

## Licensing Act 2003 Sub-Committee

Wednesday, 2nd August 2023, 6.30 pm

The Council Chamber, Town Hall, Chorley

### Agenda

#### Apologies

##### 1 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

##### 2 **Procedure**

General procedure points and hearing procedure for the meeting.

##### 3 **Determination of Application to Review a Premises Licence-Greenwoods General Store**

Report of the Chief Executive attached.

(Pages 5 - 34)

Chris Sinnott  
Chief Executive

Electronic agendas sent to Members of the Licensing Act 2003 Sub-Committee

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**LICENSING ACT 2003 SUB-COMMITTEE  
HEARING PROCEDURE  
REVIEW OF CLUB PREMISES CERTIFICATE / PREMISES LICENCE**

**1. CHAIR OF SUB-COMMITTEE:**

- opens meeting
- introduces Members and Officers
- confirms details of all parties in attendance
- outlines procedure to be followed

**2. SUB-COMMITTEE TO DECIDE WHETHER TO ALLOW PERSON SPECIFIED ON REGULATION 8 NOTICE PERMISSION TO SPEAK (IF APPLICABLE)**

- Members should note that permission should not be unduly withheld

**3. LICENSING OFFICER OUTLINES THE APPLICATION AND RELEVANT REPRESENTATIONS**

**4. QUESTIONS TO THE LICENSING OFFICER FOR CLARIFICATION FROM:**

- Sub-Committee
- The Applicant and/or Legal Representative
- Responsible Authorities/Other Persons
- The Licence Holder

**5. THE APPLICANT FOR THE REVIEW AND/OR LEGAL REPRESENTATIVE MAKES REPRESENTATIONS REGARDING THEIR APPLICATION**

**6. QUESTIONS TO THE APPLICANT FOR THE REVIEW AND/OR LEGAL REPRESENTATIVE FROM:**

- Sub-Committee
- Responsible Authorities/Other Persons
- The Licence Holder

**7. REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES**

**8. QUESTIONS TO RESPONSIBLE AUTHORITIES FROM:**

- Sub-Committee
- The Applicant and/or Legal Representative
- Other Persons
- The Licence Holder

**9. REPRESENTATIONS FROM OTHER PERSONS**

**10. QUESTIONS TO OTHER PERSONS FROM:**

- Sub-Committee

- The Applicant and/or Legal Representative
- Responsible Authorities
- The Licence Holder

**11. REPRESENTATION FROM LICENCE HOLDER**

**12. QUESTIONS TO LICENCE HOLDER FROM:**

- Sub-Committee
- The Applicant and/or Legal Representative
- Responsible Authorities/Other Persons

**13. APPLICANT INVITED TO BRIEFLY SUMMARISE (IF THEY WISH)**

**14. RESPONSIBLE AUTHORITIES INVITED TO BRIEFLY SUMMARISE (IF THEY WISH)**

**15. OTHER PERSONS INVITED TO BRIEFLY SUMMARISE (IF THEY WISH)**

**16. LICENCE HOLDER INVITED TO SUM UP (IF THEY WISH)**

**17. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision

**18. NOTICE OF DECISION**

Parties re-admitted and Chair announces decision and reasons

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Report of	Meeting	Date
Chief Executive Officer	Licensing Act 2003 Sub Committee	Wednesday 2 <sup>nd</sup> August 2023

<b>Confidential report</b>	Yes	No
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#### PREMISES DETAILS

<b>Premises Name:</b>	Greenwoods General Store	<b>Address:</b>	88 Seymour Street, Chorley, PR6 0SN
<b>Premises Licence Holder:</b>	Mr Paviter Singh	<b>DPS:</b>	Mr Paviter Singh

#### Reason for the referral

- To advise the Sub Committee of an application for the review of a premises licence has been received from Lancashire Constabulary, in respect of the premises detailed above.
- For the Sub Committee to determine the application in accordance with the provisions of the Licensing Act 2003.

#### Corporate Priorities

- This report relates to the following Strategic Objectives:

Housing where residents can live well		A green and sustainable borough	
An enterprising economy with vibrant local centres in urban and rural areas		Healthy, safe and engaged communities	X

#### Licensing Objectives

- Members are reminded of the Licensing Objectives, as follows:
  - Prevention of Crime and Disorder
  - Public Safety
  - Prevention of Public Nuisance
  - Protection of Children from Harm
- Members are reminded that the duty of the licensing authority is to take steps necessary to promote the licensing objectives in the interests of the wider community and not those of the individual licence holder.

#### Appeals

- An appeal against the decision of the Council may be made to the Magistrates' Court within 21 days of receipt of the determination notice which will be delivered to all relevant parties.

#### Legal Considerations

- Members must have regard to the following:
  - The Guidance issued under Section 182 of the Licensing Act 2003.
  - The Council's Statement of Licensing Policy effective from 2021.
  - The Licensing Act 2003.

**History of the premises licence**

- 8. The premises has benefitted from a premises licence since the old Justices’ Licence was converted at the coming into force of the Licensing Act in 2005. The licence has been transferred and the DPS varied a number of times since this initial licence.
- 9. The licence was transferred into the current licence holder’s name on 13.02.19. At the same time, he became the designated premises supervisor. A copy of this current licence is appended at Appendix 1.
- 10. The premises itself is an end-terrace property, sitting on the corner of the junction of Seymour Street with Brighton Street. Seymour Street joins Eaves Lane close to the Lyons Lane roundabout. The premises is surrounded on all sides by high-density, residential properties. A plan view of the premises is appended at Appendix 2.

**Application for the review of a premises licence**

- 11. On 13<sup>th</sup> June 2023, an application for the review of a premises licence was received from PC 6884 Connolly, for and on behalf of the Chief Constable of Lancashire Constabulary. A copy of the application is appended at Appendix 3 and is concerned with the licensing objectives of The Prevention of Crime and Disorder and The Protection of Children from Harm being undermined at the premises.
- 12. The grounds for the review are as followed:

*The premises has failed two test purchases of age-restricted products in recent weeks, in that a trimming knife was sold to the 13 and 15 year old test purchasers on 17.05.23 and alcohol was sold to the 16 and 17 year old test purchasers on 02.06.23.*

**Advertisement of the applications and relevant representations**

- 13. The application was advertised in accordance with the regulations in that a notice was displayed at the premises, at the Council Offices and a copy of the application was published on the Council’s website for the whole 28-day consultation period.
- 14. During this period and on 3<sup>rd</sup> July 2023, additional documents were provided by PC Connolly to support his application, comprising a report and appendices including a witness statement, an image of the premises, covert body worn camera (BWC) footage of the alcohol test purchase and Police BWC footage of the subsequent visit both on 02/06/23. An additional appendix includes a number of proposed conditions to be imposed. These documents are appended at Appendix 4. The BWC footage can be accessed here:
  - Covert footage of test purchase: [YouTube](#)
  - Police footage: <https://youtu.be/Nj4yl24klMo>
- 15. On 11<sup>th</sup> July 2023, a representation was received from Jason Middleton, Principal Officer Alcohol and Tobacco of Lancashire County Council. This representation relates to the prevention of crime and disorder and protection of children from harm objectives and a copy is appended at Appendix 5.

**Implications of the report**

- 16. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

**Comments of the monitoring officer**

- 17. The licensing objectives and policies which members must have regard to in reaching their determination are referred to in the report, as is the right of appeal of the premises licence holder and those who applied for a review.

**Conclusions and options**

- 18. The decision should be based on the individual merits of the application and the representations (if any). In accordance with Regulation 26(2) of the Licensing Act 2003 (Hearings) Regulations 2005, a decision must be made within the period of 5 working days beginning with the day or the last day on which the hearing was held.
- 19. In accordance with Section 52 of the Act, the Authority must, having regard to the application and any representation made, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:
  - a) To modify the conditions of the licence, (including altering, omitting or adding any condition),
  - b) To exclude a licensable activity from the scope of the licence,
  - c) To remove the designated premises supervisor,
  - d) To suspend the licence for a period not exceeding three months, or
  - e) To revoke the licence.
- 20. Where the Sub Committee decide to take such steps at a. or b. of paragraph 21 above, they may provide that they have effect for only such a period (not exceeding three months) as they may specify.

Chris Sinnott  
CHIEF EXECUTIVE

**Appendices**

Appendix	Description
Appendix 1	Current premises licence
Appendix 2	Plan view of premises surroundings
Appendix 3	Application to review a premises licence
Appendix 4	Supporting information from PC Connolly
Appendix 5	Representation- Jason Middleton, Trading Standards

**Background papers**

Document	Date	Place of Inspection
The Council’s Statement of Licensing Policy	2021-2026	<a href="https://www.chorley.gov.uk/Document/Download/Statement_of_Licensing_Policy_2021-2026.pdf">Statement of Licensing Policy 2021-2026.pdf</a> (chorley.gov.uk)
Secretary of State Section 182 Guidance	December 2022	<a href="https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/108422/section-182-guidance.pdf">Revised Guidance issued under section 182 of the Licensing Act 2003</a> (publishing.service.gov.uk)

Report Author	Ext	Date
Nathan Howson	5665	12 <sup>th</sup> July 2023

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Licensing Act 2003  
**Premises Licence**

**PLA0125**

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Greenwoods General Store**

88 Seymour Street Chorley PR6 0SN

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- The sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)

Days and times

The sale by Retail of Alcohol (Indoors) (Off the premises)

Monday to Sunday 06:00 - 23:00

THE OPENING HOURS OF THE PREMISES

Monday to Sunday 06:00-23:00

WHERE THE LICENCE AUTHORISES THE SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

The sale by retail of alcohol for consumption OFF the premises.

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Paviter Singh

Greenwoods 88 Seymour Street Chorley PR6 0SN  
Mobile phone number: 07848397122

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



## Licensing Act 2003 Premises Licence

# PLA0125

### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Paviter Singh

Greenwoods General Store 88 Seymour Street Chorley PR6 0SN

### PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence Number: PA1356

Issuing Authority: Chorley Borough Council

### ANNEXES

#### ANNEX 1 – MANDATORY CONDITIONS

##### MANDATORY DRINKS CODE

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

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

##### ALCOHOL PROMOTIONS

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(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.

(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 in a manner which carries a significant risk of undermining a licensing objective ;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner



## Licensing Act 2003 Premises Licence

# PLA0125

### DISPENSING ALCOHOL

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### FREE TAP WATER

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### AGE VERIFICATION

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (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.

### ALCOHOL MEASURES

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: 1/2 pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### EXHIBITION OF FILMS

- 1a) The Premises licence holder shall ensure that the admission of children to the exhibition of any film shall be restricted in accordance with section 20 of the Licensing Act 2003 (the Act)
- 1b) Unless section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification board specified in this licence
- 1c) Where section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the licensing authority
- 1d) Where no film classification board is specified in this licence admission of children to the exhibition of any film shall be restricted in accordance with any recommendation made by the licensing authority.
- 1e) For the purposes of this condition:-  
"children" means persons aged under 18; and  
"film classification board" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984  
(authority to determine suitability of video works for classification)

### DOOR SUPERVISORS



## Licensing Act 2003 Premises Licence

# PLA0125

The Premises licence holder shall ensure that each individual present on the premises to carry out a security activity [as defined by paragraph 2(1) (a) of the Schedule 2 to the Private Security Industry Act 2001] must be licensed by the Security Industry Authority.

### SCHEDULE Mandatory Licensing Condition

#### MINIMUM DRINKS PRICING

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(1); .

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

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(2).

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.



Licensing Act 2003  
**Premises Licence**

**PLA0125**

**ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

We have got CCTV.

We have got CCTV outside shop and inside.

We have got CCTV and we check age 25

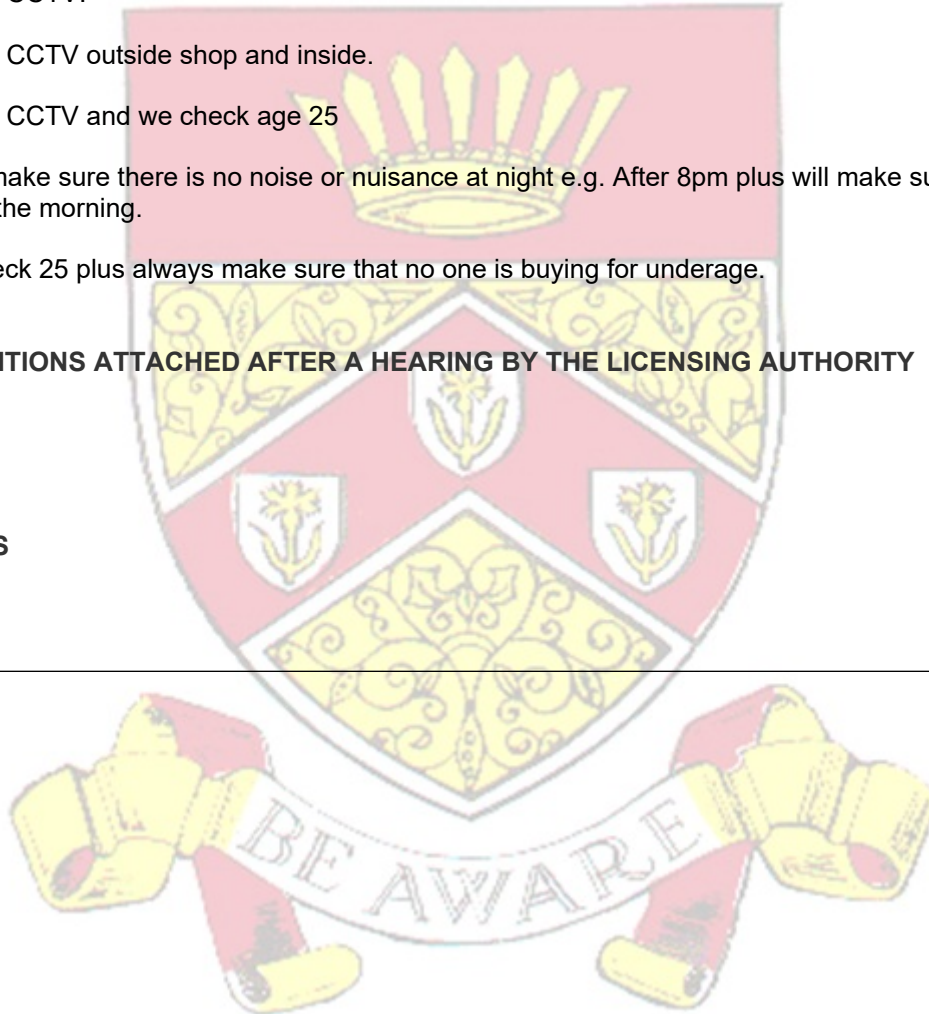
We always make sure there is no noise or nuisance at night e.g. After 8pm plus will make sure there are no problems in the morning.

We have check 25 plus always make sure that no one is buying for underage.

**ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None.

**ANNEX 4 – PLANS**



Licensing Act 2003  
**Premises Licence**

**PLA0125**

## Summary of Licence

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Greenwoods General Store**

88 Seymour Street Chorley PR6 0SN

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- The sale by Retail of Alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)

Days and times

The sale by Retail of Alcohol (Indoors) (Off the premises) Monday to Sunday 06:00 - 23:00

#### THE OPENING HOURS OF THE PREMISES

Monday to Sunday 06:00-23:00

#### WHERE THE LICENCE AUTHORISES THE SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

The sale by retail of alcohol for consumption OFF the premises.

### Part 2

#### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Paviter Singh

Greenwoods 88 Seymour Street Chorley PR6 0SN

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

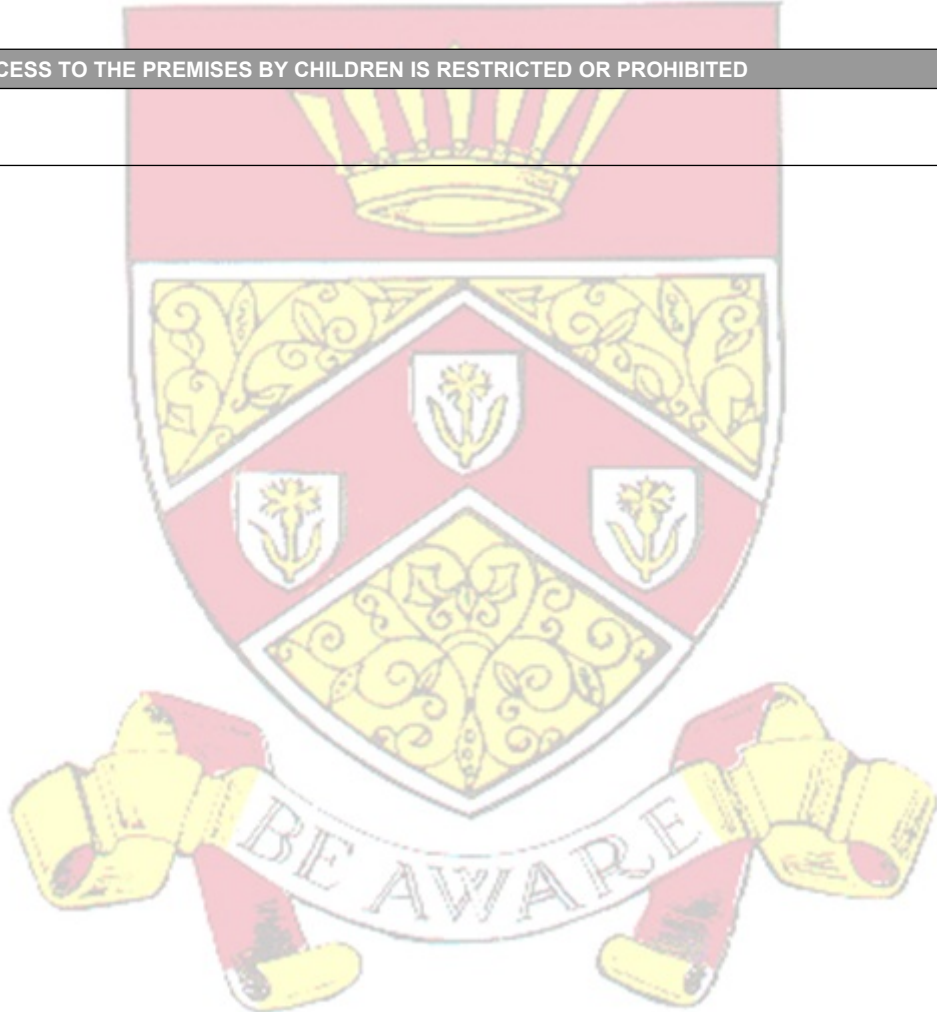


Licensing Act 2003  
**Premises Licence** **PLA0125**

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Paviter Singh

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED



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Appendix 2- Plan view of Greenwood General Store, 88 Seymour Street





**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 PC 6884 Stephen Connolly of Lancashire Constabulary

*(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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Greenwoods General Store 88 Seymour Street	
<b>Post town</b> Chorley	<b>Post code (if known)</b> PR60SN

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Paviter Singh
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<b>Number of premises licence or club premises certificate (if known)</b> PA1026
---

**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 PC 6884 Stephen Connolly South Licensing Team Preston Police Station Lancaster Road North Preston PR1 2SA
Telephone number (if any) 01772 209785
E-mail address (optional) southlicensing@lancashire.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 | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

This application for the review of a premises licence is being submitted by Lancashire Constabulary, a responsible authority following two failed test purchases of age restricted products in recent weeks.

This application relates to the premises failing to uphold the Licensing Objectives of The Prevention of Crime & Disorder and The Protection of Children of Harm

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

On Wednesday 17th May 2023 the premises was subjected to a joint Police and Trading Standards test purchase operation to purchase a knife as part of a dedicated operation to tackle knife crime; the premises failed and sold a trimming knife to a 13 & 15 year old child on this occasion.

On Friday 2nd June 2023, following the previous failure the premises was again subjected to another test purchase by Police and Trading Standards, on this occasion the premises sold alcohol to two children aged 16 and 17.

**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

--	--	--	--	--	--	--	--

**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 13<sup>th</sup> June 2023

.....

Capacity Lancashire Constabulary Licensing Constable

.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**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.





Lancashire  
Constabulary

# **Lancashire Constabulary South Division Premises Licence Review File**

Name: Greenwoods General Store

Address: 88 Seymour Street

Licensing Authority: Chorley Borough Council

Licence Number: PA1026



## **1. Summary**

Greenwoods General Store is a single storey 'Off Licensed' premises which is situated on Seymour Street at the junction with Brighton Street, within the Chorley East Ward of Chorley Borough Council. The geographical makeup of the area is highly residential which are terrace style housing. Chorley East Ward is also home to three schools within 0.3 miles of Greenwoods.

Greenwoods General Store holds a Premise Licence which allows the sale of alcohol 'off-sales' between 0600-2300hrs daily, along with alcohol the premises sells cigarettes & other tobacco products, food & drink, and general household goods. It has a single entrance/exit to the premises which is situated on Seymour Street. Inside the premises on the right as you enter is the service counter, bottled spirits are on display at the rear of the counter with wine, beers, and other alcohol on the shelves nearby which is completely visible from the service counter.

Alcohol is stored in two separate areas within the premises, a small room at the rear along with a second room in the basement which is accessible from the rear of the counter.

The nearest comparable Licensed Premises to Greenwoods is approximately 0.1miles away.

## **2. History**

Paviter SINGH is the Premises Licence Holder and the Designated Premises Supervisor for Greenwoods General Store, positions which he has held since 14<sup>th</sup> February 2019. SINGH became a Personal Licence Holder on 2<sup>nd</sup> March 2018 which was issued by Chorley Borough Council and police systems show SINGH as being responsible for no other Licensed Premises.

A member of Lancashire Constabulary Licensing attended the premises on 21<sup>st</sup> February 2019 to speak with SINGH following the transfer and vary DPS applications, SINGH was not present, it was noted that there was no summary licence on display and the only entry in the refusal register dated back to March 2018. The premises was visited the following day and SINGH was spoken with who had put requirements of the premises licence into place, SINGH was advised regarding the refusals register and authority to sell.

Whilst under the control of SINGH the premises has not previously undergone any test purchasing operations until 2023.



### **3. Reason for Review**

On 17<sup>th</sup> May 2023 a joint police and Trading Standards knife test purchase under Operation Sceptre, a national operation dedicated to tackle knife crime was conducted at the premises. The Premises failed the test purchase with SINGH selling a trimming knife to 13- and 15-year-old children. Police and Trading Standards then conducted a follow up visit where educational advice around age related sales was given.

On Tuesday 30<sup>th</sup> May 2023 the premises was subjected to a multi-agency visit at the request of Lancashire Trading Standards due to concerns over potential illicit vodka at the premises. We attended at approximately 14:30hrs and a full inspection was conducted. Lancashire Trading Standards seized several bottles of vodka from the display to do further analyst. During the inspection we discussed training with the member of staff that was working, he advised us that he had done an online course for age related sales but had no documentation or paperwork relating to it.

Friday 2<sup>nd</sup> May 2023 saw a multi-agency alcohol test purchase operation conducted at the premises. At approximately 1210hrs the premises failed by selling a four pack of Stella Artois lager to a 16- and 17-year-old test purchaser. Following the sale, the premises was visited and the staff member who made the sale was issued with a £90 fixed penalty.

Given the two failed test purchases in a two-week period, Lancashire Constabulary have concerns over the premises and it's ability to lawfully sell age related products.

### **4. Outcome Sought**

The sale of a trimming knife followed by sale of alcohol to children show that there are clear failings at the premises. To ensure that the premises has no further negative impact upon the Licensing Objectives, Lancashire Constabulary respectfully request that the Premises Licence is suspended for a minimum of 6 weeks along with additional conditions being imposed upon the Premises Licence as outlined in LC04.

The rationale for this outcome is to prevent any further negative impact on the Licensing Objectives whilst the premises implements the new conditions.

### **5. Supporting Documents**

LC01 – Statement from Police Licensing Officer

LC02 – Street view image of premises

LC03 – Camera footage of the test purchase on 2/06/23

LC04 – Bodyworn camera footage from 02/06/23

LC05 – Requested Premises Licence conditions.

I am PC 6884 Stephen Connolly of Lancashire Constabulary, currently attached to the South Licensing Team based out of Preston Police Station.

With delegated authority from the Chief of Police, Chief Constable Rowley of Lancashire Constabulary I make representations on his behalf with matters relating to the Licensing Act 2003 and the Gambling Act 2005.

I make this statement in relation to a Licensed Premises called Greenwoods General Store which is situated on Seymour Street, Chorley. In this statement I will mention Paviter SINGH, the Premises Licence Holder and Designated Premises Supervisor of Greenwoods, positions which he has held since February 2019. Singh also holds a Personal Licence issued by Chorley Borough Council in March 2018. I will also mention [REDACTED], staff member at the premises. I will finally mention Lauren MANNING & Jason MIDDLETON who are officers from Lancashire Trading Standards and Nathan HOWSON, Chorley Borough Council Licensing.

On 24<sup>th</sup> May 2023 I was made aware by MANNING that Greenwood's had been visited on 17<sup>th</sup> of May as part of a test purchase operation and failed by selling a trimming knife to a 13-year-old child & 15-year-old child. Following this, I suggested that it be revisited as part of an upcoming alcohol test purchase operation. At a later date I was made aware by MANNING that it was SINGH, who had failed this test purchase.

On Tuesday 30<sup>th</sup> May 2023 I attended the premises for a joint inspection with MANNING and HOWSON following concerns over some of the vodka being sold at the premises. During the inspection MANNING seized several bottles of vodka to undertake further analyst. SINGH was not present during the visit; HOWSON & I discussed staff training with [REDACTED] who referenced having online age-related sales training but didn't have anything documented regarding it.

On Friday 2<sup>nd</sup> June 2023 at approximately 1210hrs Greenwoods was subjected to a multi-agency test purchase for alcohol. Under our instruction two children aged 16 and 17 entered the premises in an attempt to buy alcohol, this transaction went ahead with [REDACTED] making no attempt to challenge either of the test purchasers for their ID. On this occasion a four pack of Stella Artois was sold.

We then carried out a revisit at the premises, upon entering the premises without being told directly that they had failed a test purchase [REDACTED] stated that they did not ask for any ID and that they felt they were "OVER THE AGE, OVER 18" before confirming they knew what challenge 25 meant and that they operate it. [REDACTED] then shouted "PAV, I'VE MADE A MISTAKE; I'VE DONE WHAT YOU DID", SINGH then came from the rear of the premises where [REDACTED] advised him that they hadn't asked for ID and sold alcohol.

When asked SINGH advised that he has verbally trained his staff in challenge 25. [REDACTED] was asked if they had any training whilst an employee at Greenwoods, where they advised they couldn't remember that had worked there on and off for some time. [REDACTED] then demonstrated some knowledge of acceptable identification for age restricted products. [REDACTED] was unable to provide any

information about how they could potentially identify underage customers before they got to the checkout, SINGH then provided some information on this. Neither [REDACTED] or SINGH were able to provide any information on proxy sales and it had to be explained to them my HOWSON.

[REDACTED] was then issued with a £90 penalty notice.

A handwritten signature in black ink, appearing to read 'SC 6884', with a long horizontal stroke extending to the left.

PC 6884 Stephen Connolly

# Greenwoods

OFF LICENCE & CONVENIENCE STORE

Wines & Champagne Best  
Mobile Phone Top-up  
Gift & Electricity Top-up

Guardian

FREE CCTV

£1.50

£1

£1

£3

£1

£16.99

£3.95

FREE

FREE

Supporting local health causes



Guardian

BUY YOUR DREAM TICKET TODAY

CASH MACHINE HERE



1. The premises shall operate and maintain a CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows: -
  - The system shall cover all entrances and exits from the premises, in addition to covering all internal areas of the premises used to display/supply alcohol.
  - The focus of the camera(s) shall be to enable clear identification of persons on the premises.
  - The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
  - The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation.
  - Signage advising that CCTV is in operation will be displayed.
  
2. A documented Challenge 25 Scheme will be the adopted Age Verification Policy. The Challenge 25 Scheme will be actively promoted and advertised at the premises. Any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

Acceptable forms of identification shall be: -

  - A PASS accredited holographic proof of age card
  - Photo Driving Licence
  - Passport
  - National, including EU Identity Cards
  
3. An electronic point of sale (ePOS) system shall be installed at the premises which shall be used to record all transactions. Each cashier shall have a login which is unique to them. This system shall:
  - Record the accurate time and date of any transaction,
  - Record the cashier dealing with the transaction,
  - Display a prompt when any age-restricted product is scanned which requires the cashier to confirm whether the purchaser clearly appears over 25 years of age or not,
  - Where the staff member selects that the purchaser does not appear over 25, it shall record what identification document has been used to verify the person's age, in accordance with the Check 25 policy,
  - Where the sale of an age restricted product is refused, this and the reasons for such a refusal shall be recorded.

4. At commencement of employment all members of staff must undergo training in relation to the check 25 policy and the sale of alcohol to drunk persons. All staff must undergo refresher training at least once every 6 months. All training must be held in writing at the premises for at least 12 months and made available for inspection to Responsible Authorities upon request.
5. An incident log shall be kept on the premises which shall be used to record any notable incidents, such as a report of crime or disorder. All entries in the log shall record the date and time, the nature of the incident and the person recording it, the outcome or action taken and a police log number if appropriate. Entries shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The DPS shall inspect the log at least once every two weeks and record with signature the date which the inspection took place.
6. Any person who is authorised by a personal licence holder to sell alcohol under the premises licence shall be authorised in writing. Such authorisation shall include, as a minimum, the name and signature of the person being authorised, the name and signature of the personal licence holder and the date of the authorisation. The log of persons authorised shall be kept up to date and on the premises and shall be produced to a responsible authority on reasonable request.
7. The premises shall not stock nor offer for sale any article which has a blade or is sharply pointed, except where such article is a folding pocketknife where the cutting edge is less than 3 inches in length.



**THE LICENSING ACT 2003 - REPRESENTATION FROM RESPONSIBLE AUTHORITY**

**LANCASHIRE COUNTY COUNCIL TRADING STANDARDS SERVICE**

I am Jason Middleton, Principal Officer employed by Lancashire County Council Trading Standards Service.

I have delegated authority to exercise the County Council's powers and duties under relevant Trading Standards related Acts of Parliament and in this capacity to provide written and oral representations on behalf of the Lancashire County Council Head of Service for Trading Standards.

I make this statement using facts and matters within my own knowledge. Any facts and matters that are not within my own knowledge are true to the best of my knowledge and belief.

Lancashire County Council Trading Standards Service wishes to make representations in support of the application from Lancashire Police to review the premises licence at Greenwoods Convenience Store, 88 Seymour Street, Chorley PR6 0SN.

On 17<sup>th</sup> May 2023 an underage test purchasing operation for knives was conducted by Lancashire Police and Lancashire Trading Standards. The premises failed and a trimming knife was sold to the 13- and 15-year-old test purchasers by the owner, Mr Paviter Singh. A Trading Standards Officer was present in the shop at the time and witnessed the sale take place.

Immediately after the failed test purchase the shop was revisited by Trading Standards and Police and Mr Singh was given relevant and proportionate advice. Non-compliant e-cigarettes were noticed on display and Mr Singh was advised to remove these from sale.

On 25<sup>th</sup> May 2023 an officer from the Trading Standards Service test purchased a bottle of 'Gorlovka' vodka from the shop. The same day Trading Standards, Lancashire Police and Chorley Council Licensing inspected the premises. Four bottles of Gorlovka vodka, and three bottles of Au vodka was seized from the shop due to the bottles possessing the wrong type of duty stamp on the product, indicating that they were non duty paid (smuggled). 177 non-compliant e-cigarettes were also seized (some from a box in the storeroom, and some from underneath the counter).

The Gorlovka and Au vodka have been analysed by the Public Analyst. The Au vodka was found to contain less alcohol than declared on the bottle, in contravention of the Spirit Drinks Regulations 2008.

On 2<sup>nd</sup> June 2023 a further test purchasing operation was carried out, this time for alcohol. A member of staff sold four bottles of Stella to the 16- and 17-year-old test purchasers.

On 5<sup>th</sup> June 2023 Trading Standards sent a written warning to the shop in relation to the failed knife test purchase.

Mr Singh was interviewed under caution in relation to the smuggled vodka, non-compliant e-cigarettes, and alcohol underage sale on 10<sup>th</sup> July 2023. He claimed to have purchased the Gorlovka and Au vodka from a man who turned up at the shop in a white van offering him alcohol. He obtained no business details from this man, or any receipt or invoice. He claimed he was told that he would receive a receipt by email, but this never arrived. He paid £65 for 6 bottles of Gorlovka vodka and £100 for 4 bottles of Au vodka. The items were being sold in the shop for £11.49 and £29.99 respectively. He was advised that this was not a reputable source from which to purchase alcohol for the business.

The e-cigarettes were purchased from a wholesaler in the Cheetham Hill area of Manchester. When asked whether he was aware that the products could not legally be sold in his shop he replied 'yes'. He stated that he had put the items in a box in the storeroom on 17<sup>th</sup> May 2023 in order to remove them from the shop but had not yet done this by the time officers inspected on 25<sup>th</sup> May 2023.

Mr Singh claimed to have carried out additional staff training after the failed knife test purchase. He showed officers a refusals book which he has been using in the shop. The first entry was on the 4<sup>th</sup> June 2023. He said he did have a refusal recording system prior to this, but he did not have this available to show the interviewing officers.

In the opinion of Lancashire County Council Trading Standards Service, the information presented is evidence that the prevention of crime and disorder and protection of children from harm licensing objectives have been disregarded at these premises.

I reserve the right to bring further evidence to any hearing, should any arise between now and then.

I believe the contents of this statement to be true.

Signed: 

Date: 10/07/2023

Jason Middleton (Principal Officer)  
4<sup>th</sup> Floor Lancashire Point  
County Hall  
Pitt Street  
Preston  
PR1 0LD

Contact telephone number: 01772 538107

Email address: [jason.middleton@lancashire.gov.uk](mailto:jason.middleton@lancashire.gov.uk)