

Public Document Pack

JOHN WARD
Head of Finance and Governance Services

Contact:

East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
Tel: 01243 785166
www.chichester.gov.uk



A meeting of **Alcohol and Entertainment Licensing Sub-Committee** will be held in Committee Room 1, East Pallant House on **Thursday 26 January 2023 at 9.30 am**

MEMBERS: Mr A Moss, Mr H Potter and Mrs S Taylor

SUPPLEMENT TO AGENDA

Part 1

3 **Licensing Hearings** (Pages 1 - 2)
Review of a Premises Licence

Selsey Convenience Store (formerly known as 'The Rock Shop'), 143 High Street, Selsey, Chichester, West Sussex, PO20 0QB

Mr Sanjaykumar Natvarbhai Patel - Witness Statement

- (a) Chair opens the Hearing.
- (b) Items arising from Regulation 6 Notice (Notice of Hearing).
- (c) Notice of any representations withdrawn.
- (d) The procedure will then follow the Sub-Committee protocol and procedure note attached

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IN THE MATTER OF A REVIEW OF PREMISES LICENCE 22/02411/LAPREM

STATEMENT OF MR SANJAYKUMAR PATEL (Mr PATEL)

I Sanjaykumar Patel (Mr Patel) of [REDACTED] will say:-

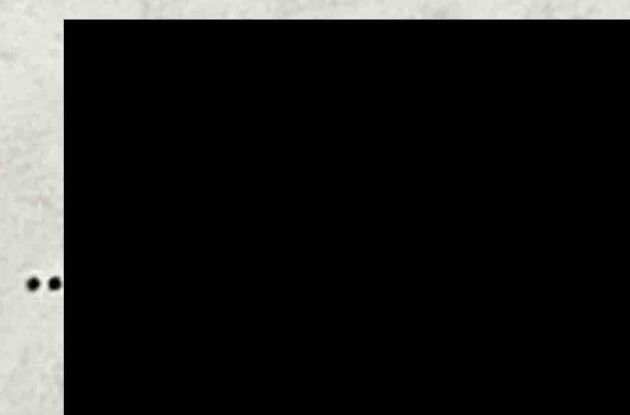
1. I make this statement on behalf of Nick Retail Limited (of which my wife is the sole director), the Premises Licence holder of the premises situated at 143 High Street Selsey PO20 0QB (the Premises) and on my own behalf as the Designated Premises Supervisor at those premises.
2. I am 41 years of age, married with one son, and my wife and I have over the years built up a business running 4 shops. Each of those businesses has a Premises Licence and none has been the subject of a review, nor have either of us been prosecuted or threatened with the possibility of prosecution.
3. Nick Retail took over the premises in February 2018. Mr David Nolan commenced employment with me in February 2022 when I can see from my records he received full training which was renewed on the 11.09.22. That training was as per the documentation shown to Trading Standards, a copy of which I will have available at the hearing.
4. As to the Notice of Application for a Review of the Premises Licence:
5. I will bring to the hearing a copy of my refusals register from April 2020 to October 2022. This records 59 refusals including 14 by Mr Nolan. Please note in particular the entries for the 23.08.22. As per the letter from Laura Saunders of Trading Standards dated 22.10.22, which raises the test purchase on the 23.08.22 at 11.50 from Mr Nolan, there was a refusal by him at 13.58 the same day. Please note the refusals by Mr Nolan before and after that date in August. I spoke to Mr Nolan after the incident on the 23.08.22 and, in particular because of his previous record of refusals, I accepted his reasons for his lapse on this occasion.
6. As to the incident report on the 17.10.21 please note that Trading Standards had on the 14.09.21 written to Nick Retail commending it on a refusal to sell alcohol (as a test purchase) to a volunteer under the age of 18, earlier in the month. Without in any way wishing to minimise the seriousness of the supply of alcohol to a 15 year old, it is noteworthy that she was challenged and produced the ID of her sister. I cannot comment on the age appearance of the child or the likeness to her sister, but the refusals register shows several refusals in that year many entries referring to refusals indicating visual youthfulness and one ironically recording one looking very young but turning out to be 21.
7. As to the reference on the 20th October 2021 to the sale of goods not bearing information in English, Mr Patel received an email on the 10.11.21 from Jo Walden (Trading Standards) stating "I can see you have made some good efforts to become compliant, and thank you for confirming that you will not stock any products which are not labelled in English from now on".
8. Reference is made to an alleged incident on the 23.11.22 at premises in Bersted, in the area covered by Arun District Council. I have not had any contact with that authority in connection with this matter and so far as I am aware, for whatever reason, it would seem no action is to be taken. If reliance were intended to be placed on that incident in these proceedings I

respectfully contend further information that enabled me to respond should have been provided.

9. As to the representation of the Police in its letter of the 9th January 2023:
10. Save for the following general comments I need only say that I believe I have dealt with the majority of the issues above, and to those made by WSCC. As to the suggested amendments to the Licence Conditions I have no objection.
11. Generally:
12. In connection with all the premises with which I am involved I take very seriously the comments of all the Authorities and have on each occasion offered full access to all my paperwork and I hope have dealt with each and every incident brought to my attention.
13. As a parent myself I recognise the importance of protecting children from harm in all circumstances including where they knowingly seek to deceive me or my staff with false identification.
14. I do not accept, and I think my refusals register bears this out, that the premises are a 'soft touch'. Indeed I think many other outlets in the area would agree that there are some youths bent upon fooling shopkeepers into breaking the law, and that the help and guidance of the Authorities are to be welcomed in performing their duties.
15. This application has caused me much anxiety as a loss of the Premises Licence would be a most serious, if not fatal, outcome for the many years I have put in to create a future for my family.
16. I respectfully ask that the Licence is not rescinded or suspended and I can assure the Committee that the very fact I have had to undergo this process, and will have it on my record, will act as a most serious warning for the future.

Dated the 17th January 2023

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth



..... Sanjaykumar Patel