



PREMISES LICENCE

The Licensing Act 2003, Schedule 12, Part B

Premises Licence Number KS0800364

Part 1 – Premises Details

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

Shurlock Stores
38 Shurlock Avenue
Swanley
Kent. BR8 7ST

Telephone number 01732 525291

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

Times the licence authorises the carrying out of licensable activities

Supply of alcohol	
Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

The opening hours of the premises

Sunday	10:00 - 22:30
Monday to Saturday	08:00 - 23:00

The non-standard opening hours of the premises

None

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

Alcohol is supplied for consumption off the premises

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Licence issued by:
The Licensing Authority of Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks, Kent, TN13 1HG
Telephone number: 01732 227000

Part 2

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

Hiren Patel and Kishor Patel
 Shurlock Stores
 38 Shurlock Avenue
 Swanley
 Kent BR8 7ST

Business telephone number 01322 665103

Registered number of holder, for example company number, charity number (where applicable)**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Hiren Patel

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

Licence Number: KS0500897
 Licensing Authority: Sevenoaks District Council

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

None



Kristen Paterson
Community and Planning Services Director

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PREMISES LICENCE

The Licensing Act 2003, Schedule 12, Conditions

Premises Licence Number	KS0800364
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town & Post Code	
Shurlock Stores 38 Shurlock Avenue Swanley Kent. BR8 7ST	
Telephone number	01732 525291

Annex 1 – Mandatory conditions

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

Annex 2 – Embedded conditions

Permitted Hours (from original Justices Off Licence)

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- (b) On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- (c) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- (d) On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;

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- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 3 – Conditions consistent with the Operating Schedule

Not applicable

Annex 4 – Conditions attached after a hearing by the licensing authority

1. The Designated Premises Supervisor (or another person holding a Personal Licence) should at all times be in the shop floor area to personally supervise age restricted sales.
6. Forms of identification which are to be accepted as proof of age must be limited to a passport, driving licence (with photo) or pass approved proof of age card.
3. A refusals register is to be completed every time a refusal is made to someone because they appear under 21 in a format agreed by Kent Trading Standards.
4. The refusals register should be checked and reviewed weekly by the DPS 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 the staff to confirm they have been trained in relation to sales of age restricted goods. This training should include (but not limited to):
 - Making all staff fully aware of the Challenge 21 policy.
 - Training all staff on the use of a refusals register as described in point 3.
2. A Challenge 21 policy should be publicised in store with the use of sufficient notices for all potential purchasers to be aware of the policy and this policy should be adhered to in all instances.

Annex 5 – Plans

Please see attached

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Licence issued by:
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Telephone number: 01732 227000

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1







URN 46

Statement of: **Marcus Cameron**Age if under 18: **over 18** (if over 18 insert 'over 18') Occupation: **Police Constable**

This statement (consisting of _____ page 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:

Date: **19/10/2009**Tick if witness evidence is visually recorded (supply witness details on rear)

Since 28th March 2009 I have work for Kent Police as Swanley Town Neighbourhood Police Officer, the role involves policing the three wards within Swanley these are St Mary's, White Oaks and Christchurch. During this time it has been brought to my attention by local residents and during patrol that various acts of Anti Social Behaviour have been taking place in or around Shurlock Stores 38, Shurlock Avenue, Swanley, Kent BR8 7ST. This Anti Social Behaviour has been focused around five youths who cause problems not only in Shurlock Avenue but also in the Swanley area. 
, ,  and 
 all hang around the store on a regular basis drinking and have connections with the owners and families. At 12:00 hours on 12th August 2009 I was involved in a drugs warrant on the store and was tasked with securing the rear yard of the premises. Once entry had been gained the five youths mentioned above were in and around a parked vehicle in the rear yard. A small quantity of cannabis was located in the vehicle, however this belonged to the Registered owner. Although nothing was found on the youths following a search there was evidence all over the rear yard of drug paraphernalia, these five youth are in the yard on a daily basis.

Signature:



Signature witnessed by:

Typed by: PC 12730 Cameron**RESTRICTED (when complete)**

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

46

Statement of: **Angela Saunders**Age if under 18: **over 18** (if over 18 insert 'over 18') Occupation: **Police Community support officer**

This statement (consisting of _____ page 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:

Date: **17/10/2009**Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and work as a Police community support officer from Swanley Police station. I am the PCSO for the Whiteoaks ward of Swanley and have been for 3 years. There have been a number of calls to myself from local residents concerning the youths that gather at the rear of Shurlock Stores. The youths gather in the car park area outside the shops rear exit. The residents complain that the youths are drinking, possibly taking drugs and are very noisy. This also leads to complaints of the youths causing criminal damage to the garages, whereby guttering has been broken off and garage doors have been damaged and graffitied. The youths also run on the roofs of the garages. The residents believe that if the shop was not serving alcohol to the youths, there would not be a problem there. The time frame for the youths being present varies, although early evening and weekends seems to be busier. One of the males from the shop is always present with the youths as he is friendly with them all. There has not always been reports raised on the system for these calls as they often come directly to my mobile so are dealt with at the time.

Signature:

Signature witnessed by:

Typed by:**RESTRICTED (when complete)**

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN 46

Statement of: **Angela Saunders**Age if under 18: **over 18** (if over 18 insert 'over 18') Occupation: **Police Community Support Officer**

This statement (consisting of _____ page 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: *A. Saunders*Date: **13th October 2008**Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and work as a Police Community Support Officer for Kent Police from Swanley Police station. On Wednesday 12th August 2009, I was on duty and involved in a warrant that was served on the premises of Shurlock Stores, Shurlock Avenue, Swanley, to search for drugs. Whilst searching the storeroom at the rear of the shop, at 13.35hrs I discovered a black McKenzie shoulder bag on a shelving rack against the wall on the right hand side as you exit the shop. The bag was on the second shelf up from the ground. Inside the bag were 4 small clear bags of what was suspected to be Herbal Cannabis. Also there was a bigger clear bag containing more smaller empty bags, 1 silver coloured tray and a yellow lighter. This item was booked into special property as AJS/01. Also half of a red cannabis grinder was found in the storeroom on the shelf above the bag. (AJS/03) 3 wallets were also found on the same shelf as the McKenzie bag. 1 brown wallet contained pieces of paper, 1 black wallet was empty and a brown and black wallet had various cards inside with the name [REDACTED] on and bank deposit slips for Barclays bank and Allied Irish bank. (AJS/02) *A Saunders*

Signature: *A. Saunders*

Signature witnessed by:

Typed by:**RESTRICTED (when complete)**

Mr Hiren Patel
Shurlock General Stores
38 Shurlock Avenue
Swanley
BR8 7ST

TRADING STANDARDS
West Kent Area Office
PO Box 286
West Malling
Kent ME19 4HW
Tel: 01732 525291
Fax: 01732 525319

Ask for: Grahame Fridd
Ref: 244118
Date: 17 August 2009

Dear Mr Patel

Licensing Act 2003

I am writing to you following my visit to your shop as part of the warrant executed by the police on 12th August 2009. One of the reasons I was there was to see how you had implemented the conditions that were added to your premises alcohol licence following the Licence Review that was held on 2nd September 2008.

I am concerned that a number of the conditions placed on your premise licence are not being met. These being that at the time of our visit you were not present which meant that there was not a personal licence holder on the premises as required by condition 1. And on speaking to your wife and son it appears that you are still the only licence holder for the premises.

Condition 2 required you to operate a 'Challenge 21' policy which included displaying sufficient notices to make consumers aware of the policy. On inspection of the shop I could only see one notice explaining this policy.

Conditions 3 and 4 require a refusals register to be kept and completed every time a sale is refused and that you, the DPS, should check this on a weekly basis. I was unable to check this as the refusals register was not present in the shop.

I would strongly advise you to sort out the problems above and to study the full list of conditions that were added to your premise licence last year. As failure to comply may lead to further action being taken by the relevant authorities.

Yours sincerely

Grahame Fridd
Principal Trading Standards Officer

KENT COUNTY COUNCIL - TRADING STANDARDS STATEMENT OF WITNESS

Statement of (full name): Alexander Marcus Ian Brander
 Age of Witness: 28 Date of birth: 1st June 1981
 Occupation of Witness: Trading Standards Officer

This statement (consisting of two pages 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.

Signed.....  Date..... 12/10/2009

I am employed by Kent County Council as a Trading Standards Officer, based at the West Kent Area Office, 17 Kings Hill Avenue, West Malling, Kent, ME19 4UL. I have held this position since June 2005. On Thursday 27th August 2009 I was involved in an underage sales test purchase operation for alcohol in the Sevenoaks District area. At approximately 19.55 I entered Shurlock Stores, 38 Shurlock Avenue, Swanley, Kent, BR8 7ST. I was shortly followed by the female test purchase volunteer. I witnessed the volunteer pick up a small bottle of Smirnoff Ice from the display then go to the till area. I then stood directly behind the volunteer in the queue. There were no other people waiting to be served. There was a man working behind the counter. He was quite short, approximately 40-50 years old, with glasses and wearing a grey shirt. I heard the man say to the volunteer "£1.49" then sold her the alcohol. He did not ask for any identification. The volunteer then left the shop with the bottle. I paid for some confectionary then also left the shop.

Signed.....  Date..... 12/10/2009



Licensing Team
Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks
Kent TN13 1 HG

TRADING STANDARDS
West Kent Area Office
PO Box 286
West Mailing
Kent ME19 4HW
Tel: 01732 525291
Fax: 01732 525319

Direct dial/Ext:
Website: www.tradingstandards.gov.uk/kent
Email: richard.strawson@kent.gov.uk
Ask for: Richard Strawson
Ref:
Date: 09 November 2009

Dear Sir or Madam:

Review of premises licence KS0800354

Further to the application for licence review submitted by Kent Police in relation to Shurlock Stores, 38 Shurlock Avenue, Swanley Kent, I would like to add the following representations as a responsible authority, taking into consideration the protection of children from harm.

On the 8th May 2008, Kent Trading Standards carried out a test purchase of alcohol as a result of intelligence from Kent Police at Shurlock Stores, using a volunteer who was 16 years of age. A single bottle of Smirnoff Ice was sold by Rahul Patel, an employee at the time. This sale led a licence review being submitted by Kent Trading Standards which was heard on 2nd September 2008. The result of this review was for a number of conditions to be imposed on the licence in order to prevent future sales of alcohol to minors

After the review Mr Patel was visited at the shop on 15th September 2008 to see that the conditions were fully understood and measures were being taken to fully implement them. Mr Patel assured officers at the time that he fully understood the conditions and had displayed the material as requested. Example refusals books and 'Challenge 21' posters were supplied to Mr Patel at this time

A further test purchase was attempted in October 2008 during which the volunteer was refused when attempting to purchase alcohol.

Another test purchase was carried out on 27th August 2009 where a single bottle of Smirnoff Ice was purchased by a sixteen year old volunteer, this time the seller being another employee, Mr Kiren Magrat who claimed to reside at the shop address. Attempts were made to contact Mr Magrat after the sale, however Mr Hiren Patel told Kent Trading Standards that Mr Magrat had

Clive Bainbridge
Head of Trading Standards



INVESTOR IN PEOPLE

left the job and ceased residing at 38 Shurlock Avenue and provided no means of contact in doing so.

Should the licensing panel choose not to revoke the licence of Shurlock Stores as recommended by Kent Police, it would be recommended by this authority that the following conditions are imposed on the premises licence to assist with the future prevention of sales to minors.

1. All conditions making reference to Challenge 21 should be amended to read Challenge 25.
2. The condition relating to the refusals book should be amended to read 'be completed for all persons challenged because they appear to be under 25'.
3. The premises licence should be suspended for a period of 2 months to allow for a new DPS to be fully trained and applied to the licence and to allow them time to introduce the aforementioned measures to the premises to prevent future breaches. A satisfactory assessment of compliance with all licence conditions should be made by Kent Trading Standards prior to the sale of alcohol commencing.

Yours faithfully



Richard Strawson
Area Manager

