

**APPENDIX B**

21.07.09  
18.08.09

2009/01484/LAPREV  
SR

**Application for the review of a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

valid ✓  
CD  
CH  
STR

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 Chief Supt Graham Bartlett, Divisional Commander, Brighton and Hove Police on behalf of Chief Constable Martin Richards  
.....  
(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.**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>  One Step T/A Stop to Shop 59A London Road	
<b>Post town</b> Brighton, East Sussex	<b>Post code (if known)</b> BN1 4JE
<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Mr Boddulri Veeranjanyulu 59A London Road Brighton East Sussex BN1 4JE	<b>holding club premises certificate (if known)</b> BRIGHTON & HOVE CITY COUNCIL ENVIRONMENTAL HEALTH & LICENSING  DATE RECEIVED  21 JUL 2009
<b>Number of premises licence or club premises certificate (if known)</b>  1445/3/2007/01306/LAPREV	

**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 Inspector Victoria HARRIS Brighton & Hove Licensing Unit Police Station Holland Road HOVE BN3 1JY  (on behalf of the applicant)
Telephone number (if any) 01273 66 59 43
E-mail address (optional) Victoria.harris@sussex.pnn.police.uk

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

Please tick one or more boxes

- |                                         |                                     |
|-----------------------------------------|-------------------------------------|
| 1) the prevention of crime and disorder | <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)**

Sussex Police led alcohol test purchases which were conducted in the London Road area due to intelligence being received by both Sussex Police and Trading Standards of alcohol related anti social behaviour amongst youths within this area.

The premises has failed three out of four test purchases conducted over a four month period on the following dates:

12<sup>th</sup> January 2009 – FAIL

21<sup>st</sup> February 2009 - PASS

19<sup>th</sup> March 2009 - FAIL

8<sup>th</sup> May 2009 - FAIL

Sussex Police and Trading Standards have attempted to engage and work with the premises to provide training and support. For three of the five staff training sessions booked with Trading Standards, all those booked to attend failed to do so. Of the two that took place, one of the sessions was not completed, as the two attendees were unable to understand the questions being asked of them.

**Please provide as much information as possible to support the application**

(please read guidance note 2)

On Monday 12<sup>th</sup> January 2009 one Sussex Police volunteer test purchaser aged 16 entered the premises at 21:06 and was sold three cans of Fosters lager by a cashier. At no time was the child challenged for ID by the seller. This was witnessed by police officers in plain clothes. The seller was issued a £80 fixed penalty notice. Subsequently, a letter was sent to the DPS and premises licence holder, Mr Bala Suresh, on 19<sup>th</sup> January 2009 making him aware of the incident and giving him advice to prevent further sales.

A further test purchase at the premises took place on 21<sup>st</sup> February 2009. In this instance the child was refused alcohol by the cashier.

A further test purchase was conducted at this premises on Thursday 19<sup>th</sup> March 2009 due to the previous failure on the 19<sup>th</sup> January 2009. Alcohol was sold to a 16-year-old child volunteer in the form of four cans of Budweiser lager. The seller did not challenge the child for proof of age despite 'Challenge 21' posters on display in the premises. The seller was issued with an £80 Fixed Penalty Notice.

Mr Bala Suresh was invited to Hove Police Station on 23<sup>rd</sup> March to discuss the two failed test purchases. At the meeting Mr Suresh was given advice on measures to prevent underage sales and signed a formal written warning in relation to the two test purchase failures.

A further test purchase was conducted on Friday 8<sup>th</sup> May. Plain-clothes officers entered the store at 18:50 and witnessed the sale of alcohol comprising of four cans of Budweiser to a 16-year-old child volunteer. At no point was challenge of age made, the seller even asked the underage child for clarification on the price of the items and was then served. The seller on this occasion was the same person who failed the test purchase conducted on Monday 12<sup>th</sup> January and has subsequently been reported for summons under section 146 of the Licensing Act.

Five sessions were booked for employees and management of the premises to receive training with Trading Standards between 27<sup>th</sup> May 2008 and 5<sup>th</sup> February 2009. None of the attendees showed up at three of the five sessions and of the other two sessions, only three of the five staff members booked on the sessions attended.

Mr Suresh was not on the premises for any of the failed test purchases.

This premises is situated in London Road which is a particular hotspot for street drinking and alcohol related anti social behaviour. The area is experiencing a disproportionate number of anti social incidents in comparison to surrounding areas.

Further to the above, on the 8<sup>th</sup> June 2009 Police Licensing received an application to transfer the premises licence and change the DPS. After

further enquiries it transpired that the applicant that was to become the DPS and holder of the premises licence in doing so would be in violation of the terms and conditions of his immigration status.

Sussex Police believe that this further demonstrates the mis management of this premises.

In view of these three failed test purchases within a four month period and the employment of a person who following this was breaching their immigration status, Sussex Police contend that the following licensing objectives have been undermined:

- (1) The protection of children from harm; and
- (2) Prevention of crime and or disorder

It is the submission of Sussex Police that the management of these premises has fallen below what is expected of it. In order for the premises to promote the licensing objectives, Sussex Police respectfully request that the licensing committee apply a suspension of the licensable activity of the sale of alcohol for a period of three months.

Sussex Police contend that this is both proportionate and necessary in breaking the cycle between these premises and the sale of alcohol to children, and the period requested adequate for the necessary training and other remedial measures to be implemented.

Sussex Police respectfully request that the committee consider amending / applying the following conditions to the premises licence:

- The premises will adopt a "challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only ID that will be accepted are passports and UK driving licenses with a photograph or Portman group proof of age cards bearing the 'PASS' mark hologram.

In addition to the new condition requested as detailed above, we request that the committee consider the following amendments to current conditions on the premises licence which read as follows:

1. Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras as agreed with Sussex Police. CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy and will be changed when British Standard Time starts and ends.
2. The premises will maintain a refusals book to record all incidences of age related products being refused and refusals to persons who are

drunk. This book is to be checked and signed by the DPS once a month and readily available for inspection by Police or Trading Standards when requested.

3. All staff will be provided with full training on alcohol sales before they commence working in the shop and serving the public. Training records will be held in the premises at all times and available to Police for inspection upon request. There will be a regular review of training by the DPS.
4. A Personal Licence Holder to supervise all sales of alcohol between the hours of 1600 hours and 0000 hours (or close, whichever comes later) Thursday to Saturday inclusive.
5. Hours for the sale of alcohol to be reduced from 24 hours a day seven days a week to:  
Monday – Sunday 08:00-23:00

**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 (on behalf of the applicant)



Date 16/07/2009

Capacity Police Licensing Inspector

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5) Rebecca Walls Brighton & Hove Licensing Unit Police Station Holland Road	
<b>Post town</b> Hove	<b>Post Code</b> BN3 1JY
<b>Telephone number (if any)</b> 01273 665523	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> rebecca.walls@sussex.pnn.police.uk	

**Notes for Guidance**

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

R-21.07.09  
E-18.08.09

2009/01484/LAREV

SR



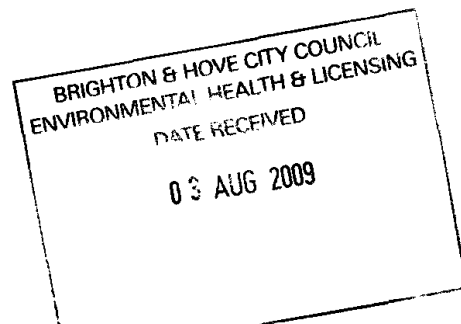
**HOVE POLICE STATION**

Brighton & Hove Licensing Unit  
Hove Police Station  
Holland Road  
Hove, East Sussex  
BN3 1JY

Tel: 01273 66 55 23  
Fax: 01273 66 55 24

28<sup>th</sup> July 2009

Licensing Technical Support Officers  
Environmental Health and Licensing  
Brighton and Hove City Council  
Bartholomews House  
Bartholomews Square  
Brighton  
BN1 1JP



Dear Sirs,

**Re: Change to the review paperwork of One Stop, 59A London Road, Brighton**

On the 16<sup>th</sup> July 2009 Sussex Police submitted a premises licence review application in respect of the above premises.

Included in the review application is the following paragraph:

'On the 8<sup>th</sup> June 2009 Police Licensing received an application to transfer the premises licence and change the DPS. After further enquiries it transpired that the person named as the new Premises Licence Holder, Mr Veeranjanyulu Boddulri would be in violation of the terms and conditions of his personal work visa under section 24 of the Immigration Act 1971. Furthermore Mr Boddulri's wife, Mrs Madhvilata Bodduluri who is the proposed DPS would also be violating the same work Visa under Section 24 of the Immigration Act 1971.

This information further emphasises the serious concerns of Sussex Police about the current management of the premises based on the recent transfer/DPS application.'

Following further legal advice post submission of the representation, I write to confirm that the above paragraphs only should be withdrawn from the review application.

Yours sincerely,



Becky Walls  
Police Licensing Officer  
Licensing Unit  
Hove Police Station

cc: Mr Veeranjanyulu Bodduri  
Mrs Madhavalata Bodduri

