

# Cheltenham Borough Council

## Licensing Sub Committee-Alcohol and Gambling

**Meeting date:** 27 March 2025

**Meeting time:** 3.00 pm

**Meeting venue:** Council Chamber - Municipal Offices

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### **Membership:**

Councillor Dilys Barrell, Councillor Steve Harvey and Councillor Dr David Willingham

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**Please note:** the deadline to register to speak is 5.00pm on the day before the meeting.

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**Contact:** [democraticservices@cheltenham.gov.uk](mailto:democraticservices@cheltenham.gov.uk)

**Phone:** 01242 264 130

# Agenda

**1 Election of Chair**

**2 Apologies**

**3 Declarations of interest**

**4 Licensing Act 2003: Determination of Application for Review of a Premises Licence (Pages 3 - 52)**

Bargain Booze Select Convenience, 216 - 218 Hewlett Road, Cheltenham, GL52 6UJ

Report of the Licensing and Public Protection Manager

**5 Any other items the Chairman determines to be urgent and which requires a decision**

## Cheltenham Borough Council

### Licensing Sub Committee – 27 March 2025

#### Licensing Act 2003: Determination of Application for Review of a Premises Licence

**Bargain Booze Select Convenience, 216 - 218 Hewlett Road,  
Cheltenham, GL52 6UJ**

#### Report of the Licensing and Public Protection Manager

##### 1. Introduction

- 1.1 Under section 51 of the Licensing Act 2003, at any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter, or matters, arising at the premises in connection with any of the four licensing objectives.
- 1.2 In this case, an application for a review of the premises licence was submitted by Gloucestershire Constabulary on 3 February 2025 in relation to Bargain Booze Select Convenience, 216 - 218 Hewlett Road, Cheltenham, GL52 6UJ.
- 1.3 The ground for the review can be summarised as follows:

##### ***The Prevention of crime and disorder and the Protection of Children from Harm***

*The premises, Bargain Booze on Hewlett Road, Cheltenham, was subjected to a review initiated by Gloucestershire Constabulary on the grounds of persistently selling alcohol to children. The hearing took place on 4th September 2024.*

*The outcome of the hearing was as follows:*

1. *The immediate removal of the current Designated Premises Supervisor (DPS).*
2. *Suspension of the premises licence for a minimum period of four weeks to allow for the appointment of a new DPS. This suspension could be extended to a maximum of three months to ensure sufficient time for the nomination of a new DPS.*
3. *Imposition of new conditions on the premises licence, as detailed in Appendix 1 of this decision notice.*

*Since 4th November 2024, the premises has been selling alcohol without a DPS in place, up to 23rd January 2025. This is in breach of the mandatory condition of their premises licence and fails to comply with point 2 of the hearing outcome as determined by the sub-committee.*

*Additional grounds supporting this second review application are provided below to assist the Committee in its considerations.*

*This second review application pertains to the sale of alcohol being conducted otherwise than under and in accordance with an authorisation.*

*The licensee for Bargain Booze is MRS DALWINDER KAUR.*

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## Evidence:

- **23rd January 2025:** PC 2309 Sansom attended Bargain Booze, Hewlett Road, Cheltenham, and observed the store was open with alcohol visibly on display for sale. There was no Designated Premises Supervisor (DPS) in place, and Part B of the premises licence was neither displayed nor available for production. While I was in situ, customers were coming in attempting to buy alcohol and I provided advice that alcohol cannot be sold at this time to the licensee and her daughter, they adhered to this advice.
  - An MG11 Police Statement was completed, detailing the visit and the conversations that occurred (see Appendix 1).
- **23rd January 2025:** A till receipt was obtained, confirming alcohol sales were taking place (see Appendix 2).
- **23rd January 2025:** Six photographs were taken on-site, showing alcohol on display for sale (see Appendices 3–8).
- **23rd January 2025:** Notes were recorded in my Police Pocket Notebook (PNB) at the time of the visit (see Appendix 9).
- **27th January 2025:** An email was sent to the licensee, Mrs. Dalwinder Kaur, requesting evidence that the premises had complied with the premises licence conditions set during the last hearing, specifically regarding staff completing an online training course. No reply was received. (see Appendix 10).

Licensable activities, specifically the sale of alcohol, have been conducted from 4th November 2024 to 23rd January 2025 without a Designated Premises Supervisor (DPS) in place. The licensee has once again disregarded the importance of adhering to the premises licence and legal compliance.

Since the review hearing on 4th September 2024, no contact has been made with the police licensing officer or, to my knowledge, the local authority licensing team by any representative of Bargain Booze seeking advice or guidance.

At the September hearing, a condition was added to the premises licence stating:

*"Any staff member involved in the sale of alcohol or age-restricted products must complete an online training course for age-related product sales. The course must produce a certificate of completion upon passing the online test. It must be endorsed by the BIIAB (British Institute of Innkeeping Awarding Body) and refreshed every 12 months."*

To date, no evidence has been provided to confirm this condition has been implemented, despite an email sent to the licensee, Mrs. Dalwinder Kaur, on 27th January 2025, requesting proof of compliance.

At the previous hearing, the police made it clear that should the Premises Licence Holder (PLH) fail to learn from that review, the police would seek a revocation of the premises licence in the future.

This submission and appended documents provide the licensing sub-committee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the premises licence.

- 1.4 Further grounds supporting this review application can be found in the appendices accompanying the application for the review (attached at **Appendix 1** of this report).

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- 1.5 An application to appoint a new Designated Premises Supervisor (DPS) was made following PC Sansom's visit on 23 January 2025.
- 1.6 A copy of the existing premises licence is attached at **Appendix 2**.
- 1.7 No action with regards to the breach of the mandatory conditions has been carried out by the licensing authority as the matter has been referred to the licensing sub committee by way of the review application made by Gloucestershire Constabulary.

## 1.6 Implications

1.6.1 Legal	<p>The legal background is contained within the body of the report.</p> <p>The subcommittee must, having regard to the application for a review and any relevant representations, take such of the steps (if any) mentioned in paragraph 5.18 of the report as it considers appropriate for the promotion of the licensing objectives.</p> <p>The decision of the sub committee can be subject to an appeal to the Magistrates' Court within 21 days of its decision.</p> <p><b>One Legal</b> E-mail: <a href="mailto:legalservices@onelegal.org.uk">legalservices@onelegal.org.uk</a></p>
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## 2. Application (Ref. 25/00368/PRMR)

- 2.1 Applicant: Gloucestershire Constabulary
- 2.2 Premises: Bargain Booze Select Convenience, 216 - 218 Hewlett Road, Cheltenham, GL52 6UJ

## 3. Other Representations

- 3.1 Following an application for a premises licence review, the licensing authority is required to undertake a 28 day consultation period with responsible authorities or any other persons.
- 3.2 No other representations were received.

## 4. Local Policy (December 2020)

- 4.1 The objective of this policy is to:
  - a) promote the four licensing objectives;
  - b) ensure that the premises are appropriate for their proposed use;
  - c) ensure the premises layout and condition is acceptable for the proposed use;
  - d) ensure that the premises are being managed responsibly; and
  - e) promote the policy vision statement.
- 4.2 In determining a licensing application, the overriding principle adopted by the authority will be that each application is determined on its merits. Licence conditions will be tailored to the individual application and only those necessary to promote the licensing objectives will be imposed.
- 4.3 The authority will also have regard to wider considerations affecting the residential population and the amenity of the area. These include littering, noise, street crime and the capacity of the infrastructure.

- 4.4 Each of the four objectives is of equal importance and will be considered in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business has on the vicinity.

### **Prevention of Crime and Disorder**

- 4.5 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in promoting this objective.
- 4.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

### **Considerations**

- 4.7 When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact on crime and disorder have been considered. These factors may include:
- a) Underage drinking;
  - b) Drunkenness on premises;
  - c) Public drunkenness;
  - d) Drugs;
  - e) Violent behaviour; and/or
  - f) Anti-social behaviour.
- 4.8 In making their decision, regard should be given to the levels of crime and disorder in and around the venue, the level of compliance with conditions on existing licences and any available evidence on crime and disorder issues.
- 4.9 Applicants are recommended to consult the Reducing Alcohol Related Violence Codes of Practice when considering their operating schedule.
- 4.10 A pool of model conditions has been prepared and individuals preparing operating schedules are at liberty to use these conditions, or volunteer any other measures(s) to promote the licensing objectives. Please see Appendix C for the pool of model conditions for the prevention of crime and disorder.

### **Protection of Children from Harm**

- 4.11 The authority needs to satisfy itself that there are appropriate measures in place to protect children from harm.
- 4.12 To this extend it will expect applicants, where necessary, to consider the measures necessary to promote the licensing objective of protecting children from harm when on the premises.
- 4.13 These measures may include staff training on how to control the entry of children and young people under 18 and the vetting of staff who will supervise them. Applicants will have to give particular regard to these measures in applications for licences involving:
- a) the sale of alcohol;

- b) children's performances; and
- c) attractions or performances likely to attract children.

4.14 It is an offence to sell alcohol to children. In this context, children are defined as individuals under 18. The provisions of the Act are that unaccompanied children under 16 should not be on "premises being used exclusively or primarily for the supply of alcohol" (eg "alcohol led" premises such as pubs, bars and nightclubs). In addition, it is an offence to allow unaccompanied children under 16 on premises licensed to sell alcohol for consumption on the premises after midnight but before 05:00.

4.15 Issues for consideration include:

- a) installing effective measures to check the age of those young people who appear under 21 to ensure that alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises;
- b) exclusive or primary purpose of the services provided at the premises;
- c) accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises are taking a table meal or are being entertained by a live performance;
- d) the hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises;
- e) due regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks;
- f) are there adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult;
- g) the likelihood of children being attracted to the premises by the nature of activities or facilities provided whether or not these are licensed;
- h) is there evidence of heavy, binge or underage drinking on the premises;
- i) if the premises commonly provides entertainment or services of an adult or sexual nature;
- j) is there a strong element of gambling on the premises;
- k) age restricted films are to be shown classified in accordance with the recommendations of the British Board of Film Classification;
- l) the number of adults required for the supervision of children and the suitability and vetting of those adults to ensure they pose no risk to children.

## 5. National Statutory Guidance (February 2025)

- 5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.
- 5.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 5.3 The licensing objectives are:
- a) The prevention of crime and disorder;
  - b) Public safety;
  - c) The prevention of public nuisance; and
  - d) The protection of children from harm.
- 5.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

### **Prevention of crime and disorder**

- 5.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

### **Protection of children from harm**

- 5.6 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 5.7 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered.
- 5.8 Licensing authorities should give considerable weight to representations about child protection matters.

### **Offences relating to the sale and supply of alcohol to children**

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5.9 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

### **Reviews (section 51 and 52)**

- 5.10 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 5.11 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 5.12 Responsible authorities and other persons may make representations in respect of an application to review a premises licence or club premises certificate. They must be relevant (i.e., relate to one or more of the licensing objectives) and, in the case of other persons, must not be frivolous or vexatious. Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right.
- 5.13 Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 5.14 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation.
- 5.15 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 5.16 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 5.17 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 5.18 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

5.19 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

5.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

5.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

5.22 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

## 6. Licensing Comments

- 6.1 The committee must determine this application with the view of promoting the licensing objectives. Members can do whatever you consider appropriate for the promotion of the licensing objectives, noting that each objective is of equal importance.
- 6.2 The committee is also required to have due regard to the statutory guidance issued under s.182 of the Licensing Act 2003 and the authority's Licensing Policy Statement – relevant extracts of both referred to above.
- 6.3 With this in mind, and taking into account this report and the evidence it hears, the committee can resolve to:
- modify the conditions of the premises licence;
  - exclude a licensable activity from the scope of the licence;
  - remove the designated premises supervisor;

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- suspend the licence for a period not exceeding three months; or
- revoke the licence.

6.4 In considering this case, officers make the following comments:

- a) Whilst all four licensing objectives are of equal importance, the objectives relevant to this application is the prevention of crime and disorder and the protection of children from harm.
- b) As outlined in the review application, the police attempted to engage with the premises licence holder in order to address the concerns prior to making the initial application to review the premises licence. The premises licence holder did not engage with the police which has left the police with no confidence in the premises licence holder's ability to run a safe premises. Members are to note that – at 5.14 above – the statutory guidance considers this an aggravating factor and that licensing authorities should take the lack of engagement into account when considering what further action is appropriate.
- c) Following the review hearing, no application was made to appoint a new DPS until the police visited the premises on 23 January 2025. This adds further concerns that the premises licence holder does not understand their responsibilities under the Licensing Act 2003. No premises licence was on display which is an offence under S.57 of the Licensing Act 2003.
- d) Linked to the above, whilst the committee has the discretion to impose or vary the premises licence's conditions, if there is an issue with confidence in the premises licence holder's ability to operate the premises responsibly, new or varied conditions may not be an effective means to promote the licensing objectives.
- e) For reference, the DPS is the key person who will be responsible for the day-to-day management of the premises by the premises licence holder including upholding the licensing objectives. DPS' are required to pass a level 2 qualification (Level 2 Award for Personal Licence Holders). Topics covered include:
  - legal duties as a personal licence holder
  - the roles, responsibilities and functions of licensing authorities
  - the licensing objectives and why they're so important
  - how the nature and strength of alcohol can affect your customers
  - the law relating to protecting children on a licensed premises

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## Background Papers

## Service Records

[Licensing sub committee 4 September 2024](#)

[S.182 Guidance issued under the Licensing Act 2003](#)

[CBC's Statement of Licensing Policy](#)

## Report Author

**Contact officer:** Michelle Bignell  
**E-mail:** [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)  
**Tel no:** 01242 264135



Cheltenham Borough Council Licensing Authority  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

**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 Gloucestershire 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**

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

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

BARGAIN BOOZE SELECT CONVENIENCE  
216-218 HEWLETT ROAD

**Post town** Cheltenham

**Post code (if known)** GL52 6UJ

**Name of premises licence holder or club holding club premises certificate (if known)**  
DALWINDER KAUR

**Number of premises licence or club premises certificate (if known)**  
25/00289/PRMVPS

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible  
authority (please read guidance note 1, and complete (A)  
or (B) below)

☐

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 ✓ yes

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 2309 Jeremy Sansom (PALO) on behalf of Gloucestershire Constabulary  
1 Waterwells  
Waterwells Business Park  
Waterwells Dr  
Gloucester  
GL2 2AN

Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

☒☐☐☒

**Please state the ground(s) for review** (please read guidance note 2)

Grounds for review:

The premises, Bargain Booze on Hewlett Road, Cheltenham, was subjected to a review initiated by Gloucestershire Constabulary on the grounds of persistently selling alcohol to children. The hearing took place on 4th September 2024.

The outcome of the hearing was as follows:

1. The immediate removal of the current Designated Premises Supervisor (DPS).
2. Suspension of the premises licence for a minimum period of four weeks to allow for the appointment of a new DPS. This suspension could be extended to a maximum of three months to ensure sufficient time for the nomination of a new DPS.
3. Imposition of new conditions on the premises licence, as detailed in Appendix 1 of this decision notice.

Since 4th November 2024, the premises has been selling alcohol without a DPS in place, up to 23rd January 2025. This is in breach of the mandatory condition of their premises licence and fails to comply with point 2 of the hearing outcome as determined by the sub-committee.

Additional grounds supporting this second review application are provided below to assist the Committee in its considerations.

**Please provide as much information as possible to support the application** (please read guidance note 3)

This second review application pertains to the sale of alcohol being conducted otherwise than under and in accordance with an authorisation.

The licensee for Bargain Booze is MRS DALWINDER KAUR.

**Evidence:**

- **23rd January 2025:** PC 2309 Sansom attended Bargain Booze, Hewlett Road, Cheltenham, and observed the store was open with alcohol visibly on display for sale. There was no Designated Premises Supervisor (DPS) in place, and Part B of the premises licence was neither displayed nor available for production. While I was in situ, customers were coming in attempting to buy alcohol and I provided advice that alcohol cannot be sold at this time to the licensee and her daughter, they adhered to this advice.
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- **27th January 2025:** An email was sent to the licensee, Mrs. Dalwinder Kaur, requesting evidence that the premises had complied with the premises licence conditions set during the last hearing, specifically regarding staff completing an online training course. No reply was received. (see Appendix 10).

\*\*\*\*\*

The following sections of the Revised Guidance issued under section 182 of the Licensing Act 2003 are relevant to this review application. The officer has highlighted the relevant wording in each section.

**Section 11.10** - 'Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. **A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review.** Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.'

**Section 11.17** - The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of

time. **It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.**

**Section 11.18** - 'However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, **licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.**

**Section 11.21** - For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

**Section 11.22** - '**Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented.** Indeed, where subsequent review hearings are generated, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

**Section 11.23** – 'Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. **But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.**

**Section 11.24** - 'Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. **The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.**

\*\*\*\*\*  
**Conclusion**

Licensable activities, specifically the sale of alcohol, have been conducted from 4th November 2024 to 23rd January 2025 without a Designated Premises Supervisor (DPS) in place. The licensee has once again disregarded the importance of adhering to the premises licence and legal compliance.

Since the review hearing on 4th September 2024, no contact has been made with the police licensing officer or, to my knowledge, the local authority licensing team by any representative of Bargain Booze seeking advice or guidance.

At the September hearing, a condition was added to the premises licence stating:

*"Any staff member involved in the sale of alcohol or age-restricted products must complete an online training course for age-related product sales. The course must produce a certificate of completion upon passing the online test. It must be endorsed by the BIIAB (British Institute of Innkeeping Awarding Body) and refreshed every 12 months."*

To date, no evidence has been provided to confirm this condition has been implemented, despite an email sent to the licensee, Mrs. Dalwinder Kaur, on 27th January 2025, requesting proof of compliance.

At the previous hearing, the police made it clear that should the Premises Licence Holder (PLH) fail to learn from that review, the police would seek a revocation of the premises licence in the future.

This submission and appended documents provide the licensing sub-committee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the premises licence.

---

### **Appendices**

**Appendix 1** – PC 2309 Sansom MG11: Police statement detailing visit

**Appendix 2** – Till receipt for alcohol sale

**Appendix 3** – Photograph showing alcohol on display for sale

**Appendix 4** – Photograph showing alcohol on display for sale

**Appendix 5** – Photograph showing alcohol on display for sale

**Appendix 6** – Photograph showing alcohol on display for sale

**Appendix 7** – Photograph showing alcohol on display for sale

**Appendix 8** – Photograph showing alcohol on display for sale

**Appendix 9** – PC 2309 Sansom: PNB entry

**Appendix 10** – Email from PC 239 Sansom to Dalwinder Kaur (Licensee) requesting evidence of staff training

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year
1	6	0
7	2	0
2	4	

**If you have made representations before relating to the premises please state what they were and when you made them**

Gloucestershire Constabulary requested a review of this premises licence on 16 July 2024. The original review was initiated on the grounds of the following Licensing Objective:

- **The Protection of Children from Harm**

The review also addressed the offence under:

- **Section 147A of the Licensing Act 2003 – Persistently selling alcohol to children**

**Details of the Original Review Request**

Between 4 April and 25 June 2024, this premises sold alcohol to a minor. The Designated Premises Supervisor (DPS) personally conducted one of the sales, and another member of staff failed a Test Purchase (TP) operation, selling alcohol to a 16-year-old tester.

Additionally, a 15-year-old boy was admitted to A&E after alcohol was sold to minors from this premises.

A hearing regarding this matter was subsequently held on 4 September 2024.

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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 31-01-25

.....

Capacity – Police Inspector

.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6) Gloucestershire Constabulary   Hucclecote Road   Hucclecote   Gloucestershire   GL3 3RT	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b> [REDACTED]	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> [REDACTED]	

**Notes for Guidance**

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





# CHEL TENHAM

## BOROUGH COUNCIL

### Licensing Act 2003

### Cheltenham Borough Council

**Premises Licence Number**

**25/00289/PRMVPS**

**Part 1 – Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Bargain Booze Select Convenience  
216 - 218 Hewlett Road  
Cheltenham  
Gloucestershire  
GL52 6UJ

**Telephone number** Not Applicable

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

Not Applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

Sale/Supply of Alcohol Every Day 06:00 - 23:00

**The opening hours of the premises**

Opening Hours Every Day 06:00 - 23:00

**Non Standard Timings**

Not Applicable

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

Off

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Mrs Dalwinder Kaur  
216 - 218 Hewlett Road  
Cheltenham  
Gloucestershire  
GL52 6UJ

Electronic Mail

Kaurdalwinder123@yahoo.com

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

Not Applicable

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mrs Navjinder Kaur



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Party Reference: 24/01926/PERA

Licensing Authority: Cheltenham Borough Council

**Signature of Issuing Officer**

A handwritten signature in black ink, appearing to read 'Louis Krog'.

Louis Krog  
Head of Public Protection

**Date of issue**

23 January 2025

**Annex 1 – Mandatory conditions**

Premises licensed for the sale of alcohol

**Condition 1**

(1) No retail sale 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.

(c) Every retail sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

(d) The other conditions are any conditions specified in an order under section 19A and applicable to the premises licence.

**Condition 2 - Irresponsible 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 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 that which carries 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;

(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 a disability).

**Condition 3 - Free tap water**

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

### Condition 4 - Age verification policy

- (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.

### Condition 5 - Availability of certain measures of alcohol

The responsible person must ensure that-

- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
  - (i) Beer or cider: ½ pint;
  - (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) Still wine in a glass: 125 ml; and
- (b) 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.

Conditions 1, 2 and 4 do not apply where the licence or certificate authorises the sale by retail or supply of alcohol only for consumption off the premises.

### Condition 6 - Minimum 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 3 above-
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula -  $P = D + (D \times V)$   
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) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

(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 subparagraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) 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. 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.

#### Premises licensed to show films

##### Exhibition of films:-

(a) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with the following paragraphs.

(b) Where the film classification body is specified in the licence, unless paragraph c below applies, admission of children must be restricted in accordance with any recommendation by that body:

(c) Where,

- (i) the film classification is not specified in the licence, or
- (ii) the Licensing Authority has notified the holder of the licence that this paragraph applies to the film in question, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

(d) In this section:- "children" means persons aged under 18; and "film classification body" 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).

#### Premises which have door supervision requirements

This applies to all premises except theatres, cinemas, bingo halls and casinos.

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

(2) But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

(3) For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

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

(1) Not Applicable

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

#### Prevention of Crime and Disorder

1. The CCTV system at the premises shall be maintained in working condition and shall record 24 hours every day. Recordings shall be retained for a minimum of 31 days and shall be made available to Police or Local Authority officers upon request and shall be capable of identification and of evidential quality in any light conditions.

2. The equipment MUST have a digital data export method for either DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturers proprietary), then the licence holder shall within 7 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer. Copies shall be made available to the police and officers of the Council upon request.

3. Staff working at the premises shall be trained in the use of the equipment and a log will be kept verifying this. At least one member of staff, so trained, shall always be present at the premises when it is open for licensable activities.

4. Cameras on the entrances must capture full frame shots of the heads and shoulders of ALL people entering the premises, i.e. capable of identification and of evidential quality in any light conditions.

5. There shall be signs displayed in the customer area to advise that CCTV is in operation.

6. Should the CCTV become non-functional, the premises must immediately cease sales of all alcohol until such a time as the CCTV is fully functional and operation again.

7. CCTV cameras shall monitor all areas of the premises used by customers and the area immediately outside the premises to monitor numbers and prevent crime and disorder.

8. Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available upon request by an authorised officer of the Licensing Authority or the Police.

9. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

10. The Premises Licence Holder shall ensure that an "Incident report register" is kept in which full details of all incidents are recorded. This 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 time and date when the report was completed, and by whom, is to form part of the entry. The register shall be always kept on the premises and shall be produced to an authorised officer of the Licensing Authority or the Police upon request.

11. All staff to be trained every 3 months in relation to be licensing objectives and making sure they are promoted properly. A training log will be maintained logging the names of staff members who have undertaken the training, date of the training.

#### Prevention of Public Nuisance

1. A clear notice shall be displayed at every exit from the premises to request customers to respect the needs of residents and leave the premises and the area quietly.

2. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

#### Protection Of Children From Harm

1. The Licensee shall adopt a "Challenge 25" policy, where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products, shall be asked for proof of their age. The Licensee shall prominently display notices advising customers of the "Challenge 25" policy.

The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport

#### 2. Staff Competence and Training:

- The Licensee shall keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, upon request.
- Any staff member concerned in the sale of alcohol or age-related products will take an online training course for age related product sales which produces a certificate of completion at the end of the course once the online test has been passed. This course must be endorsed by the BIIAB (British Institute of Innkeeping Awarding Body) and refreshed every 12 months.
- The Licensee shall ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.
- The Licensee shall ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

#### 3. Refusals Book:

- The licensee shall keep a register of refusals and age-related challenges for sales of all age-restricted products (Refusals Book).
- The refusals book shall contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the salesperson refusing the sale.
- The Refusals book shall be examined on a regular basis by the Licensee, or a person nominated by the Licensee, and the date and time of each examination shall be endorsed in the book.
- The Refusals Book shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, upon request.

**Annex 4 – Plans**

- 1 See attached plan dated 17.03.09 & date stamped 24.04.09



**CHEL TENHAM**  
BOROUGH COUNCIL  
**Licensing Act 2003**  
**Premises Licence Summary**

<b>Premises Licence Number</b>	25/00289/PRMVPS
--------------------------------	-----------------

**Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>	
Bargain Booze Select Convenience 216 - 218 Hewlett Road Cheltenham Gloucestershire GL52 6UJ	
<b>Telephone number</b>	Not Applicable

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities</b>		
Sale/Supply of Alcohol	Every Day	06:00 - 23:00

<b>Non Standard Timings</b>
Not Applicable

<b>The opening hours of the premises</b>		
Opening Hours	Every Day	06:00 - 23:00

<b>Where the licence authorises supplies of alcohol whether these are on and / or off supplies</b>
Off

<b>Name, (registered) address of holder of premises licence</b>
Mrs Dalwinder Kaur 216 - 218 Hewlett Road Cheltenham Gloucestershire GL52 6UJ

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
Not Applicable

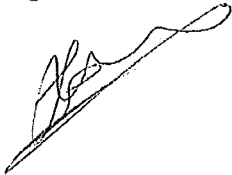
**Name, designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mrs Navjinder Kaur

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

Not Restricted

**Signature of Issuing Officer**



Louis Krog  
Head of Public Protection

**Date of issue**

23 January 2025

## Witness Statement

Page 1 of 2

Statement of PC 2309 SANSOM

## WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**URN 

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Statement of: **PC 2309 Jeremy Sansom**Age if under 18: **OVER 18**Occupation: **Police Constable**

This statement (consisting of **2** 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:  (witness) Date: **28-01-25**

I am the above named Police Constable currently employed by Gloucestershire Constabulary. My current role within the police is that of the Police Licensing Officer and I cover the areas of Cheltenham and Tewkesbury. I am currently based at based at Hucclecote Police Station in Gloucester.

On Thursday 23<sup>rd</sup> January 2025 I was on duty, my working shift being 08:00hrs concluding at 16:00HRS.

On the above date at about 12:10 PM I attended Bargain Booze, Hewlett Road, Cheltenham and upon entering the premises I could see the store was open, with numerous aisles of alcohol on display for sale.

I started to take some pictures on my police mobile device and after a few minutes I saw Mrs. Dalwinder Kaur, upon seeing me she immediately recognised me and said;

“ HELLO, HOW ARE YOU “

We spoke for a few moments and I asked MRS Kaur when they started selling alcohol as I did not believe they should be selling any as they had no Designated Premises Supervisor (DPS) in place, and had not had a DPS since the hearing back in September. MRS Kaur stated that they had the new licence and they were told they could sell alcohol by their uncle who had represented them and she believed they opened back up with sales of alcohol around November time.

At this point I asked to see the premises licence and the part B showing who the new DPS was.

MRS Kaur started to look through her paperwork behind the till, and produced a document to me of her daughter's personal licence course pass certificate. I explained this was not the premises licence and I again explained what the premises licence is. MRS Kaur did not seem to understand what was required of her.

I explained that they are required to apply for a change of DPS through the Local Authority (LA) Licensing Team in Cheltenham and needed to make payment so a new premises licence could be issued in the new DPS name and this needed to be actioned prior to any alcohol being sold. I explained this had not taken place as any change of DPS is sent to me, and while in situ, I contacted Michelle Bignell, the Licensing manager at Cheltenham Borough Council (CBC) who confirmed no variation to the DPS had been applied for and therefore the premises was in breach of their premises licence.

MRS KAUR contacted her daughter who arrived in the store at 12:20PM. Her daughter MRS Navjinder Kaur also reiterated what her mother had explained to me and Navjinder said her uncle had sorted everything out and gave them the go ahead to start selling alcohol on 4<sup>th</sup> November 2024.

Signature: 

Signature Witnessed by: \_\_\_\_\_

## Witness Statement

Page 2 of 2

Statement of PC 2309 SANSOM

Navjinder called her uncle on the phone and then asked me to speak with him I believe his name is Mr Surendra Panchal. On the call Mr. Panchal tried to say he had submitted the application months ago and would go through his paperwork. I asked for him to email me evidence that the change of DPS application had been applied for and who it had been sent to. This was not forthcoming.

Both Navjinder and Dalwinder were adamant their solicitor had sorted it. I explained that it's also the licence holder's responsibility to ensure the premises is complying with their licence requirements prior to any licensable activities taking place. I also explained that I didn't believe the change of DPS had been applied for and I explained I would attend CBC and ask for one of the team to make contact with Navjinder and that they must not sell any more alcohol until the local authority have emailed them confirming they can.

I asked MRS Dalwinder Kaur to print me a receipt showing the last alcohol sale they made. I have produced this as my evidence at the end of this statement.

Rather than removing all the alcohol from the display, Navjinder decided to lock the store until the LA had spoken with her and confirmed they can sell alcohol again.

I arrived at the CBC Licensing office at approximately 14:50hrs where I was informed a new change of DPS application had been submitted and paid for on this day.

The photos I took inside the premises on my police mobile device I produce as my exhibits as follows:

- 2309/JS01 – Left aisle of alcohol
- 2309/JS02 – Close up of left aisle
- 2309/JS03 – Middle section of alcohol
- 2309/JS04 – Right aisle of alcohol
- 2309/JS05 – Boxes of alcohol by till and spirits behind counter
- 2309/JS06 – Shopping trolley with £1 single cans and bottles of alcohol for sale.

I also produce the receipt showing the sale of alcohol as my exhibit 2309/JS07 – Receipt.

Signature:



Signature Witnessed by:

02/2014

OFFICIAL (when complete)

**BARGAIN BOOZE**  
**Cheltenham**

QTY	DESC	TOTAL
1	Alcohol	£7.99
1	Alcohol	£7.99
Sub Total:		£15.98
Cash		£10.00
Cash		£5.98
Change Due:		£0.00

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Site: 31101273 TID:31264017  
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£3.99  
This product contains nicotine which is a highly addictive substance

**Premium Vape Pod**  
£1.99  
This product contains nicotine which is a highly addictive substance

**Juice**  
£2.99  
This product contains nicotine which is a highly addictive substance

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£2.99  
This product contains nicotine which is a highly addictive substance

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£2.99  
This product contains nicotine which is a highly addictive substance

**Juice**  
£2.99  
This product contains nicotine which is a highly addictive substance

**Juice**  
£2.99  
This product contains nicotine which is a highly addictive substance

£1.00  
For bottles  
in trolley ->

PLEASE DO NOT LEAVE CHILD UNATTENDED

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**Text Entry: Bargain Booze Hewlett Road Visit**

Creation date/time of entry	23-01-2025 12:21
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**Incident Details**

Is this document related to an incident?	No	
Officer	Surname	Sansom
	Forename	Jeremy
	Collar number	252309
	Rank	PC
	Station	
<p>PC 2309 Sansom attended Bargain Booze on Hewlett Road in Cheltenham and on entry to the store I could see the store was open with alcohol on show for sale.</p> <p>I spoke to Mrs Darlwinder Kaur who explained they shut for 1 month following the Licensing Review hearing and then re-opened selling alcohol on the 4th of November.</p> <p>Mrs Kaur daughter then arrived in store at 12:20PM who at the hearing stated she would be the new DPS once she had taken her personal licence exam.</p> <p>They both stated they spoke with their solicitor who informed them that as Navjinder Kaur had passed her exam and had her exam pass certificate they could start selling alcohol.</p> <p>I explained that they are required to apply for a change of DPS and needed to make payment so a new licence could be issued in the new DPS name before any alcohol is sold and that this has not taken place. Both Navjinder and Dalwinder thought their solicitor had sorted it. I explained that it's also the premises licence holder's responsibility to ensure licensable activities take place under an authorisation and no more alcohol was to be sold. Navjinder [REDACTED]</p>		
Crime Number		

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**Sansom, Jeremy**

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**From:** Sansom, Jeremy  
**Sent:** 27 January 2025 15:32  
**To:** [REDACTED]  
**Subject:** Bargain Booze, Hewlett Road  
  
**Importance:** High  
  
**Categories:** Egress Switch: Unclassified

Good afternoon Mrs Kaur,

Following my visit on Thursday 23<sup>rd</sup> January 2025, could I ask you to confirm that any staff member working in the store selling alcohol or any age related product has completed the online training course in regards to age related product sales (BIIAB endorsed) please.

Could you send me a copy of the certificate showing the completion date for each staff member as well please.

Kind Regards  
Jeremy

**Jeremy Sansom**  
**Police Constable 2309**  
**Cheltenham & Tewkesbury Liquor Licensing Officer**  
Crime Prevention Team  
Gloucestershire Constabulary  
Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT  
Mobile - 07966 882823 | Licensing Team 01452 904482 | Direct Ext 01452 907731  
[www.gloucestershire.police.uk](http://www.gloucestershire.police.uk) | [Twitter page](#) | [Facebook page](#)



We are committed to being an anti-discriminatory organisation. This means not only acting in a non-discriminatory way, but addressing systemic inequalities, disadvantage and discrimination.

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