

## Licensing Panel

Thursday, 18 December 2008

11.30am

### Present:

Cllr William Dyke (Chairman)

Cllrs: Greta Goatley  
John Loughlin

Christina Hills	Senior Licensing Officer
Martin Goodman	Corporate Lawyer
Doug Finch	Scrutiny Officer
Nick Channon	Committee Services Officer
Rhian Llewelyn	Trainee Solicitor
Richard Strawson	Area Manager, Kent County Trading Standards
Oliver Jewell	Kent Trading Standards
Paul Dimont	Liquor Licensing Officer (Kent Police)

**Note:** The Licence holder did not attend the hearing and the Panel resolved to proceed in his absence.

### 1. Declarations of Interest

No declarations were made.

### 2. Valley Wine & Groceries, Valley Drive, Gravesend

The Panel considered an application by Kent County Council Trading Standards for the review of a premises Licence granted under the Licensing Act 2003 in respect of Valley Wine and Groceries, 11, Valley Drive, Gravesend - ref GM/PRE/05060068.

The grounds for applying for the review were in order to address the licensing objective "Protection of Children from Harm" and related to a positive test purchase operation carried out at the premises, where a sale of alcohol was made to a 15 year old volunteer acting on behalf of Trading Standards.

The applicant requested that the following conditions be added to the Premises Licence:

1. Mr Atim (or another person holding a Personal Licence) should at all times be in the shop floor area to personally supervise age restricted sales. If no personal licence holder is available to personally oversee a sale of alcohol then a sale of alcohol cannot be made.

2. A Challenge 21 policy, where all potential purchasers believed to appear to be under 21 should produce acceptable proof of age, should be publicised in store with use of sufficient notices for all potential purchasers to be aware of the policy and this policy should be adhered to in all instances.
3. A refusals register is to be completed every time a refusal is made to someone because they appear to be under 21 in a format agreed by Kent Trading Standards.
4. The refusals register should be checked and reviewed weekly by the Designated Premises Supervisor and a signature applied to the book to verify this.
5. There should be a written training procedure proportionate to the size of the business and number of staff with signatures gained from each member of staff to confirm they have been trained in relation to sales of age restricted goods. This training should include (but not be limited to):-
  - making all staff fully aware of a Challenge 21 policy;
  - training all staff on the use of a refusals register as described in point 3.
6. Forms of identification which are acceptable as 'proof of age' must be limited to a passport, full driving licence (with photo – not paper copy or provisional) or "Pass approved" proof of age card.
7. CCTV should be made available to view to any officer of Kent Police or Kent Trading Standards on demand and if requested a copy should be produced within 48 hours.

### **3. Determination**

Having considered all the written and oral representations, the Secretary of State's guidance and the Council's adopted licensing policy, the Panel decided that it was necessary to impose the conditions requested by the Applicant and to suspend the licence for 28 days. The Panel also considered it necessary to impose a further condition that before any further licensable activities took place the Designated Premises Supervisor should achieve a BII level 2 qualification for personal licence holders under the Licensing Act 2003

### **Close of meeting**

The meeting ended at 12.30 pm.