bargain Booze. As I turned into the drive at the side of the shop I saw male two covering his trouser back pockets with his hoodie by pulling the waist of his hoodie down. I also saw the male in the dark jacket who I immediately recognised as [REDACTED] the same male I had spoken to earlier. I stopped both males and took the two bottles of Vodka from male two, who I now know to be [REDACTED]. I placed both males in the panda car where I spoke to them. [REDACTED] stated that [REDACTED] had just given him money and asked him to buy some Vodka which he then bought from Bargain Booze. I briefly left both males with PCSO Massey. I then went into Bargain Booze where I saw a male working alone behind the till area. I can describe this male as an Asian male, about 5'6" tall of stocky build. This male gave his name as SANJAY BHUDIA dob [REDACTED] of [REDACTED] [REDACTED]. I pointed out the offence to Mr BHUDIA that a male aged 16 years with no identification has just been in and purchased two bottles of vodka. I cautioned Mr BHUDIA and said do you understand that to which he replied yes. I asked if he had any cctv in the shop to which Mr BHUDIA showed me a room at the rear of the shop which contained a digital recording device and a cctv monitor. Mr BHUDIA stated he did not know how to burn of the cctv onto a disc so I advised Mr BHUDIA to retain the recording on hard drive and that he will be required to be interviewed under caution at a later date. Again I said "DO YOU UNDERSTAND THAT" to which he replied "YEAH" I showed Mr BHUDIA the entry in my pocket notebook to which he signed. Mr BHUDIA stated he was the manager of the shop. I then took male two, [REDACTED] home to his parents. At 2030hrs that same day I returned to Poynton Police station with [REDACTED] where I contacted [REDACTED] the mother of [REDACTED]. I requested her to attend Poynton Police station to collect her son and informed her of the circumstances. I again searched [REDACTED] for any identification which proved negative. He only had with him in his possession, a small amount of money and a mobile phone. I placed the two bottles of vodka seized from [REDACTED] into a sealed property bag, number 0726651 which I produce ref (DPJ/1) exhibit number () At 2100hrs that same day his mother arrived and at 2108hrs I interviewed [REDACTED] under caution in an interview room at Poynton Police station. The interview was tape recorded tape reference 11/0198, also present was his mother [REDACTED]. At 2120hrs that same day the interview was concluded. I informed [REDACTED] the full facts would be reported. A tape exhibit label was signed by [REDACTED] and the master tape was sealed in his presence. I produce this master tape

Signature:

Signature witnessed by:

RESTRICTED (When complete)



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continuation of Statement/Interview of:

Page 3 of 4

reference (DPJ/2) exhibit number (). I later produced a typed record of the interview which I can produce Ref
(DPJ/3) exhibit number ()

Signature:

A handwritten signature in black ink, appearing to be "D. Gates".

Signature witnessed by:

RESTRICTED (when complete)**Witness contact details**

Home Address: c/o Poynton Police station, London road north Poynton Cheshire.

Post code: Sk12 1af

Home Telephone No:

Work telephone No: 0845 458 0000 ext 2752

Voicemail 0845 458 6371

Mobile / Pager No:

E-mail address:

Preferred means of contact (specify details): Work phone

Best time of contact (specify details): Any

Male Female M Date and place of birth:

Former Name:

18 + 1 Ethnicity Code: W1

Religion / Belief (Specify)

DATES OF WITNESS NON-AVAILABILITY: Attached mg 10

Tick Box If available all dates

☐**Witness Care**a) Is the witness willing and likely to attend court? Yes ☒ No ☐ If 'No', include reason(s) on form MG6.

b) What can be done to ensure attendance? Plenty of notice

c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit MG2 with file.

Yes ☐ No ☒

d) Does the witness have any particular needs? If 'Yes' what are they?

Yes ☐ No ☒

(Disability, healthcare, children, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The Victim Personal Statement Scheme (victims only) has been explained to me:

Yes ☐ No ☐

b) I have been given the Victim Personal Statement leaflet

Yes ☐ No ☐

c) I have been given the leaflet "Giving a witness statement to the police - what happens next?"

Yes ☐ No ☐

d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice)

Yes ☐ No ☐ N/A ☒

e) I consent to my medical record in relation to this matter being disclosed to the defence:

Yes ☐ No ☐ N/A ☒

f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA, RTC cases.

Yes ☒ No ☐

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

☒

Signature of witness:

PRINT NAME:

D. Jackson

Signature of parent / guardian / appropriate adult:

PRINT NAME

Address and telephone number if different from above:

Statement taken by (print name):

SELF

Station:

Poynton

Time and place statement taken:

1730 hrs -

Poynton Police Sta

RESTRICTED / CONFIDENTIAL - FOR POLICE AND PROSECUTION ONLY* (when complete)

RESTRICTED (when complete)

Cheshire Constabulary

RECORD OF INTERVIEW

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~~Contemporaneous Notes / SDN / ROTI / ROVI~~ * (delete as applicable)

Person Interviewed:

[REDACTED]

Police Exhibit No:


DPJ/2

Place of Interview:

Poynton Police Station

Number of Pages:

4.


 Signature of interviewing officer producing exhibit

Date of Interview: 07/01/2011

Time Commenced: 2108

Time Concluded: 2120

Duration of Interview: 12 minutes

Audio Tape Reference Nos (†) 11/00198

Visual Image Reference Nos (†)

Interviewing Officer(s): D.Jackson Pc3431

Other Persons Present:

[REDACTED] (mother / appropriate adult)

Tape counter times (†)	Person speaking	Text
3431	[REDACTED]	Introduction and caution. All persons present introduced on interview. Caution explained, [REDACTED] informed that he was not under arrest and free to leave at any time. Offered free and independent legal advice.
3431	[REDACTED]	[REDACTED] stated he understood [REDACTED] I stopped you today at 6 pm and spoke to you tonight on Queensway in Poynton. You had a case of lager with you, I stop searched you and gave you a stop search form and I confiscated the lager off you. There is a local by law here that you are not allowed to drink alcohol in a public place. Secondly you are not 18 years old. I searched you and asked you if you had any identification on you and I specifically said have you got any id that would make you look 18 years old which is an offence of fraud. You did not have anything on you then, Do you agree with that ?
3431	[REDACTED]	Yes I am asking you again now and we will be going back to the shop and retrieve the cctv, who bought that alcohol tonight?
3431	[REDACTED]	Me The beer?

Signature(s):

(Contemporaneous notes only)

(†) Not relevant for contemporaneous notes

RESTRICTED (when complete)



URN

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Person interviewed

Page No. 2 of 4

Tape counter times (†)	Person speaking	Text
	[REDACTED]	Yes
3431	[REDACTED]	so you went to the shop earlier.
	[REDACTED]	Yes
3431	[REDACTED]	How did you buy that beer?
	[REDACTED]	I just walked in and got it
3431	[REDACTED]	Who served you in the shop?
	[REDACTED]	The person you were speaking to in the shop.
3431	[REDACTED]	A male
	[REDACTED]	Yes
3431	[REDACTED]	Anybody else in the shop
	[REDACTED]	A gentleman ...customer confirms nobody else serving
3431	[REDACTED]	Describe the male that served you
	[REDACTED]	Quite fat, Asian, about 40ish years old and about 5'5" to 5'6" tall.
3431	[REDACTED]	You went in the shop, how old and how tall are you?
	[REDACTED]	16 years, and 5'8" tall
3431	[REDACTED]	Were you wearing the clothes you are wearing the clothes you are right now? And describe them
	[REDACTED]	Yes, a Superdry coat, jeans and Adidas trainers.
3431	[REDACTED]	have you any id on you
	[REDACTED]	No
3431	[REDACTED]	When you went in the shop were you asked your age
	[REDACTED]	Yes he asked for id
3431	[REDACTED]	He asked for id what did you tell him
	[REDACTED]	I said I did not have any he asked me my date of birth and I said 29/12/1991 and then he served me.
3431	[REDACTED]	I stopped you and took the beer from you what did you do then.

Signature:

(Contemporaneous notes only)

† Not relevant for contemporaneous notes

FORMS - F200540 - MG15(T) - JN 3631 - CL - 04 - 2003

RESTRICTED (when complete)

URN

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Person interviewed

Page No. 3 of 4

Tape counter times (†)	Person speaking	Text
	[REDACTED]	Met some friends, and some friends. They said will I go in the shop for them?
3431	[REDACTED]	Who was that
	[REDACTED]	The lad who you had in the car with me
3431	[REDACTED]	[REDACTED] and he is 13 years old and he asked you to get him some booze, who gave you money
	[REDACTED]	he did
3431	[REDACTED]	And where did he get the money from
	[REDACTED]	Just his money
3431	[REDACTED]	What did you go back in the shop and buy
	[REDACTED]	I bought some Vodka, it was £5.99,
3431	[REDACTED]	we took two bottles tonight, they were a half bottle and a quarter bottle, was it the bigger bottle or smaller bottle.
	[REDACTED]	Bigger
3431	[REDACTED]	You came out and gave it [REDACTED] how many bottles did you get for him
	[REDACTED]	I gave him one, I gave him one earlier when I got mine. That was mine
3431	[REDACTED]	You got the bottle, walked around the corner and we turned up
	[REDACTED]	Yes
3431	[REDACTED]	I took you back to the car cautioned you and said to me that the lad with us had given you the money and you had bought the alcohol.
	[REDACTED]	agrees
3431	[REDACTED]	He is only 13 years old, I know you are only 16 but do you know it is an offence to buy alcohol for somebody under 18 years of age. That is an offence under the licensing act.
	[REDACTED]	Yes
3431	[REDACTED]	You went in the shop on the second occasion you picked it off the shelf or was it behind the counter

Signature:

(Contemporaneous notes only)

† Not relevant for contemporaneous notes

FORMS - F200540 - MG15(T) - JN 3631 - CL - 04 - 2003

RESTRICTED (when complete)URN

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Person interviewed

Page No. 4 of 4

Tape counter times (†)	Person speaking	Text
	[REDACTED]	Behind the counter
3431	[REDACTED]	You've asked for it, he got it, which person this time served you.
	[REDACTED]	same male
3431	[REDACTED]	re caps earlier description
	[REDACTED]	agrees
3431	[REDACTED]	he served you again, did he ask you for Id
	[REDACTED]	No
3431	[REDACTED]	Did he ask you his age
	[REDACTED]	No he did not ask for anything this time.
3431	[REDACTED]	nothing at all he just served you.
	[REDACTED]	Yes
3431	[REDACTED]	We took a photo of you earlier tonight, refers to mother I told you we have taken that photo to give a good idea of what age he appears, and that evidentially we wanted that photo for that reason, Are you happy with that.
	[REDACTED]	
	and [REDACTED]	Yes it is fine
3431	[REDACTED]	To mother, you sounded disgruntled tonight your son had been served alcohol
	Mother	Yes I am disgusted
3431	[REDACTED]	You realise what you have done tonight is an offence The full facts will be reported
	[REDACTED]	Yes
3431	[REDACTED]	You may have to come back to the station, brief discussion about restorative justice.
3431	[REDACTED]	Interview concluded. 2120hrs

Signature:

(Contemporaneous notes only)

† Not relevant for contemporaneous notes

FORMS - F200540 - MG15(T) - JN 3631 - CL - 04 - 2003

RESTRICTED (when complete)

Cheshire Constabulary

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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Statement of: Matthew Hamid BASSIRAT

Age if under 18: Over 18 (if over 18 insert "over 18") Occupation: Police Constable 5118

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.

Signature:



Date: 22/01/2011

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

I am PC 5118 BASSIRAT of the Cheshire Constabulary currently stationed at
Macclesfield Police Station.

On Friday 14th January 2011 I was engaged on uniformed mobile patrol duties in an unmarked police vehicle working on Operation Unlink targeting the sale of alcohol to underage adults in the Poynton area. I was working in company with PCSO 21135 LUKE.

At approximately 18.20 hours we were parked stationary on the garage forecourt of Texaco Petrol Station observing the entrance to Bargain Booze on London Road South. We could see into the shop and the serving counter where the till is. At this time a group of four young people came out of the shop and began walking up London Road South and turned left into Dickens Lane. We moved our vehicle and stopped on Dickens Lane and spoke with them at the roadside. I spoke with a female who I now know to be

Signature:



Signature witnessed by: PTO

RESTRICTED (When complete)



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Continuation of Statement/Interview of: Matthew Hamid BASSIRAT

Page 2 of 3

[REDACTED] was in possession of a white carrier bag containing two bottles of white wine. [REDACTED] stated that she had bought the wine herself from Bargain Booze and intended to drink it herself at home. PCSO LUKE seized the wine.

At approximately 18.50 hours on the same date, we were sat on the garage forecourt observing Bargain Booze when I saw a female emerge from the shop then join another group of females on London Road South close to Bargain Booze, their names are:

[REDACTED], [REDACTED]

[REDACTED] and [REDACTED] All

three were in possession of several bottles of alcohol when stopped. The drinks were mostly alcopops. The girls admitted that they bought the alcohol from Bargain Booze and nobody asked for ID. They stated that people had told them to go to there as no-one asked for ID. The alcohol bought by the girls was seized.

Signature:

Signature witnessed by:

RESTRICTED (when complete)Witness contact details

Home Address:

Post code:

Home Telephone No:

Work telephone No:

Mobile / Pager No:

E-mail address:

Preferred means of contact (specify details):

Best time of contact (specify details):

Male Female Date and place of birth:

Former Name:

18 + 1 Ethnicity Code:

Religion / Belief (Specify)

DATES OF WITNESS NON-AVAILABILITY:

Tick Box if available all dates

☐Witness Care

- a) Is the witness willing and likely to attend court? Yes ☐ No ☐ If 'No', include reason(s) on form MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit MG2 with file. Yes ☐ No ☐
- d) Does the witness have any particular needs? Yes ☐ No ☐
 If 'Yes' what are they?
 (Disability, healthcare, children, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement Scheme (victims only) has been explained to me: Yes ☐ No ☐
- b) I have been given the Victim Personal Statement leaflet Yes ☐ No ☐
- c) I have been given the leaflet "Giving a witness statement to the police - what happens next?" Yes ☐ No ☐
- d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes ☐ No ☐ N/A ☐
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes ☐ No ☐ N/A ☐
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable. e.g. child care proceedings, CICA, RTC cases. Yes ☐ No ☐
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services: ☐

Signature of witness:

PRINT NAME:

Signature of parent / guardian / appropriate adult:

PRINT NAME

Address and telephone number if different from above:

Statement taken by (print name): Self

Station: Macclesfield

Time and place statement taken: 1600 Macclesfield Police Station

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**Trading Standards Department
Regulatory Services**

Westfields, Sandbach,
Cheshire, CW11 1HZ
Tel: 01270 686695
Mobile: 07827834935

Email: Hannah.Wong@cheshireeast.gov.uk

Mr Krishnadas Bhudia
Villa Road
Oldham
Manchester
OL8 1PW

DATE: 14.12.11

Dear Mr Bhudia,

Application to Review the Premise Licence for Bargain Booze, 47 London Road South, Poynton, Cheshire. SK12 1LA.

I am writing to advise you that an application has been made for the review of the terms on your premise licence for the above address.

The grounds for review are based on two licensing objectives: the prevention of crime and disorder, and the protection of children from harm, and has been based on the evidence brought to my attention by Cheshire Constabulary, full details are within the application form attached.

A copy of the application has been sent to all responsible authorities who may make appropriate representations, and the final decision will be made by the licensing committee at a date to be confirmed.

Should you have any questions over the procedure please contact the licensing team on **0300 123 5015** or at licensing@cheshireeast.gov.uk

Yours Sincerely,

Hannah Wong
Enforcement Officer
Cheshire East Trading Standards

Cheshire East Council is the brand name of Cheshire East Borough Council



Premises Licence Summary

Premises Licence Number:

PR/0109

Premises Details

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

Bargain Booze
47 London Road South
Poynton
Cheshire

Post Town: Poynton

Post Code: SK12 1LA

Telephone Number: 01625 850027

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Sale and supply of alcohol

The times the Licence authorises the carrying out of licensable activities:

Sale and supply of alcohol

Monday to Saturday	08.00 to 23.00
Sundays	10.00 to 22.30
Christmas Day	12.00 to 15.00 and 19.00 to 22.30
Good Friday	08.00 to 22.30

The opening hours of the Premises:

Not known.

Where the Licence authorises supplies of alcohol, whether these are on and/or off supplies:

For consumption off the premises only.

APPENDIX - 2

Name, (registered) address of holder of Premises Licence:

Mr Krishnadas Bhudia

○ Villa Road

Oldham

OL8 1PW

Tel.

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

Not applicable.

Name of designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Mr Krishnadas Bhudia

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

No.

.....
Mr A Potts for Cheshire East Council

Licensing Act 2003 – Premises Licence

Duration of a Premises Licence

A premises licence has effect until such a time that it is suspended, revoked or surrendered.

Duty to notify change of name or address

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Duty to keep and display licence

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Duty to produce licence

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Theft or loss of premises licence

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that –

- (a) the licence or summary has been lost, stolen, damaged or destroyed; and
- (a) where it has been lost or stolen, the holder has reported that loss or theft to the police.

Surrender of premises licence

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

Death, incapacity, insolvency of licence holder

A premises licence lapses if the holder of the licence –

- (a) dies,
 - (a) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
 - (b) becomes insolvent,
 - (c) is dissolved, or
 - (d) if it is a club, ceases to be a recognised club
- (subject to provision for re-instatement in certain circumstances).

Annex 1 - Mandatory Conditions

1. No supply of alcohol may be made under this Premises Licence -
 - (a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
 - (b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010**MANDATORY CONDITIONS****Condition 1**

- (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.

Condition 2

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).

Condition 3 – not applicable to off licences.

CONDITION 4 APPLICABLE WITH EFFECT FROM 1ST OCTOBER 2010

Condition 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 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.

Annex 2 - Conditions consistent with the Operating Schedule

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

2. The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

3. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

None

Annex 4 – Plans

Please see attached.



Cheshire CC WebGIS

