



Please reply to:

Contact: Christeen Abee
Service: Committee Services
Direct line: 01784 444229
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Date: 19 February 2026

Notice of meeting

Licensing Sub-Committee

Date: Friday, 27 February 2026

Time: 10.00 am

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

To the members of the Licensing Sub-Committee

Councillors:

S.A. Dunn (Chair)

M.J. Lee

P.N. Woodward

Note: In the event of one of the aforementioned Licensing Committee Members being unable to attend or serve on this Sub-Committee another Member of the Licensing Committee will be called to serve in their place.

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

AGENDA

Page nos.

1. Disclosures of Interest

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

2. To consider an application for a Review of the Premises Licence at Bobby's Food and Wine, 163 High Street, Staines-upon-Thames, TW18 4PA

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The Report of the Deputy Chief Executive is attached.

A procedure note which explains what happens at a Licensing Sub-Committee, follows.

Licensing Sub-Committee

27/02/2026



Subject	Application for a review of the Premises Licence at Bobby’s Food and Wine, 163 High Street, Staines-upon-Thames, TW18 4PA		
Purpose	For determination		
Report of	Deputy Chief Executive	Ward	Staines
Contact	Fidelma Bahoshy – Joint Senior Environmental Health Manager and Hannah McCully, Licensing Enforcement Officer		

Description and Location	<p>Bobby's Food and Wine is a small convenience off licence shop located at 163 High Street, Staines-upon-Thames, TW18 4PA. The premises is located on a main road, with residential properties situated above and directly opposite. They form part of a parade of commercial units and is flanked by businesses on both sides.</p> <p>Plan at Appendix A</p>
The Application	<p>On the 6th of January 2026, Buckingham and Surrey Trading Standards (“Trading Standards”), a Responsible Authority under the Licensing Act 2003 applied to the Licensing Authority to review the premises licence.</p> <p>The application is to review the Premises Licence under the Licensing Objectives of Crime and Disorder and is made by Trading Standards.</p> <p>The current licence is attached at Appendix B, together with the current plan. The review application is attached at Appendix C.</p>
Representations	<p>Relevant representations in support of the review received from</p> <ul style="list-style-type: none"> • The Licensing Authority (Appendix D) received 03/02/2026 • Surrey Police (Appendix E) received 03/02/2026 <p>Letters of representation are attached at Appendices D and E</p>

Options	<ol style="list-style-type: none"> 1. The Sub-Committee is requested to consider the application for the review of a premises licence on its merits. 2. Having had regard to the representations, the Sub-Committee must decide on one or more of the following options as it considers appropriate for the promotion of the licensing objectives: <ul style="list-style-type: none"> • Modify the conditions OR • Exclude a licensable activity OR • Remove the Designated Premises Supervisor OR • Suspend the licence for up to 3 months OR • Revoke the licence OR • No action required
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1. Background

1.1 The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is Mr Pawndeeep Bajaj. Bobby's Food and Wine was originally granted a premises licence in March 2014. An application to transfer the PLH to Mr Pawndeeep Bajaj and the DPS to Mr Balwinder Singh was submitted on 4 October 2023, followed by a further transfer of the DPS to Mr Pawndeeep Bajaj on 6 January 2026.

The current premises licence allows the sale by retail of alcohol for consumption off the premises and is detailed below. The opening hours of the premises are also detailed below:

- Sale by Retail of Alcohol – Every Day from 08:00 until 23:00
- Opening hours - Every Day from 08:00 until 23:00

1.2 Conditions attached to the Premises licence in Annex 2 are as follows :

Age Verification Policy

An age verification policy (minimum of Challenge 25) will be operated so that any person wishing to purchase alcohol who appears to be 25 or under will be asked to provide acceptable photographic ID such as a driver's licence, passport or any nationally approved proof of age scheme ID card such as the 'Pass' scheme cards, to prove that they are over 18 years of age.

If no acceptable ID is provided no sale shall take place.

Challenge 25 posters will be displayed in the shop in prominent areas around the alcohol section and at the point of sale area.

All staff, paid and unpaid, will be trained on the Challenge 25 policy and a signed training record will be kept for each trained member of staff.

Refusals Log Book

A refusals book, bound and with pre-printed page numbers, will be kept at the premises detailing all refusals of alcohol for reasons of

- a. intoxication (being drunk)
- b. a person being under 18 years of age
- c. A person failing to produce ID on request

The refusals book will be available for inspection by any 'responsible authority' upon request and such records will include details of the name of the person refusing the sale and their signature.

UV light

A working UV light is to be kept at the premises, near to the point of sale area, to check IDs.

Staff Licensing Training

All staff (paid or unpaid) shall be fully trained in licensing legislation in relation to the Licensing Act 2003, including:

- **proof of age training**, including training on recognising fake identification
- **proxy purchasing**
- **assertiveness training** to ensure that all staff are capable of being robust in refusing sales of alcohol to underage or drunk persons,
- **conditions** of this premises licence

Training records will be available for inspection on request and will include details of the names of staff members trained including their signature, date of training, and a summary of the matters covered in the training including any material used.

CCTV

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all reasonable lighting conditions and particularly facial recognition. Cameras will cover all points of customer entry and exit to the premises.

Equipment will be maintained in working order, will show the correct time and date stamp and recordings will be kept for a period of at least 30 days.

An operational daily log must be kept, showing the CCTV has been checked and is working, bearing the signature of the person checking the system.

In the event of technical failure of the CCTV equipment the Premises Licence holder, or person nominated in writing by the Premises Licence Holder responsible for the premises at the time, must report the failure to the police licensing team and council licensing team.

The Premises Licence Holder must ensure at all times when the premises is open to the public that there is a person nominated in writing by themselves present who can operate the system. This staff member shall be able to show police recent data or footage with the minimum of delay when requested.

The Premises Licence Holder must also ensure that at all times when the premises is open to the public there is a person, nominated in writing by themselves, that is capable and competent at downloading CCTV footage onto CD rom format for the police or local authority within 48 hours of request and have the necessary equipment to be able to do this.

Incident Book

All incidents of crime and disorder will be reported to the Police as soon as is practicable and be recorded in an incident book which will be kept at the premises and be available for inspection by any responsible authority on request.

1.3 Compliance visits

Spelthorne Borough Licensing Enforcement Officers have made the following compliance visits and noted the subsequent breaches of the conditions.

27 February 2024

- No UV light.
- No CCTV log.
- Staff unable to operate the CCTV.
- No incident book.
- No training records provided, nor any summary of the training delivered, including the materials used.

Compliance email was sent to both the PLH and DPS detailing the breaches

11 November 2024

- No premises licence summary on display.
- No section 57 notice displayed.
- No working CCTV.
- Daily CCTV log not being completed.
- No written nomination to show which staff member could operate the CCTV.
- No UV light.
- No Challenge 25 posters displayed.
- Staff questioned about Challenge 25 and could not answer. No understanding of Proxy sales.
- Staff didn't know or the licence conditions.
- No training records provided, nor any summary of the training delivered, including the materials used.

Compliance email was sent to both the PLH and DPS detailing the breaches

10 December 2024

- No section 57 notice displayed.
- No written nomination to show which staff member could operate the CCTV.
- No training records provided, nor any summary of the training delivered, including the materials used.

Compliance email was sent to both the PLH and DPS detailing the breaches

16 April 2025

- No section 57 notice displayed.
- No training record for staff working there.
- Staff training was inadequate and did not address the issue of drunk individuals attempting to purchase alcohol
- Staff member not able to use or download the CCTV.
- The refusal book consisted only of loose sheets of paper rather than a properly bound book.
- Premises plan not correct.

Compliance email was sent to both the PLH and DPS detailing the breaches

31 October 2025

- Staff not able to operate CCTV.

The PLH was contacted by telephone at this time and informed of the breach.

1 November 2025

- The same staff member encountered during the previous visit was still unable to operate the CCTV system

Record of breach made

1.4 Repeated Attempts to Contact the DPS

11 November 2024 Licensing Enforcement officer spoke to PLH and asked for contact details of DPS and was given a Gmail address for him and the compliance email was sent to this address as well.

6 December 2024 further email to DPS Gmail address asking to meet him at the venue.

10 December 2024 further compliance email sent to DPS Gmail address.

10 January 2025 Further email to DPS Gmail address.

17 January 2024 Licensing enforcement officer spoke to the PLH at the shop, who confirmed that the DPS's Gmail account was correct. The PLH then sent the DPS a WhatsApp message containing a photograph of the officer's business card

25 January 2025 Received a first response from the DPS using a Hotmail account and he stated that he hadn't used the Gmail account for some time.

13 February 2025 Licensing enforcement officer asked to meet DPS at venue on 31 January 2025, but he failed to attend. He was spoken to on the phone and stated that he had a family emergency.

26 February 2025 Email sent to DPS asking him to make contact.

4 March 2025 Met the DPS at venue and he stated that he would be there at least twice a week, to prove this, he was asked to sign the CCTV register as proof of attendance.

17 April 2025, the CCTV log was checked, and it was noted that the DPS had not signed it. An email was sent requesting a response, but no reply was received.

Licensing Enforcement officer had spoken to the DPS after the licence had been called into review and he was not aware of this.

Despite repeated emails, calls and arranged meetings, the DPS, Mr Singh failed to attend or maintain consistent contact, citing ongoing family issues. Staff at the premises did not know who the DPS was, and the licence holder repeatedly provided outdated contact information. Mr Singh has offered no evidence of involvement in the running of the premises and confirmed he had

not visited since December. Additional concerns were identified regarding a student employee working excessive hours without supervision.

There is insufficient evidence that the premises has an active DPS.

2. Review Application

2.1 The Sub-Committee is asked to consider and determine an application submitted on 6th January 2026 from Trading Standards for the review of a Premises Licence for Bobbys Food and Wine held by Mr Pawndeeep Bajaj. The application for the review of the Premises Licence is attached at **Appendix C**.

2.2 The Application for the Review of the Premise Licence is made on the prevention of crime and disorder licensing objective.

2.3 The Applicant for a Review is required to forward copies of the application to the Responsible Authorities with a view to any of these Responsible Authorities making a supporting representation if deemed appropriate.

2.4 Trading Standards served the Application for Review on the Premises Licence Holder in accordance with the Licensing Act 2003.

2.5 The Notice of Review was displayed at the licensed premises between 7th January 2026 and 7th February 2026 and in the reception area of the Council Offices and the notice board outside the Civic Offices as well as the Council's website. Several checks have been made by Licensing Officers at the premises to ensure the required notice is always on display. Two were present, one on main window of the shop and one on shutters.

3. Chronology of grounds given for review from Trading Standards

3.1 2024

- **12 Feb 2024:** Trading Standards test purchase failure – vape sold to a 17-year-old. Warning letter issued.
- **29 Feb 2024:** Licensing visit – non-compliance with licence conditions; suspicious tobacco activity observed.
- **11 Jun 2024:** Joint visit – underage alcohol sale; multiple licence breaches; non-compliant food items.
- **4 Oct 2024:** Complaint – alcohol and vapes sold to children.
- **8 Oct 2024:** Parent reports 14-year-old bought a 70cl vodka and vapes.
- **9 Oct 2024:** Intelligence – alcoholic slushies displayed.
- **22 Oct 2024:** Complaint – children aged 12–13 regularly buying vapes/nicotine pouches.
- **4 Nov 2024:** Intelligence – vape sales to children and smuggled tobacco; associated ASB.
- **7 Nov 2024:** Intelligence – alcoholic slushies sold.

- **22 Nov 2024:** Intelligence – vape sales to children.
 - **11 Dec 2024:** TS visit – allegations denied; DPS concerns; illicit/suspect food and cheap super-strength beer noted.
-

3.2 2025

- **24 Mar 2025:** Intelligence – vape sales to children and ASB.
 - **16 Apr 2025:** Multi-agency inspection – illicit tobacco and single-use vapes seized.
 - **13 May 2025:** Intelligence – alcohol and vapes sold to children for onward resale.
 - **2 Jun 2025:** Complaint – 13-year-old in school uniform bought vapes.
 - **9 Jul 2025:** TS visit – counterfeit toys and food compliance issues.
 - **Aug 2025:** Intelligence – 15-year-old buying vapes.
 - **27 Aug 2025:** Police/TS test purchase passed but hidden vapes/tobacco found.
4. Surrey Police support the review application submitted by Trading Standards and that consideration is given to the revocation of the Premises Licence as the Premises Licence Holder has failed in their responsibility to uphold the licensing objectives of the prevention of crime and disorder and the protection of children from harm.
 5. The persistent breaches of licensing conditions over the last 20 months have not sufficiently addressed the concerns raised by the licensing authority. Over that time, this has not brought about sufficient and adequate management responses and, actions from the premises licence holder to rectify the breaches brought to their attention. It is felt that the current premises licence conditions are suitable for this premises and no further conditions can be imposed that will have an effect of how the venue is managed. Therefore, the Licensing Authority support the review of the premises licence and consideration should be given to the revocation of the Premises Licence.

6. Promotion of the Licensing Objectives

6.1 The Licensing Objectives together with examples from Government Guidance are set out below for information:

Prevention of crime and disorder

- Criminal behaviour on, or directly attributable to, the premises.
- Under age sales
- Anti-social behaviour on, or directly attributable to, the premises.

Public safety

- E.g. overcrowding, fire safety, emergency exits and anything related to the safety of the public within the premises.

Prevention of public nuisance

- Noise/light or odour nuisance

- Litter

Protection of children from harm

- In relation to off sales of alcohol, the most relevant issue under this licensing objective is the prevention of sales of alcohol to under 18s

7. Representations

7.1 Representations from Responsible Authorities

There have been 2 representations from responsible authorities :

- Licensing Authority (**Appendix D**)
- Surrey Police (**Appendix E**)

7.2 The grounds for objection are summarised below in relation to each Licensing Objective.

General – all four licensing objectives

There has been a history of non-compliance when various breaches of the Licensing Act 2003 have been identified and the licence holder/DPS has been made aware of these on many occasions and failed to take rectify them.

- The Licensing Enforcement Officer has raised concerns that there is insufficient evidence that the premises has an active DPS even after repeated emails, calls and arranged meetings, Mr Singh failed to attend or maintain consistent contact.

Prevention of crime and disorder

The consistent lack of compliance with licensing conditions in respect of the requirements for training records and evidence of training understood by staff; lack of operational CCTV or staff knowing how to operate or download the CCTV on request or requirements for age verification or understanding of Challenge 25 shows an inability to comply with the prevention of crime or disorder licensing objective.

Protection of children from harm

Safeguarding Concerns raised.

The licence holder is not complying with the objective to ensure that age verification procedures relating to age restricted sales are in place to prevent children acquiring or consuming age restricted products. This is evidenced by the lack of age verification notices or procedures being in place and the lack of understanding of these policies or any demonstrable training undertaken by staff in this regard.

The multiple compliance visits show that the training records from the premises were not available thus suggesting that no member of staff has been trained sufficiently in the sales of alcohol to children, albeit on one occasion a test purchase by a child for alcohol failed and the child was not sold alcohol.

7.3 Issues which are not relevant to the licensing objectives and cannot be taken into account by a Licensing Sub-Committee:

- Objections on the basis of need, or lack of need, for premises to sell alcohol
- Parking, or other issues relating to general amenity rather than licensing objectives
- Matters or concerns not related to licensable activities i.e. illegal tobacco, vapes or food stuffs.

8. Licensing Policy

8.1 The following sections of the Council's Licensing Policy are relevant.

- List section and paragraphs and to what each relates

9. National Guidance

9.1 The relevant section from the National Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 on determination of a Review is attached at **Appendix F**.

9.2 In addition, the following sections of the Guidance are relevant in the consideration of this application:

- List Paragraphs of Guidance and to what each relates

10. Making a decision

10.1 In making its decision the Sub-Committee must promote the licensing objectives only, taking into account National Guidance and Spelthorne's Statement of Licensing Policy.

10.2 The Sub-Committee must give reasons for its decision.

10.3 It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached.

10.4 Conditions on licences must:

- be precise and enforceable;
- be unambiguous;
- not duplicate other statutory provisions;
- be clear in what they intend to achieve; and,
- be appropriate, proportionate and justifiable.

Appendices:

Appendix A – Location Plan

Appendix B – Current Licence

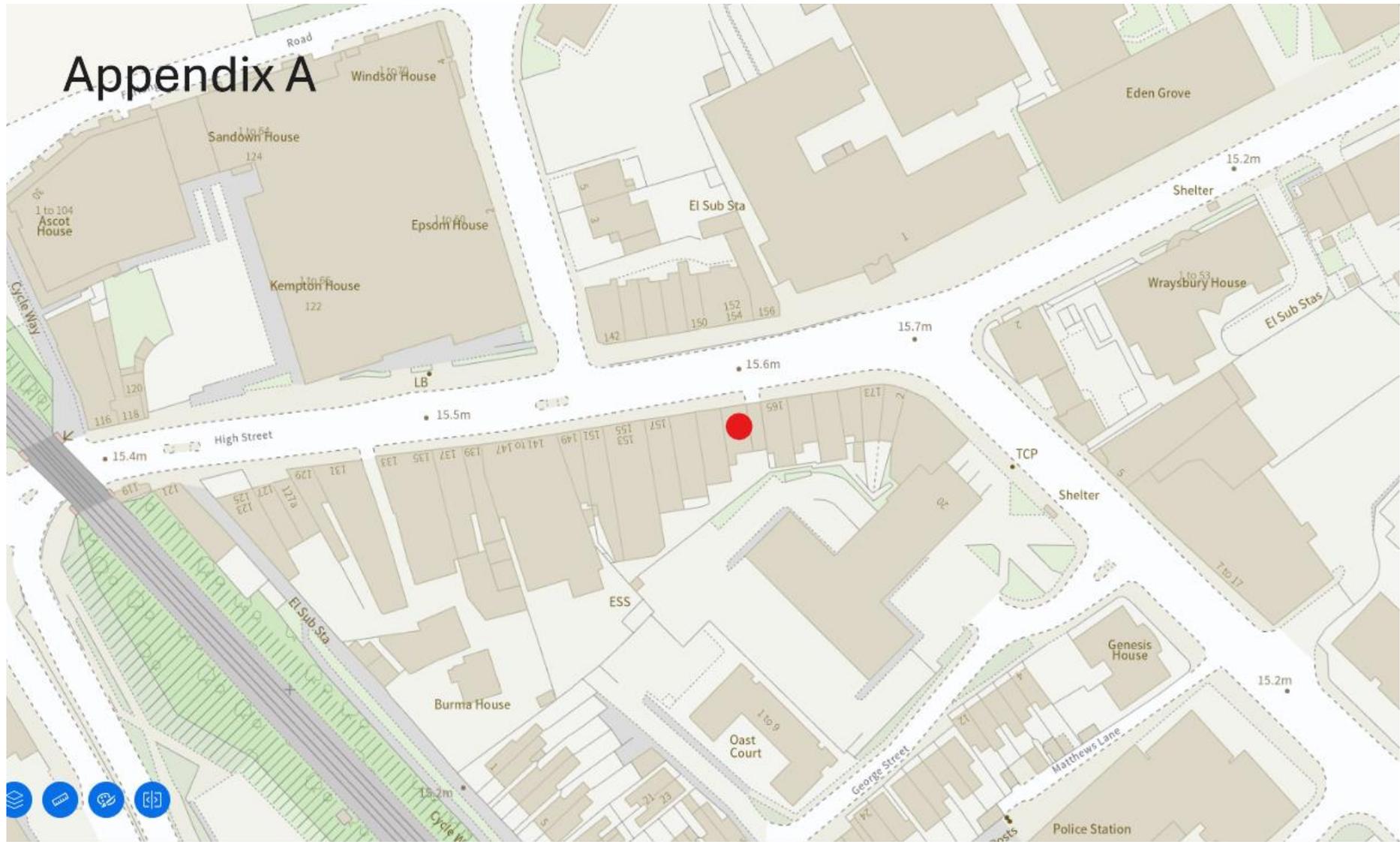
Appendix C – Review Application

Appendix D – Representations from Licensing Authority

Appendix E – Representations from Surrey Police

Appendix F – Extract from National Guidance on Reviews

Appendix A



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PREMISES LICENCE

Premises licence number 14/00106/LAPRE
Issue Date 02 April 2014
Latest Revision 22 January 2026 (26/00047/LAPRE)

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description			
Bobby's Food and Wine 163 High Street			
Post town	Staines-upon-Thames	Post code	TW18 4PA

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities
Sale by Retail of Alcohol – Every Day from 08:00 until 23:00

The opening hours of the premises
Every Day from 08:00 until 23:00

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

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Pawandeep Bajaj
39 Warley Ave
Hayes
UB4 0RA

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

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

Pawandeep Bajaj
39 Warley Ave
Hayes
UB4 0RA

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

LBHIL5457 - Hillingdon Borough Council

Signed _____

Joint Senior Environmental Health Manager

Dated 09 February 2026

Annex 1 - Mandatory conditions

Mandatory Condition: where a premises licence authorises the supply of alcohol:

1. No supply 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
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2010 (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 sold alcohol, identification bearing their photograph, date of birth and either-
 - a) A holographic mark, or
 - b) An ultraviolet feature
- (4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 (Below Cost Selling Order)

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 paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (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) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).

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

4. (1) 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.

(2) 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.

Annex 2 - Conditions consistent with the Operating Schedule

Age Verification Policy

An age verification policy (minimum of Challenge 25) will be operated so that any person wishing to purchase alcohol who appears to be 25 or under will be asked to provide acceptable photographic ID such as a driver’s licence, passport or any nationally approved proof of age scheme ID card such as the ‘Pass’ scheme cards, to prove that they are over 18 years of age.

If no acceptable ID is provided no sale shall take place.

Challenge 25 posters will be displayed in the shop in prominent areas around the alcohol section and at the point of sale area.

All staff, paid and unpaid, will be trained on the Challenge 25 policy and a signed training record will be kept for each trained member of staff.

Refusals Log Book

A refusals book, bound and with pre-printed page numbers, will be kept at the premises detailing all refusals of alcohol for reasons of

- a) intoxication (being drunk)
- b) a person being under 18 years of age
- c) A person failing to produce ID on request

The refusals book will be available for inspection by any ‘responsible authority’ upon request and such records will include details of the name of the person refusing the sale and their signature.

UV light

A working UV light is to be kept at the premises, near to the point of sale area, to check IDs.

Staff Licensing Training

All staff (paid or unpaid) shall be fully trained in licensing legislation in relation to the Licensing Act 2003, including:

- **proof of age training**, including training on recognising fake identification

- **proxy purchasing**
- **assertiveness training** to ensure that all staff are capable of being robust in refusing sales of alcohol to underage or drunk persons,
- **conditions** of this premises licence

Training records will be available for inspection on request and will include details of the names of staff members trained including their signature, date of training, and a summary of the matters covered in the training including any material used.

CCTV

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all reasonable lighting conditions and particularly facial recognition. Cameras will cover all points of customer entry and exit to the premises.

Equipment will be maintained in working order, will show the correct time and date stamp and recordings will be kept for a period of at least 30 days.

An operational daily log must be kept, showing the CCTV has been checked and is working, bearing the signature of the person checking the system.

In the event of technical failure of the CCTV equipment the Premises Licence holder, or person nominated in writing by the Premises Licence Holder responsible for the premises at the time, must report the failure to the police licensing team and council licensing team.

The Premises Licence Holder must ensure at all times when the premises is open to the public that there is a person nominated in writing by themselves present who can operate the system. This staff member shall be able to show police recent data or footage with the minimum of delay when requested.

The Premises Licence Holder must also ensure that at all times when the premises is open to the public there is a person, nominated in writing by themselves, that is capable and competent at downloading CCTV footage onto CD rom format for the police or local authority within 48 hours of request and have the necessary equipment to be able to do this.

Incident Book

All incidents of crime and disorder will be reported to the Police as soon as is practicable and be recorded in an incident book which will be kept at the premises and be available for inspection by any responsible authority on request.

Annex 3 – Plans

Attached

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

I, _____ Assistant Director - Trading Standards

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 Bobby's Food & Wine – 163 High Street	
Post town Staines	Post code (if known) TW18 4PA

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

Number of premises licence or club premises certificate (if known)

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Assistant Director - Trading Standards, Buckinghamshire and Surrey Trading Standards Service, Woodhatch Place, Cockshot Hill, Reigate RH2 8EF
Telephone number (if any)
E-mail address (optional)

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

- Please tick one or more boxes ✓
- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

23 October 2023 a food registration form was received in the name of Bajaj Investments Ltd which provided a starting date for the business of 01/10/2023, with the representative of the Food Business Operator given as Pawandeep Bajaj. Bajaj Investments Ltd was incorporated on 26 May 2022.

12 February 2024 the premises sold a nicotine containing vape to a child assisting with an underage test purchase operation.

11 June 2024 a joint Police Licensing and Trading Standards visit was undertaken at the premises following a complaint of the sale of alcohol to a child; the business was advised about this matter and about non-compliances with imported food.

10 December 2024 Trading Standards visited the premises following complaints of the sale of vapes to children; the business was advised about these matters and about non-compliances with imported food. On this occasion the Premises Licence Holder confirmed that he paid Balwinder Singh to be the Designated Premises Supervisor.

16 April 2025 a multi-agency visit was conducted at the premises. 21 sticks of illicit tobacco were seized from under the sales counter together with an unlabelled cigar in breach of Trading Standards enforced legislation which was seized from the tobacco gantry display. The business was advised about non-compliances with imported food.

09 July 2025, Trading Standards wrote to Pawandeep Bajaj about the tobacco seized and the risk to the premises licence should any further illicit tobacco be discovered on the premises.

27 August 2025, the premises passed an underage sales test purchase for alcohol.

27 August 2025, a Police and Trading Standards visit was undertaken at the premises; 31 x illicit vapes were seized from a cupboard under the sales counter; 0.295kg of Oral Tobacco which is banned, was seized from under the sales counter;

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

--	--	--	--	--	--	--	--	--	--

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

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.

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9)

Statement of:

Age of Witness: Over 18
(If over 18, enter "Over 18")

This statement (consisting of 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.

Dated: 05/01/2026

Signature:

I am a Senior Trading Standards Officer with Buckinghamshire and Surrey Trading Standards and as such I am authorised under the Consumer Rights Act 2015; the Trade Marks Act 1994 and I am a Food Officer. I am making this statement in respect of an application seeking a review of the Premises Licence in relation to Bobby's Food & Wine – 163 High Street, Staines. Trading Standards received a food registration for the business dated 23 October 2023, which stated that the business had starting operating on 01 October 2023 and giving the name of Bajaj Investments Ltd as the name of the Food Business Operator. I can confirm that Bajaj Investments Ltd was incorporated on 26 May 2022. The premises were first visited by Trading Standards on 12 February 2024, when the member of staff sold, a nicotine containing vape to a 17 year old child assisting with the operation; the limited company was sent a warning letter about this offence on 09 May 2024 and this letter was acknowledged by Pawandeep BAJAJ. I produce and identify a /01 a copy of the letter. 29 February 2024, this Service was contacted by Spelthorne Borough Council Licensing confirming that an officer had visited the premises and that there had been issues with compliance with conditions on the premises licence; the officer also confirmed that he had witnessed suspicious activity concerning tobacco, in that 2 customers had

Signature: _____

Signature witnessed by: _____

come into the shop at separate times and on asking for tobacco had been told that the business didn't sell tobacco, when the officer could clearly see packs of cigarettes under the sales counter. One of the customers had also returned to the shop but immediately left upon seeing the officer still present. 11 June 2024, I visited the premises together with [redacted] Licensing Enforcement Officer, following a complaint that a child had been sold a bottle of Magnum Tonic Wine; Magnum Tonic Wine is 16% ABV (alcohol by volume) and is therefore an age restricted product. During the course of this inspection, it became apparent that there were a number of breaches of the conditions on the premises licence. I noted that the Designated Premises Supervisor was Balwinder SINGH. I can confirm that I was unable to locate any tobacco on the premises with the exception of tobacco blunts which were being displayed on the front of the sales counter, I advised the business to move these, being age restricted products. The premises had imported food on sale either without mandatory food information in English or with non-compliant food information; I requested traceability information, which is a legal requirement, for this food; I was provided with 2 documents, one an invoice and a second a cash sales receipt, which I've been unable to use to check if it relates to the food in question. I also confirmed that the premises were selling Magnum Tonic Wine. During the course of the inspection, I was informed that the premises did not sell tobacco. Prior to leaving the premises I provided the business with an inspection report, I produce and identify as [redacted] a copy of the inspection report. 04 October 2024, a complaint was received that the premises were selling alcohol and vapes to children. 08 October 2024 a complaint was received from a parent whose 14 years old child had allegedly purchased a 70cl bottle of vodka from the premises and had become very drunk and that the child had also previously bought vapes from the premises. 09 October 2024, intelligence was received that the premises were displaying Slushie drinks beside small minatures of spirit and that there were concerns that the business were selling alcoholic Slushie drinks aimed at children. 22 October 2024, a complaint was received from a parent that their son and his friends aged 12-13 years of age had been buying vapes and nicotine pouches from the premises since July 2024; it should be noted that whilst nicotine containing vapes are age restricted products, nicotine pouches are not,

Signature: _____

Signature witnessed by: _____

age restricted. 04 November 2024, intelligence was received that the premises was selling vapes to children and were also selling cheap smuggled tobacco; the intelligence continued that the owner was also selling vapes from his other shop in the parade and that the children were then committing anti-social behaviour in the area. 07 November 2024, intelligence was received that the premises were selling alcoholic Slushies. 22 November 2024 intelligence was received that the premises were selling vapes to children. 11 December 2024, I visited the premises to provide them with a letter about the allegations of the sale of nicotine containing vapes to children and to provide them with a copy of some underage sales guidance, I produce and identify as [REDACTED] /03 a copy of the letter. Pawandeep Singh BAJAJ was present in the shop at the time of my visit, so I also discussed the allegations with him, which he denied saying that it was the other businesses in the parade who were selling age restricted products to children. I also discussed with him about the Designated Premises Supervisor not appearing to be involved in the business; he confirmed that he paid Balwinder SINGH to be the Designated Premises Supervisor but that he, Pawandeep Singh BAJAJ was considering taking over as the Designated Premises Supervisor to reduce costs; no application to transfer the Designated Premises Supervisor has been received. The premises were again selling imported food either without mandatory food information in English or with non-compliant food information and I noted that they were selling Perla Black which is a super strength beer for £1.99 and when I queried this, Pawandeep Singh BAJAJ informed me that other businesses in the area were selling it for £1.49; both prices indicate that the beer is either being sold at a loss or is duty evaded/ duty diverted. The business also wasn't displaying a statutory tobacco notice and they were advised that this must be displayed as they were selling tobacco products. Prior to leaving the premises, I provided the business with a copy of a letter detailing the allegation of the sale of nicotine containing vapes to children and a copy of business guidance explaining the law together with a copy of my inspection report, I produce and identify as [REDACTED] /04 a copy of the inspection report and as [REDACTED] /05 a copy of the business guidance provided to the business. 03 March 2025, a parent complained that their child and a friend had travelled from Slough and had bought alcohol from the premises as they had been

Signature: _____

Signature witnessed by: _____

told that these premises were the place to go to get alcohol and that their child had to attend Accident and Emergency due to suffering an injury; the complainant also stated that the member of staff had told the child to leave a bag at the counter and to come back later to collect the alcohol. 13 March 2025 intelligence was received that the premises were selling vapes and alcohol to children and that the children were being told to place a bag by the side of the counter and then to come back later to collect to prevent the sale showing on the premises CCTV footage. 24 March 2025 intelligence was received that the premises and the linked vape shop were selling age restricted products to children and that the children were then committing Anti-social behaviour to other businesses in the area. 16 April 2025, a multi-agency inspection was undertaken at the premises; 21 sticks of illicit tobacco were seized from under the sales counter and 1 unlabelled cigar was seized from the vapes and tobacco gantry. The business was instructed to remove one brand of nicotine containing vapes from sale and to return to their supplier as I was aware that the products notification with MHRA had been revoked and they could not legally be sold; I also requested copy invoices showing the supply of these vapes to the business, (traceability information), these were never provided. The premises were not displaying a statutory tobacco notice as legally required and whilst the premises were selling a small selection of imported food, the same issues with non-compliant food information remained. I can confirm that the sticks of illicit tobacco which were seized, one pack was not labelled for the UK Market and was smuggled, whilst the second pack only contained 1 cigarette, the brand is a known brand of illicit whites. I was subsequently informed by Pawandeep Singh BAJAJ that these cigarettes were the member of staff's own personal cigarettes. Mr BAJAJ was provided with strong words of advice about his staff members storing personal goods in the shop and the risks to the business of having illicit tobacco on the licensed premises. Prior to leaving the shop, I left an inspection report detailing the issues discovered together with guidance about the forthcoming ban on single use vapes and the sale of tobacco and vapes, I produce and identify as /06 a copy of the inspection report and I produce and identify as /07 - /08 a copy of the photographs I took of the tobacco products seized. 23 April 2025 a complaint was received from a parent whose child

Signature: _____

Signature witnessed by: _____

had bought vapes from the premises whilst wearing their school uniform and that the vape contained the equivalent amount of nicotine as smoking 80 cigarettes. The complaint continued that parents have complained to the shop about them selling vapes to their children but that the problem was continuing. 13 May 2025, intelligence was received that a child was buying vapes from the shop and then selling them on to other children. 21 May 2025, intelligence was received that the premises were selling alcohol and vapes to children. 02 June 2025, intelligence was received that the premises were selling alcohol and vapes to children and also telling the children to come back when the shop was quiet to buy them. 17 June 2025 a complaint was received from a parent that their 13 year old child had been buying vapes from the premises after school whilst wearing their school uniform and that this had been ongoing for a number of months. 09 July 2025, I visited the premises to hand deliver a letter following the seizure of tobacco products in April 2025; the same female member of staff who had been working in the shop in April 2025 was present at the time of my visit and I spoke to Pawandeep Singh BAJAJ on the telephone and explained what I was leaving for him and the action he needed to take; I also spoke to him and verbally advised him about some Labubu Dolls he had for sale, which I considered were counterfeit and potentially unsafe and some Dubai chocolate with non-compliant food information and the issues Nationally with non-declared allergens (unsafe food) which had been discovered with some brands of Dubai chocolate; he confirmed the area where the cash and carry was located, where he had purchased both items and that he had not been provided with invoices for these goods; I provided him with verbal advice about the businesses liability for these items should a customer or child be injured. August 2025, intelligence was received that a 15 year old child buys vapes from the premises. 27 August 2025, a child assisting with a Police led underage sales test purchase operation was refused alcohol by the member of staff working in the shop; a Police visit was undertaken at the premises afterwards and I was notified that the Police had discovered some products of interest; I attended the premises and I was informed that the police had discovered a backpack and black bin liner bag behind the sales counter containing tobacco and a quantity of vapes had been discovered in a cupboard behind the far corner of the sales counter. I took a

Signature: _____

Signature witnessed by: _____

number of photographs of the products discovered by the Police and can confirm that 31 Hayati Pro Max nicotine containing vapes were discovered in the cupboard, the vapes are single use in breach of the Environmental Protection Single Use Vapes Regulations, which came into force on 01 June 2025 and in respect of which the business was provided with advice in April 2025; the devices also contain a single tank of 10ml, exceeding the 2ml maximum single tank size and have not been notified to MHRA as required; 0.295g of Oral Tobacco was discovered by the Police under the till behind the sales counter, in particular these were 16 x 15g packs of Udla Panchhi Oral Tobacco labelled only for sale in USA and 8 x 6.84g packs of Cool Lip Tobacco, clearly not intended for the UK Market; Oral Tobacco of this type has been banned in the UK and Europe, except for Sweden, since 1992. 280 sticks of cigarettes were discovered in a black bin liner on the floor opposite the till behind the sales counter, further cigarettes were discovered in the back pack; I inspected the remaining items in the backpack and can confirm that I discovered 20 x Sildenafil tablets, labelling confirmed that these were manufactured in India; I was already aware that importers of medication must be licensed with MHRA (Medicines Health Regulatory Authority) and that Sildenafil can only be supplied in the UK via a prescription or purchased from a pharmacy; there is no legitimate reason for the business to have these on the premises. The following tobacco was seized by the Police; 189 sticks Parliament Aqua Blue Slims; 60 sticks Lambert & Butler Silver labelled as Duty Free Only and with indicators of being counterfeit; 60 sticks Marlboro Touch not labelled for the UK Market; 31 sticks Benson & Hedges Switch not labelled for the UK Market; 39 sticks Richmond King Size Blue with indicators of being counterfeit; 21 sticks of Mayfair Blue not labelled for the UK Market; 20 cigarillos Premium Blue not labelled for the UK Market; 4 sticks loose in the backpack, 2 x Marlboro Gold, 1 x Mayfair Blue King Size and 1 x Benson & Hedges Gold; in total 424 sticks were seized; none of the cigarettes were labelled for the UK market, none of the tobacco had HMRC Track and Trace labels and are therefore non duty paid/smuggled. Surrey Police also seized a quantity of cash from the backpack. Pawandeep Singh BAJAJ attended the premises whilst I was present and immediately stated that everything discovered was for the personal use of the female member of staff present and that he knew nothing about what had

Signature: _____

Signature witnessed by: _____

been discovered and hadn't been to the shop for 2-3 weeks due to personal reasons. Pawandeep Singh BAJAJ was fully aware that illicit tobacco had been discovered on the premises on 16 April 2025 and had received a letter from Trading Standards concerning this seizure and the legal consequences of being found with further illicit tobacco on the premises including a review of the premises licence. I produce and identify as /09 a copy of the letter. It seems unlikely, that if Pawandeep Singh BAJAJ had been unaware that there was still illicit tobacco on the premises, that he would not have noticed a reduction in the shop's sales figures for tobacco products. As regards the discovery of multiple packs of cigarettes that had been opened and which had missing cigarettes, this leads me to believe that the premises were also selling single cigarettes in breach of Trading Standards enforced legislation; there is potential that the sale of single cigarettes were to children. I produce and identify as /10 – /23 a copy of the photographs taken of the products seized. Samples of the cigarettes have been submitted to the relevant Brand Holders, the Lambert & Butler cigarettes and the Richmond cigarettes have been confirmed as being counterfeit, whilst the Mayfair cigarettes were produced for the Duty-Free Market. I have been unable to identify the Brand Holder for the Premium Blue cigarillos. I can confirm that I have undertaken some checks and the registered Food Business Operator for Bobby's Food & Wine is Bajaj Investments Limited with two directors, Pawandeep BAJAJ and Sumit Singh LOGANI. Prior to my various inspections at Bobby's Food & Wine, I had met Pawandeep Singh BAJAJ at another shop, Singh Hub – 157 High Street Staines; I attended those premises on 16 April 2024 following the receipt of complaints that the premises were selling nicotine containing vapes to children, upon entering the shop, I noticed that there were 2 young girls who clearly appeared under the age of 18 looking at the vapes inside the shop, upon seeing me, they said to the member of staff that they were looking for a phone charger but didn't know the brand they needed, they left the shop shortly after my arrival. I also noticed that the premises were selling shisha and nicotine containing vapes which appeared to be illicit. Having spoken to the member of staff in the shop and explained the reasons for my visit, I started an inspection of the goods, whilst doing this a male attended the premises whom I now know as Pawandeep Singh BAJAJ, I explained the

Signature: _____

Signature witnessed by: _____

reasons for my visit to him and that I had discovered a number of non-compliant products. Pawandeep Singh BAJAJ informed me that he had been meaning to train the staff on underage sales. In total I seized 0.9kg of Shisha which had non-compliant labelling in breach of Trading Standards enforced legislation; 266 vapes, the majority of which were nicotine containing and breached Trading Standards enforced legislation, but some labelled as containing 5% Nicotine which is above the maximum permitted limit of 2% Nicotine and others labelled as 0% Nicotine and in respect of which I either had knowledge that they actually contained Nicotine or where I had reasonable grounds to suspect that they contained Nicotine, all products were waived by Pawandeep Singh BAJAJ at the time and I provided him with a letter about the alleged sales of nicotine containing vapes to children and both verbal and written advice about preventing underage sales. One of the 0% Nicotine vapes was submitted for analysis which confirmed that the vape contained Nicotine above the maximum permitted limit. 27 May 2024 an advisory letter was sent to Pawandeep Singh BAJAJ as the Director of Nappa Ltd explaining the legal requirements for selling vapes and the various issues with the seized vapes and shisha, this letter was acknowledged by Pawandeep Singh BAJAJ, I produce and identify as [redacted] /24 a copy of the letter. On 27 August 2025, Singh Hub – 157 High Street Staines was also inspected; on this occasion one of the males working in the shop confirmed that he was the owner and gave his name as Sumit Singh LOGANI, in total 421 nicotine containing vapes were seized from the premises for breaching Trading Standards enforced legislation including the Environmental Protection Single Use Vapes Regulations and 4 bottles of E-liquids were seized from the premises on the suspicion that the contents contained THC. I subsequently discovered that Sumit Singh LOGANI is a Director together with Pawandeep Singh BAJAJ of Bajaj Investments Ltd the Food Business Operator of Bobby's Food & Wine. It is clear that at the time of the inspection at Bobby's Food & Wine on 27 August 2025, Pawandeep Singh BAJAJ was fully aware of both the legal requirements for the sale of nicotine containing vapes and the sale of tobacco products including the risks to the premises licence should illicit tobacco be discovered on the premises. I can confirm the terminology illicit tobacco covers a number of tobacco products; genuine tobacco products which have been produced

Signature: _____

Signature witnessed by: _____

for a non-UK market or for the duty free market, these products do not have plain packaging in breach of Trading Standards enforced legislation, non-UK tobacco without mandatory warnings in English in breach of Trading Standards enforced legislation and without HMRC Track and Trace labels; counterfeit Tobacco products which can also have issues with no plain packaging, without mandatory warnings in English and without HMRC Track and Trace labels and illicit whites which is a term used to describe brands of cigarettes with no legal market in the UK and have the same issues as described above; both illicit whites and counterfeit cigarettes will have missing re-ignition propensity controls. Where tobacco is referred to as sticks, this is the term used for a single cigarette. All illicit tobacco by its nature is non-duty paid and therefore smuggled. Illicit vapes is a general term used to describe vapes which breach the various legislation, either by exceeding the maximum single tank size, exceeding nicotine content, bypassing safety requirements or since 01 June 2025 being disposable.

Signature: _____

Signature witnessed by: _____

Email:
General Enquiries:0300 123 2329
www.bucksandsurreytradingstandards.gov.uk

Mr P Bajaj
Bajaj Investments Ltd
Bobbys Food & Wine
163 High Street
Staines-upon-Thames
Surrey
TW18 4PA

TRADING STANDARDS

Walton Street Offices
Aylesbury
Buckinghamshire HP20 1UP

Woodhatch Place
11 Cockshot Hill, Reigate
Surrey RH2 8EF

9th May 2024

Dear Mr Pawandeep Bajaj,

WARNING

Children and Families Act 2014
The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations
2015

I am writing to you as the director and owner of Bajaj Investments Ltd and Bobbys Food & Wine in relation to offences committed under the above legislation.

I have now reviewed the investigation report from Senior Trading Standards Officer, Jamie Yates, in relation to the sale of an age restricted product to a child that occurred at Bobbys Food & Wine, 163 High Street, Staines-upon-Thames, TW18 4PA.

On 12th February 2024 an attempt to purchase an E-Cigarette was made from your shop in Staines-upon-Thames and a SKE Crystal Blueberry peach vape was sold to the child assisting with the operation, who was 17 years old at the time of sale.

The staff member working in the shop confirmed that they were aware of the restrictions in place regarding the sale of these goods to minors.

An inspection report was left with the staff member following the test purchase advising that a child had been sold an E-Cigarette.



Buckinghamshire & Surrey Trading Standards
Woodhatch Place, 11 Cockshot Hill, Reigate Surrey RH2 8EF

**Children and Families Act 2014
The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations
2015**

I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

If I commit any offences under the above legislation, Trading Standards may investigate and consider taking formal legal action against me whether as an individual, sole trader, partner in a business or a company director in line with their enforcement policy.

Signed:

Name: Mr Pawandeep Bajaj

Dated:



V
Exhibit number

Signed

Date 17/11/2025
Issue October 2015



ing Standards, Walton Street Offices, Aylesbury, Buckinghamshire HP20 1UA
ing Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey RH2 8EF

Telephone: 0300 123 2329

Email: tradingstandards@surreycc.gov.uk
www.bucksandsurreytradingstandards.gov.uk

VISIT REPORT

Name of business Bobby's Food + Wine Date 11/6/2024 Time 11:10 hrs

Alternative name Contact name

Address High Street Staines

Website E-mail

Reason for visit but hope to sell later Tel. No.

Best practice advice/comment

① A significant quantity of stock is not priced. Everything you sell must be priced or have a price displayed.
I am requiring you to provide me with copy of invoices for all items listed in ① + ② to be completed by 25/6/2024 to a

Potential breaches identified

① Food found on sale without mandatory food information in English - 7 Up cans, Thai Red Bull, Fanta bottles, Tropicana & other juice, Green 4 pack, Peils Teen Bubbles + Ambrosia bottles, 20p cans, Red Lion Bas Biscuits + Ramon Choclate Kit Kat brand - these all listed in removed from sale until such time as all mandatory food information is in the correct format in English and allergens explained.
② Imported food without name + address of manufacturer + allergens explained - Kit Kat, Tropicana, Libby's, M&S, Takis, Uncle Chips, Lays, West Sweets.
③ You need to move the blinks from the front of the counter + put behind the counter - also restructure

contrary to
and you are advised/required to take corrective action within days.

Officer (sign) (print name) Contact

Received by (sign) x (print name) Position Cashier



ORIGINAL

Buckinghamshire & Surrey
trading standards

Tel: 01494 632195
Email:
General enquiries:
www.bucksandsurreytradingstandards.gov.uk

*Bobby's Food & Wine
High Street
Stairley*

TRADING STANDARDS

Walton Street Offices,
Aylesbury,
Buckinghamshire, HP20 1UP

Woodhatch Place, 11
Cockshot Hill, Reigate, Surrey
RH2 8EF

Your Ref:

Our Ref:
11th December 2024

Dear Sirs

**Children and Families Act 2014
The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015.**

This Service has received a complaint alleging that your business has supplied a nicotine inhaling product (E-Cigarette) to a person under the age of 18 years.

You are advised that it is a criminal offence to sell nicotine inhaling products to persons under 18 years of age and can lead to a fine of up to £2500.

A nicotine inhaling product is defined in the above Regulations as a nicotine inhaling device, nicotine cartridge or nicotine refill substance.

A nicotine inhaling device means a device which—

(a) is intended to enable nicotine to be inhaled through a mouth piece (regardless of whether the device is also intended to enable any other substance to be inhaled through a mouth piece), but

(b) is not tobacco, cigarette papers or a device intended to be used for the consumption of lit tobacco;



Buckinghamshire & Surrey
trading standards

V

Exhibit number *103*

Signed *[Signature]*

Date *17/11/25*

Issue October 2015

Buckinghamshire & Surrey
trading standards

Trading Standards, Walton Street Offices, Aylesbury, Buckinghamshire HP20 1UA
 Trading Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey RH2 8EF
 Telephone: 0300 123 2329
 Email: trading.standards@surreycc.gov.uk
 www.bucksandsurreytradingstandards.gov.uk

VISIT REPORT

Name of business Bobby's Food & Wine Date 11/12/2024 Time 14:30 hrs
 Alternative name Bjaj Woodhatch Ltd Contact name Pawandeep Bjaj
 Address High Street, Steeles
 Website E-mail
 Reason for visit U/S advice visit Tel. No.

Best practice advice/comment

Product with no label about underage sale & date of production

Potential breaches identified

1 Imported food on sale with no sufficient food information not labelled for our market - date in English with "new"
2 No meat chilling & shelving to bring into

contrary to Food Information Regs
 and you are advised/required to take corrective action within _____ days.

Officer (sign) _____ (print name _____) Contact _____
 _____ (print name _____) Position _____

Buckinghamshire & Surrey
trading standards

V. _____
 Exhibit number 104

Signed _____ 3 Page _____ of _____

Date 17/11/2025
 Issue October 2015




businesscompanion

trading standards law explained

Tobacco and vapes

In the guide

- What is meant by tobacco, tobacco products and vapes?
- Age restriction on the sale of tobacco products
- Age restriction on the sale of vapes
- Age of the person making the sale
- Persistent sales to under-18s
- Proxy purchase of tobacco and vapes
- Is it legal to sell single cigarettes?
- Can tobacco be sold from vending machines?
- Display and price marking of tobacco products
- Cigarette lighter refills
- Matches and lighters
- Defences
- Keeping within the law
 - Age verification checks
 - Operate a Challenge 21 or Challenge 25 policy
 - Staff training
 - Maintain a refusals log
 - Till prompts
 - Signage
 - Closed circuit television (CCTV)
 - Online sales
- Packaging, labelling, advertising and tracking
- Trading standards
- In this update
- Key legislation

This guidance is for England

Certain products cannot be sold to persons below a legal minimum age; for tobacco and vapes this legal minimum age is 18.

A packet of cigarettes must contain a minimum of 20 cigarettes and must only be sold in its original packaging. A notice must be displayed stating 'It is illegal to sell tobacco products to anyone under the age of 18'.

Tobacco products must not be on display in-store and there are also restrictions on how prices and price lists are displayed.

Young people should always be asked for proof of their age.

Note: in English and Welsh law, 'nicotine inhaling products' is the legal term used to describe vapes (which are sometimes also referred to as e-cigarettes) and associated products; the generic term 'vapes' is used in this guide.

What is meant by tobacco, tobacco products and vapes?

'Tobacco' is defined as including cigarettes, any product containing tobacco for oral or nasal use (for example, snuff) and smoking mixtures used as a substitute for tobacco (for example, herbal cigarettes). 'Cigarettes' include cut tobacco rolled up in paper, tobacco leaf and other material in a form that is capable of being immediately used for smoking.

A 'tobacco product' is defined as "a product consisting wholly or partly of tobacco and intended to be smoked, sniffed, sucked or chewed".

A 'nicotine inhaling product' means a nicotine inhaling device (used to inhale nicotine through a mouth piece), nicotine cartridge (contains nicotine and forms part of a nicotine inhaling device) or nicotine refill substance (generally known as e-liquid). Nicotine inhaling devices are commonly referred to as 'vapes' and the law covers both disposable and rechargeable types. In this guide, 'vapes' refers to all the products mentioned in this paragraph, not just the inhaling devices.

Age restriction on the sale of tobacco products

The law states that it is an offence for any person to sell any tobacco products (including cigarette papers) to a person under 18, whether or not it was for their own use. This is a strict liability offence, which means the owner of the business can be held responsible as well as the member of staff who made the sale. If you are charged with this offence, you have the defence that you took all reasonable precautions and exercised all due diligence to avoid committing the offence. This is commonly known as the 'due diligence' defence. The '**Keeping within the law**' section of this guide includes steps that can be taken to provide a 'due diligence' defence.

You must display a notice that states:

IT IS ILLEGAL TO SELL TOBACCO PRODUCTS TO ANYONE UNDER THE AGE OF 18

The notice must be displayed in a prominent position and be easily visible at the point of sale. The notice must be no less than 297 mm x 420 mm (A3) and the characters must be no less than 36 mm in height. Your local trading standards service or your tobacco supplier may be able to provide a notice for you to use. It is an offence if you do not have the required notice on display, although the 'due diligence' defence is available to you.

Age restriction on the sale of vapes

A person who sells a vape to someone under 18 commits an offence. This is a strict liability offence; the owner of the business can be held responsible as well as the member of staff who made the sale.

There is an exception for vapes that are licensed as medicines or medical devices. This exemption only applies to the extent to which the product is authorised.

If you sell vapes you might want to display a poster advising customers that you will not sell to under-18s:

If I sell vapes or nicotine refills to people under 18 TRADING STANDARDS WILL PROSECUTE ME

Note: unlike the tobacco poster, this is not a legal requirement and is simply suggested wording.

Single use, disposable vapes are increasingly popular with children, largely due to their bright colours, appealing flavours and price. You and your staff should be alert to attempts by children to buy these products and take extra care to avoid underage sales.

Additional guidance for pharmacies (and other retailers that have not traditionally sold age-restricted products) has been produced by the Department of Health and Social Care (which was known simply as the Department of Health at the time), the Medicines and Healthcare products Regulatory Agency and the Chartered Trading Standards Institute.

Age of the person making the sale

If you employ children in your business, it is not illegal for them to sell tobacco products, provided of course that the customer is not under 18. However, leaving unsupervised children selling tobacco is not recommended as they may find it difficult to refuse customers in their own age group.

Persistent sales to under-18s

If you are convicted of selling tobacco or vapes to persons under 18, and at least two other offences occurred in the preceding two years relating to the same premises, trading standards can make an application to a Magistrates' Court for a restricted premises order and/or a restricted sales order.

A restricted premises order prohibits the sale from the premises of any tobacco, cigarette papers or vapes to any person, by you or any of your staff for a period of up to one year. You are entitled to make representations to the court as to why they should not grant the order.

A restricted sales order prohibits a specified person who has been convicted of a tobacco or nicotine offence from selling any tobacco, cigarette papers or vapes to any person and from having any management function related to the sale of tobacco, cigarette papers or vapes for a period of up to one year.

Offences are committed if a person sells tobacco, cigarette papers or vapes when a restricted premises order is in place or if a person fails to comply with a restricted sales order.

Proxy purchase of tobacco and vapes

An adult who buys or attempts to buy tobacco, cigarette papers or vapes on behalf of someone under 18 commits an offence. This is called 'proxy purchasing'.

It is the buyer and not the trader who commits an offence under these circumstances. However, be aware of young people loitering outside your premises; they may ask adult customers to buy tobacco, cigarette papers or vapes for them. It is advisable to refuse such sales.

Is it legal to sell single cigarettes?

No. A packet of cigarettes must contain a minimum of 20 cigarettes. It is an offence to sell cigarettes to any person other than in their original package. This means you must not split a pack and sell in lesser

Operate a Challenge 21 or Challenge 25 policy

This means that if the person appears to be under 21 or 25, they will be asked to verify that they are 18 or over by showing valid proof of age.

Staff training

Make sure your staff are properly trained. They should know which products are age restricted, what the age restriction is and the action they must take if they believe a person under 18 is attempting to buy. It is important that you can prove your staff have understood what is required of them under the legislation. This can be done by keeping a record of the training and asking the member of staff to sign to say that they have understood it. These records should then be checked and signed on a regular basis by management or the owner.

Maintain a refusals log

All refusals of tobacco and tobacco products should be recorded (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse sales and have an effective system in place. Logs should be checked by the manager / owner to ensure that all members of staff are using them.

A specimen refusals log is attached.

Some tills have a refusals system built in. If using a till-based system, you should ensure that refusals can be retrieved at a later date. You should also be aware that some refusals are made before a product is scanned.

Till prompts

If you possess an EPoS system then it may be possible to use it to remind staff of age restrictions via a prompt. Alternatively, stickers can be used over certain product barcodes.

You should note that till prompts will not help you prevent offences under the Tobacco Advertising and Promotion (Display) (England) Regulations 2010 as the scan and prompt takes place after the display has been made.

Signage

You must display the legally required tobacco notice (see '**Age restriction on the sale of tobacco products**' above). It is not a legal requirement but you can, if you wish, display a poster advising customers that you will not sell e-cigarettes or nicotine refills to under-18s (see '**Age restriction on the sale of vapes**' above). These should deter potential purchasers and act as reminders to staff.

Closed circuit television (CCTV)

A CCTV system may act as a deterrent and reduce the number of incidents of underage sales.

Online sales

If you sell by distance means, such as online or via a catalogue, you should set up an effective system capable of verifying the age of potential purchasers. Please see 'Online sales of age-restricted products' for more information.

Packaging, labelling, advertising and tracking

For information on the requirements regarding packaging etc, see 'Tobacco, vapes, etc: packaging, labelling, advertising and tracking'.

Trading standards

For more information on the work of trading standards services - and the possible consequences of not abiding by the law - please see 'Trading standards: powers, enforcement and penalties'.

In this update

Terminology changed from the legal name to the more commonly used 'vapes'.

Last reviewed / updated: December 2022

Key legislation

Children and Young Persons Act 1933

Children and Young Persons (Protection from Tobacco) Act 1991

Cigarette Lighter Refill (Safety) Regulations 1999

Tobacco Advertising and Promotion Act 2002

Protection from Tobacco (Sales from Vending Machines) (England) Regulations 2010

Tobacco Advertising and Promotion (Display) (England) Regulations 2010

Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010

Children and Families Act 2014

Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015

Standardised Packaging of Tobacco Products Regulations 2015

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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Source URL: <https://www.businesscompanion.info/en/quick-guides/underage-sales/tobacco-and-vapes>

Buckinghamshire & Surrey
trading standards

Trading Standards, Walton Street Offices, Aylesbury, Buckinghamshire HP20 1UA
Trading Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey RH2 8EF

Telephone: 0300 123 2329

Email: trading_standards@surreycc.gov.uk
www.bucksandsurreytradingstandards.gov.uk

* 1 hour left you on tobacco (with)
no tobacco + vapes and the
single use vape ban.

VISIT REPORT

Name of business Bobby's Food & Wine Date 16/04/25 Time 14:33 hrs

Alternative name Contact name

Address High Street Staines

Website E-mail

Reason for visit short notice + home Tel. No.

Best practice advice/comment

5) Imported food without mandatory food information - Nubooz Zap, Blue + Green forte bottles, Think up 2.0 + 1.0 bottles, USA smooths + London smooths/vapes - these must be removed from sale until such time all mandatory food information is in the correct format in English with any allergens emphasized in the ingredients list with any required hypochlorite warning PLB a name + address for the importer - you have been advised previously.

5) I am requiring copy invoices showing the supply of legal nicotine vapes - to be provided by 3/4/25 or else you will be notified accordingly.

Potential breaches identified

- 1) Sale of 21 sticks of cigarettes - (Top Gun + Redmond Blue) non child proof / tamper proof
- 2) Sale of 12 cigars - in breach of labelling requirements
- 3) Legal nicotine vapes - remove from sale + return to supplier - until registration has been received so these can not be sold
- 4) You must display a statutory tobacco notice - you have been advised previously.

contrary to to 16/04/25 and you are advised/required to take corrective action within days.

Officer (sign) (print name Contact
..... (print name Position Sales

Buckinghamshire & Surrey
trading standards

V
Exhibit number
1/06

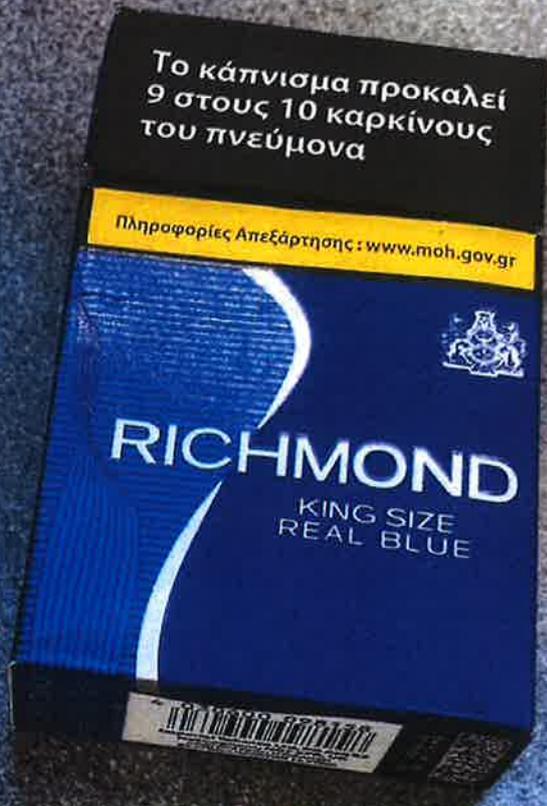
Signed
[Signature]

Date 17/11/2025
Issue October 2015



Page of





Buckinghamshire & Surrey
trading standards

V.....
Exhibit number
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Signed

Date 17/11/2025
Issue October 2015





Buckinghamshire & Surrey
trading standards

v
Exhibit number

Signed [Signature] / 108

Date 1/11/2025
Issue October 2016

 SURREY

Email: _____
General Enquiries: 0300 123 2329
www.bucksandsurreytradingstandards.gov.uk

Mr Pawandeep Bajaj
Bajaj Investments Ltd
163 High Street
STAINES UPON THAMES
Surrey
TW18 4PA

TRADING STANDARDS

Walton Street Offices
Aylesbury
Buckinghamshire HP20 1UP

Woodhatch Place
11 Cockshot Hill, Reigate
Surrey RH2 8EF

09 July 2025

Dear Mr Pawandeep Bajaj

ADVISORY LETTER

Tobacco and Related Products Regulations 2016
Standardised Packaging of Tobacco Products Regulations 2015

I am writing to you following the seizure of tobacco from your shop, Bobby's Food & Wine, in relation to offences committed under the above legislation.

I have now reviewed the investigation report from Senior Trading Standards Officer, Catriona Macbeth, in relation to a seizure of products that occurred from your shop, Bobby's Food & Wine, High Street, Staines.

On 16th April 2025 an inspection was undertaken at your shop and Ms Macbeth checked the compliance of the tobacco with the above mentioned legislation.

20 Richmond cigarettes, 1 Top Gun cigarette and 1 cigar were seized as evidence as these products breached Part 2 The Tobacco and Related Products Regulations 2016 and in particular Regulation 9 and Regulation 11; a person is guilty of an offence if that person breaches any part of Part 2. The cigarettes also breached Part 2 The Standardised Packaging of Tobacco Products Regulations 2015; a person is guilty of an offence if they breach any part of these regulations.

What happens now to the products seized from your premises?



The non-compliances detected are likely to amount to criminal offences. If prosecuted and found guilty, you could face an unlimited fine and even imprisonment.

However, on this occasion this Authority does not intend to take formal action and is willing to work with you so that you understand the law; it is unlikely that the same approach will be taken again.

Return of Seized Products

None of the products seized can be altered to bring them into compliance, therefore they will not be returned to you.

You also need to be aware as the premises are licensed for the sale of alcohol, under the Secretary of States S182 Guidance the use of licensed premises for the storage or sale of smuggled tobacco is grounds for a Review of the Premises Licence with revocation of the premises licence appropriate even on the first occasion.

Action requested of you

Please can you sign both copies of this letter and return one to us at your earliest convenience and in any event no later than 22 July 2025 in the stamped addressed envelope that has been provided. The second copy should be retained for your records.

Please can you also sign the enclosed waiver form and return it to us with the signed letter. Failure to sign and return the waiver form may result in an application to the Court for forfeiture and a cost order against you.

If you are unsure about any of the content in this letter, please contact me at

I look forward to hearing from you.

Yours sincerely,

Supervisor - Trading Standards

Enclosed: a letter to be signed (and one copy for your records), waiver form and envelope.
Business Guidance.

Cc



Chartered Trading
Standards Institute
corporate affiliate member



Buckinghamshire & Surrey Trading Standards
Woodhatch Place, 11 Cockshot Hill, Reigate Surrey RH2 8EF

Tobacco and Related Products Regulations 2016
General Product Safety Regulations 2005
Classification, Labelling and Presentation of Substances and Mixtures Regulations

I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

If I commit any offences under the above legislation, Trading Standards may investigate and consider taking formal legal action against me whether as an individual, sole trader, partner in a business or a company director in line with their enforcement policy.

Signed:

Name: Mr Pawandeep Bajaj

Dated:



Chartered Trading
Standards Institute
corporate affiliate member



Buckinghamshire & Surrey Trading Standards
Woodhatch Place 11 Cockshot Hill, Reigate Surrey RH2 8EF

Tobacco and Related Products Regulations 2016
General Product Safety Regulations 2005
Classification, Labelling and Presentation of Substances and Mixtures Regulations

I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

If I commit any offences under the above legislation, Trading Standards may investigate and consider taking formal legal action against me whether as an individual, sole trader, partner in a business or a company director in line with their enforcement policy.

Signed:

Name: Mr Pawandeep Bajaj

Dated:



HAYATI[®]
PRO MAX



New Recipe

HAYATI[®] PRO MAX
PINEAPPLE ICE

PRO MAX
4000+ PUFFS

PINEAPPLE ICE

This product contains nicotine which is a highly addictive substance

Buckinghamshire & Surrey trading standards
v Exhibit number [redacted] /10
Signed [redacted]
Date 17/11/2025
Issue October 2015

20 X Hoken Sildan
X Hayati Pro



Buckinghamshire & Surrey
trading standards

v
Exhibit number
[redacted] / 11

Signed
[redacted]

Date 17/11/2025
Issue October 2015

HAYATI
PRO MAX

Scratch and Check

MADE BY PAX

This product contains nicotine which is an addictive substance

CRUNCH

2.3g SUGAR

20 x hoken
x Hey



HAYATI
PRO MAX

KINDLY READ THE INFORMATION ON THE LEAFLET BEFORE USING THIS PRODUCT.

Instructions:
Take device out from condy bag & just inhale until the device battery stops working. Depending on the size of inhalos, device varies from 2500 - 4000+ deep inhalos to around 4000 - 4500 puffs smaller inhalos. (This varies upon use).

Ingredients:
Vegetable Glycerine, Propylene Glycol, Natural & Artificial Flavors, Nicotine Salt

WARNING:
Not for sale to those under the age of 18 and not suitable for pregnant and breastfeeding women. Keep away from children and pets. If you are not a nicotine user, kindly do not use this particular product. If you are allergic to any one of the ingredients mentioned, or if you are not sure, kindly do not use this product. This product contains nicotine which is highly toxic. If consumed orally, especially if the consumer is an infant, seek medical advice and contact your local poison center or physician immediately and keep this products information with you.

Nicotine 20mg/ml
122µg Nicotine Per Puff

Product of:
PAX Innovations (Shenzhen) Limited
Address: RM B08, Block A, Bldg 2,
Tongtai Times Centre, Haoyu Rd,
Bao'an District, Shenzhen, China
E-mail: info@pax-in.com
Website: www.hayatlvaper.com
WhatsApp: +86 17722690972



MADE BY PAX



DANGER



This product contains nicotine which is a highly addictive substance

Buckinghamshire & Surrey
trading standards
v
Exhibit number
/12
Signed
Date 17/11/2025
Issue October 2016
SURREY

20 x HAYATI
x HAYATI



Cool Lip[®]
Filter Tobacco

A Tobacco Product. Do not Swallow
NO GUTKHA, NO PANI MASALA, NO SUPARI
This Product is covered under TOBACCO COTPA ACT-2003
NOT TO BE SOLD WHERE IT IS NOT ALLOWED

Consumer Care No.: +91-11-40484048
Consumer Care E-mail: info@trdpgroup.com

Buckinghamshire & Surrey
trading standards
v
Exhibit number
/13
Signed
Date 11/11/2023
Issue October 2015

This pro
cotine v
addictiv

Enjoy Hayat! Enjoy Life
HAYATI!
HAYATI!

PRO MAX

Sigara içmek kan
akısını yavaşlatır
cinsel iktidarını
zayıflatır.
A.D. 171 Sigara Bırak

**TOBACCO USERS
DIE YOUNGER**

QUIT TODAY CALL 1800-11-2356

COOL Lip[®]

Filter Tobacco

Sigara iç
hemen

Buckinghamshire & Surrey
trading standards

v
Exhibit number
/14

Signed

Date 11/11/2025
Issue October 2015



तम्बाकू सेवन
यानि अकाल मृत्यु

आज ही छोड़ें, कॉल करें 1800-11-2356

COOL Lip[®]
Cigarette Tobacco



THIS PRODUCT FALLS UNDER COTPA 2003 (I.A. TOBACCO ACT) दुमारी और अन्य तम्बाकू पदार्थ से शरीर को खराब बनाते हैं।

Buckinghamshire & Surrey
trading standards
v
Exhibit number [blank] / 15
Signed [blank]
Date 17/11/2015
Issue October 2015
SURREY

END
This to
damage
SPIT TOBACCO



ENGLISH
This tobacco products can damage your health and is addictive.



GERMAN
Dit tabaksproduct kan uw gezondheid schaden en is verslavend



FRENCH
Ce produit du tabac peut nuire à santé et créer une dépendance

ORIGINAL

Uda Panchhi

Tobacco

NEW PACK



SPIT TOBACCO

SPIT TOBACCO
PAN MASHALI
SUGAR

Buckinghamshire & Surrey
trading standards

V

Exhibit number
[redacted] / 16

Signed
[redacted]

Date 17/11/2025
Issue October 2015



PRO MAX
PUFFS

This product contains
nicotine which is a highly
addictive substance

ओरिजनल

3 Datta Panchhi™



NET WT. 15g (0.529 OZ) When Packed, TOBACCO TAX CLASS C
CONTAINS TOBACCO NOT A FOOD PRODUCT खादक पदार्थ नहीं
This product falls under COTPA 2003 (I.e. Tobacco Act)
Line in Extra Tube NOT FOR MINORS PRODUCT OF INDIA



Archit

INDUSTRIES

Mfd. By: **SHIV TOBACCO CO.**
DAMKORA ROAD, TOHANA (HARYANA)

GSTIN: 06AYIP50302B220

Customer Care No. 09354404713, E-mail: archit@shivtobacco.com
For Pkd. & Batch No. See The Back of the Packet

NOT FOR MINORS

Buckinghamshire & Surrey
trading standards
V. _____
Exhibit number
_____ 2/17
Signed _____
Date 17/11/2025
Issue October 2015





PRO MAX
4000+ PUFFS
FRESH MINT

This product contains nicotine which is a highly addictive substance

HAYATI PRO MAX
Enjoy Hayati! Enjoy Life!

PRO MAX

Sigara dumanı, peteklere zarar verir. Sigara kullanımı, özellikle erken dönemde yol açarak hücrelerdeki DNA, hasarlık ve engellilik riskini artırır.
ALO 111 Sigara Bırakma Hattını Arayın.

MAYFAIR

Smoking kills

Marlboro Touch White
20 Sigara

Imar provoca 9 de cada cànceres de pulmòn

Fogt Premium Blue New Style

ORIGINAL L&B
PREMIUM QUALITY

Smoking kills

L&B

L&B

L&B

Buckinghamshire & Surrey trading standards
v. Exhibit number [redacted] /19
Signed [redacted]
Date 11/11/2025
Issue October 2015

SURREY

£1.69

£1.69

£1.32



This product contains nicotine which is a highly addictive substance

Smoking kills

Smoking seriously harms you and others around you

Smoking causes mouth cancer

Buckinghamshire & Surrey trading standards
V. _____
Exhibit number _____/29
Signed _____
Date 17/11/2025
Issue October 2016

£1.69



Buckinghamshire & Surrey
trading standards

V
Exhibit number
[redacted] /21

Signed
[redacted]

Date 17/11/2025
Issue October 2016



Excipients

Sildamax
Rx Sildenafil Tablets BP

Each film coated tablet contains:
Sildenafil Citrate BP equivalent to Sildenafil 100 mg
Excipients

Colour: Approved colour
Dosage: As directed by the physician only.

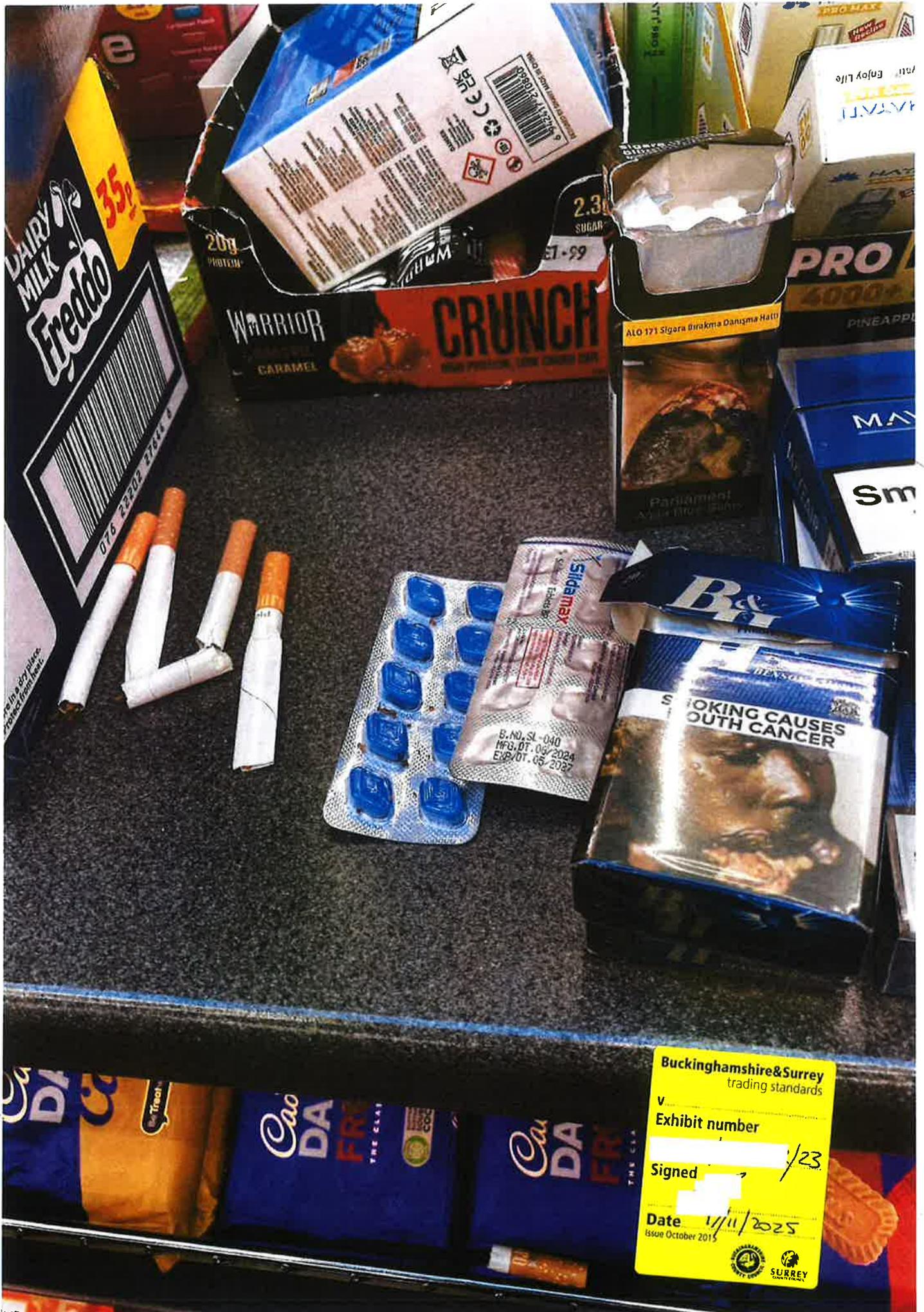
Warning: To be taken under medical supervision only. Keep in cool, dry place. Keep medicines out of reach of children.

Code No.: KR/DRUGS/KTK/25A/0849/2020
Exported by: Agron India Limited
Mumbai - 400009, India

Colour: Approved colour
Dosage: As directed by the physician only.

B. NO. SL-010
MFG. DT. 06/2024
EXP. DT. 05/2027

Buckinghamshire & Surrey
trading standards
V
Exhibit number [redacted] /22
Signed [redacted]
Date 12/11/2025
Issue October 2015
 



Buckinghamshire & Surrey trading standards
v
Exhibit number [redacted]
Signed [redacted] /23
Date 1/11/2025
Issue October 2015



Email: _____
General Enquiries: 0300 123 2329
www.bucksandsurreytradingstandards.gov.uk



Mr Pawandeep Bajaj
Nappa Ltd
Singh Hub
157 High Street
STAINES
Surrey
TW18 4PA

TRADING STANDARDS

Walton Street Offices
Aylesbury
Buckinghamshire HP20 1UP

Woodhatch Place
11 Cockshot Hill, Reigate
Surrey RH2 8EF

23 May 2024

Dear Mr Bajaj

ADVICE LETTER

**Tobacco and Related Products Regulations 2016
General Product Safety Regulations 2005
Classification, Labelling and Presentation of Substances and Mixtures Regulations**

I am writing to you as the director of Nappa Ltd trading as Singh Hub, in relation to offences committed under the above legislation.

I have now reviewed the investigation report from Senior Trading Standards Officer, Catriona Macbeth, in relation to a seizure of products from your premises.

On 16th April 2024 an inspection was carried out at Singh Hub and I checked the compliance of the disposable vapes (aka "puff bars") and the shisha with the above-mentioned legislation. The vapes are e-cigarettes (Nicotine Inhaling Devices) used for the consumption of nicotine-containing vapour.

266 x assorted vapes, all either above the maximum permitted tank size of 2ml; above the maximum permitted nicotine content and/or without required information and/or without the required CLP warnings were seized as evidence as these products breached Part 6 the



Tobacco and Related Products Regulations 2016; a person is guilty of an offence if that person breaches any part of Regulation 6 except for Regulation 32.5 and Regulation 34.

5 x packs of shisha were seized as evidence as these products breached the Tobacco and Related Products Regulations 2016, in that under Regulation 48 of the Tobacco and Related Products Regulations 2016; a person is guilty of an offence if that person breaches Regulation 28 (labelling and presentation of herbal products for smoking).

I understand that Ms Macbeth has provided you with a copy of some guidance about the legal requirements for supplying vapes.

As non-compliances were detected, the purpose of this letter is to explain the requirements of the legislation and to assist you in trading lawfully in the future.

This letter also sets out what will now happen with the products which were seized from your premises on the suspicion that they were in breach of the above Regulations.

1 – Legal requirements relating to the supply of e-cigarettes containing nicotine

Tobacco and Related Products Regulations 2016

Requirement for products to be notified to the MHRA prior to sale

You can only sell pre-filled disposable e-cigarettes or any other vaping liquid that contains nicotine which have been notified to the Medicines and Healthcare products Regulatory Authority (MHRA). When sourcing new supplies of any e-cigarette or e-liquid product, check that a compliant notification has been published in one of the Notified Product lists that can be found on the MHRA's website (<https://cms.mhra.gov.uk/>).

If you cannot find the product on the MHRA's website, ask your supplier to confirm that it has been published and provide details to enable you to confirm the product's status. If a product has yet to achieve publication status, they may not supply it to you. Any stock offered for sale without said MHRA publication status is liable to seizure.

None of the products seized have been notified to the MHRA as required.

The Maximum Capacity & Strength of E-Cigarettes

Nicotine containing liquid which is presented for sale in a disposable electronic cigarette must not be in a volume exceeding 2ml. *All of the vapes seized were above the 2ml limit.*

The maximum nicotine content of any type of e-cigarette be it a re-fillable or a disposable device is 2% (or 20mg/ml in liquid form). Devices with a nicotine content higher than 2% cannot be sold in the UK. Please be aware that many manufacturers, for example Geek Bar, produce different versions of the same brand/flavour for both the EU/UK market where

the limit is 2% and also for other markets (i.e. the USA) where the limit is higher- typically 5%. 30 of the vapes seized had a nicotine content of 5% (50mg/ml). As regards the VNSN vapes whilst the packaging stated 0% Nicotine, both the ingredients and the warnings demonstrated that the products contained nicotine and were missing required traceability information.

You must make sure that any stock you order, particularly if you are ordering online, is intended for supply to the UK market.

Labelling of E-Cigarettes

Each unit pack (individual e-cigarette) must include a leaflet which provides the following information. If the required leaflet information can fit on the pack and other labelling within the pack without loss of legibility to the consumer, a separate leaflet insert is not required. Such information should include:

- Instructions for use and storage of the product, including a reference that the product is not recommended for use by young people and non-smokers;
- Contra-indications;
- Warnings for specific risk groups;
- Possible adverse effects;
- Addictiveness and toxicity;
- Contact details of the producer. The producer is any person who, in the course of a business, with a view to supplying the product for consumption in the United Kingdom or through the travel retail sector
 - manufacturers the product
 - puts a name, trade mark or other distinguishing mark on it by which the person is held out to be its manufacturer or originator; or
 - imports it into any part of the United Kingdom

The contact details for the importer into the United Kingdom was missing from the items seized as was other required information.

Each unit pack (individual e-cigarette) and any container pack (packaging containing one or more unit pack) must include:

- A list of all ingredients contained in the product set out in descending order by weight;
- An indication of the nicotine content of the product and the delivery per dose;
- The batch number
- A recommendation to keep the product out of reach of children.
- A warning on the front and back surfaces of the pack stating: **“This product contains nicotine which is a highly addictive substance”**. This wording must

be used exactly as stated, occupy the greatest possible proportion of the space reserved for it and must cover 30% of the surface.

- Where the product contains more than 1.7% nicotine a red diamond containing a skull and cross bones and a raised tactile triangle is required.

None of the products seized from your premises had all of the necessary information.

Packs may not contain anything that:

- Promotes the product by creating an erroneous impression about its characteristics, health effects, risks or emissions.
- Suggests the product is less harmful, has health benefits or environmental advantages.
- Resembles a food or a cosmetic product (though images of the flavourings are acceptable).
- Suggests economic advantage – e.g. vouchers, offering discounts, free distribution, two-for-one, etc.

2 – What happens now to the products seized from your premises?

The non-compliances detected are likely to amount to criminal offences. If prosecuted and found guilty, you could face an unlimited fine and even imprisonment.

However, on this occasion this Authority does not intend to take formal action and is willing to work with you so that you understand the law and so that no further non-compliant products are supplied by you or returned into the supply chain. In addition, your premises will be visited again in the future to assess compliance. If further breaches of the above legislation are detected, it is unlikely that the same approach will be taken again.

Return of Seized Products

None of the products seized can be altered to bring them into compliance, therefore they will not be returned to you.

I understand that the supplier of these products was located at Charles House and whilst you were provided with invoices, these did not accurately describe all of the products you purchased; this should have indicated to you that there were a problems with the devices supplied to you and this means that you are unable to provide traceability.

You are obliged to provide traceability under Regulation 8 of the General Product Safety Regulations 2005 and failure to do so could lead you to commit further criminal offences for which the penalty is a fine and or up to 3 months imprisonment.

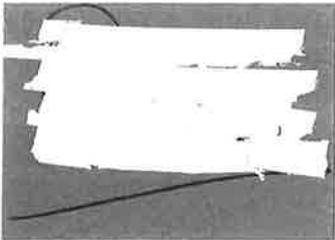
Action requested of you

Please can you sign both copies of this letter and return one to us at your earliest convenience and in any event no later than 7th June 2024 in the stamped addressed envelope that has been provided as well as the copy invoices. The second copy should be retained for your records.

If you are unsure about any of the content in this letter, please contact me at

I look forward to hearing from you.

Yours sincerely,



Supervisor - Trading Standards

Enclosed: a warning to be signed (and one copy for your records) and envelope.

Buckinghamshire & Surrey Trading Standards
Woodhatch Place, 11 Cockshot Hill, Reigate Surrey RH2 8EF

Tobacco and Related Products Regulations 2016
General Product Safety Regulations 2005
Classification, Labelling and Presentation of Substances and Mixtures Regulations

I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

If I commit any offences under the above legislation, Trading Standards may investigate and consider taking formal legal action against me whether as an individual, sole trader, partner in a business or a company director in line with their enforcement policy.

Signed:

Name: Mr Pawandeep Bajaj

Dated:



Representation from the Licensing Authority

Premises: Bobbys Food and Wine 163 High Street, Staines-upon-Thames TW18 4PA

This representation is submitted by Spelthorne Borough Council as the Licensing Authority in support of the review of the premises licence for **Bobbys Food and Wine**.

Premises: Bobbys Food and Wine, 163 High Street, Staines-upon-Thames, TW18 4PA

Premises Licence Holder (PLH): Pawndeeep Bajaj

Designated Premises Supervisor (DPS): Pawndeeep Bajaj

Former DPS: Balwinder Singh

Applicant: Surrey Trading Standards.

The Licensing Authority is concerned that the operation of the premises is undermining the following licensing objectives:

- **The prevention of crime and disorder**
- **The protection of children from harm**

This representation supports the review application submitted by **Trading Standards**.

- Pawndeeep Bajaj has been the **Premises Licence Holder since 4 October 2023**.
- Mr Bajaj became **DPS on 22 January 2026**, replacing **Balwinder Singh**.

Despite multiple interventions and warnings from responsible authorities, the premises has continued to be associated with illegal sales of age-restricted products, possession of illicit tobacco/vapes, poor management practices, and an ongoing failure to comply with licence conditions.

The following actions have been taken:

- Trading Standards and Surrey Police visited the premises on 12 February 2025. An E-cigarette was sold to 17-year-old as part of a police operation.
- On 16 April 2025 Trading Standards revisited the shop and illegal cigarettes were seized.
- On 27 August 2025 a Surrey Police and Trading Standards visit found numerous illegal vapes and cigarettes.
- The Licensing Authority has made six compliance visits. These visits show a continued failure to comply with their licensing conditions.

The Section 182 Guidance states that there is 'certain criminal activity that may arise in connection with licensed premises which should be treated particularly

seriously'. It goes on to state that 'for the sale or storage of smuggled tobacco and alcohol'.¹ The guidance goes on to state at Point 11.28 that "it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered."

The Licensing Authority's Statement of Licensing Policy states²:

16.57 The Licensing Authority is committed to protecting children from harm and supports the programme of **underage** test purchases arranged by the Surrey Trading Standards Service, the Licensing Team and Police. Where **underage** sales are found, the Licensing Authority supports the appropriate and proportionate use of warnings, fixed penalty notices, reviews and prosecution as a means of promoting the licensing objectives and enforcing the Licensing Act proportionately.

16.58 In keeping with the s.182 Guidance the Licensing Sub-Committee will treat **underage** sales as serious criminal activity and will give consideration to the suspension or revocation of a licence if a review is brought in respect of **underage** sales.

-
-

All Licence Holders and Designated Premises Supervisor must promote the licensing objectives. Due to the issues detailed in this document and the review application from Trading Standards the Licensing Authority believe that the Licensing Objectives are not being adhered to- specifically, the prevention of crime and disorder and the protection of children from harm.

The following guidance is issued under section 182 of the Licensing Act 2003 and is relevant in relation to this case under the Licensing Objectives.

- **Crime and disorder**

2.5 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

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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.

- **Public safety**

2.9 Good communication with local authorities and emergency services.

The DPS has not been contactable. The premises licence holder didn't know his current email address. When the LO was finally able to speak to the DPS and he was informed about the breaches found and then not all the faults were corrected. He was also not aware that the licence had been called into review.

The Licensing Authority has made a total of six visits and has found that the same problems persist even when the licence holder and DPS has been made aware of them. The issues include:

- the poor management of the shop, which included
- Not displaying the summary licence, then removing details from this.
- inadequate staff training. Staff unable to explain what challenge 25 is.
- Difficulties contacting the DPS. The licence holder did not have the current up to date contact details.
- DPS not having correct address on his personal licence
- No UV light
- No section 57 notice
- No incident book
- No challenge 25 posters
- No CCTV
- CCTV log no completed
- Staff unable to operate or download the CCTV

There has been some improvement after these visits but after the last visit there are still problems with:

- CCTV log
- Licence summary
- Section 57 notice
- Staff training
- Staff unable to operate or download the CCTV

One of the Council's Licensing Enforcement Officer stopped at the premises while on his way home on 08.11.2024 due to concerns he had about a number of young males and females in the shop. As he entered the premises, he saw what he thought was a vape being hidden by the server hand and passed over the counter to

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a young male who appeared to be under 16 years of age, this server was the licence holder Mr Bajaj. He denied that it was a vape but didn't tell the officer what it was. The youths quickly left the shop. Mr Bajaj was told by the officer that he would come back Monday. When the officer returned, he was told that there had been a power surge and this had fried the CCTV recorder and this had been removed from the property. This was checked and it had been removed. It was pointed out that there had been some electrical work going on at the fuse box. There was no way to confirm the power surge. There was no CCTV available for approximately one month (November to December) despite Mr Bajaj being aware that this was a condition on his licence.

Mr Bajaj, who at this time didn't have a personal licence. was asked for the DPS (Mr Singh) email address. He provided a Gmail address, and it was only when the officer was not able to contact the DPS and challenged Mr Bajaj that he didn't believe that MR Singh was acting as the DPS that a second email address was provided. When the DPS was spoken to, he said that he had stopped using that Gmail address a long time ago. The licence holder not being able to get hold of the DPS caused concern about Mr Singh's involvement in the daily running of the business.

At the meeting at the shop on 4 March 2025 date the DPS stated that he was down there at least twice a week checking stock. He was asked to sign the CCTV log every time he attended and this would be an easy way to check his attendance. He only signed this log once up to the last visit on 30 October 2025

On one visit 22 November 2024 the Licensing Enforcement Officer was talking to MR Bajaj when a male entered the shop and produced a phone, Mr Bajaj had a short conversation with him and this male left, the officer asked MR Bajaj what was happening and he said that this male was trying to sell a phone, he stated that he was not interested in buying phones off people who just walked in. After the officer had left, Mr Bajaj was seen to exit the shop and speak to this male again and take the phone from him. I submitted intel to the police that I thought he was handling stolen goods.

The Licensing Officer route home passes the business and in the early evenings there are often youths in the shop or hanging around nearby. He has been in the shop when on duty whilst youths who would need to be age verified have entered and seen the officer, they have either hung around for a while not bought anything and the officer has not left the shop until they did just to see what would happen, or they have taken their time only to buy a small drink and then leave.

The council's policy is to identify offences, then inform the person and finally take enforcement action. As the breaches have been minor it was decided that a full and comprehensive list be made so that any enforcement action would have a higher chance of success. Mr Bajaj has been emailed twice but has been spoken to in the shop about his breach of conditions four times. Mr Singh DPS was emailed three times, but this was to his old email. Three emails to his correct account and spoken

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to once at the shop. Three times on the phone when I was chasing him up and informed him of the breaches.

The Licensing Authority recommends in line with the guidance that the premises licence should be considered for revocation. Their current licence conditions are suitable just that they will not comply with them.

This is a proportionate and necessary step to uphold the licensing objectives.

Stuart Bruce-Reid – Licensing Enforcement Officer

Police compliance visit 15.02.2024

Info from police

Layout different to plan.

Age 25 posters not displayed around the alcohol sections.

Unable to produce training records.

Section 57 not displayed.

Refusals book not bound or with pre printed page numbers. Unable to find april and may sheets.

No uv light.

No incident book.

Cctv daily log not at the premises licence holder keeps it.

Unable to check date and time of cctv.

Premises licence holder operates cctv remotely person in store unable to operate.

14.10.2024

Info from police

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'Whilst in the shop for making a purchase (off duty) it was noted that by the checkout they were advertising slushies for sale. Empty plastic cups next to the slushie machine contained miniature bottles of alcohol and they were offering different drinks for example 'tequila slushie with haribo £3.99'

Unknown if they are selling as a package or ready made'

Licensing Authority Interaction and Correspondence

- **Compliance check 27.02.2024**

Licensing Officer (LO) attended the premises on 28/02/2024 and spoke with the shop assistant. The premises licence was available for inspection and on display.

There was a refusals book which had recently had entries made in it, all recent entries were in the same colour ink and appeared to be by the same person. The LO signed and dated the log. Challenge 25 signs were in place

There was no UV light at the premises and the officer could not explain what this was to the assistant.

The assistant said he was trained but there were no training records

CCTV is in place but there is no log. CCTV is controlled by the licence holders phone so CCTV cannot be downloaded by any other staff

There is no Incident Book at the premises

Officer asked for the licence holder to phone when he returns from India so that the remaining problems can be rectified.

- **Site Visit 08.11.2024**

As a LO drove past the shop there were numerous youths in the shop. The officer parked up and as he was walking back to the shop there was a group of 4 young girls aged between 14-16 years old they were opening new vapes. The officer was not able to see where they had bought these from.

As the officer entered the shop there was a group of youths at the counter, between 14 - 16 years old. The server was Mr Pawandeep Bajaj, the licence holder. He passed a package with a green end which the officer believed to be a vape, which was covered with his hand and this was quickly palmed by the youth and the group and they left quickly. The officer spoke to MR Bajaj and told him he had seen him selling a vape and he denied this.

The officer told him I would be back Monday to review the CCTV.

The officer left the shop but on looking back through the window he saw two young females between 12 -16 standing next to the drinks display and were

holding drinks and looking at him, eventually they put the drinks back and walked off without making any purchases.

- **11.11.2024 - Licensing compliance check email**

Pawandeep Bajaj
Balwinder Singh
Via email

Contact: Licensing
Service: Environmental Health
Direct line: +441784444202
E-mail: licensing@spelthorne.gov.uk
Our ref: 23/00589/LAPRE
Date: 11 September 2024

Dear Mr Pawandeep Bajaj and Mr Balwinder Singh

Licensing Act 2003 Premises Licence.

Bobby's Food and Wine, 163 High Street, Staines, TW18 4PA

I write further to my visit on 11th September 2024 with Mr Pawandeep Bajaj the licence holder, Mr REDACTED shop employee. In attendance was myself Stuart Bruce-Reid Licensing Enforcement Officer and Nessa Killen-McGuirk Licensing Enforcement Officer.

This visit was initiated, as on Friday 8th November at 17:51 I was going past the shop and saw that there was a large number of youths in the there. As I entered I saw Mr Bajaj passing a small rectangle box with a green end to a youth that appeared to be under 18. This was palmed by the youth who left the shop straight away.

I believed that this was a vape. I spoke to Mr Bajaj who denied that it was and I told him that I would be back on Monday to review the CCTV. After I left the shop, I returned to the front within a couple of minutes and observed via the window two young females who definitely below 18 years of age standing next to the soft drink display. They were picking drinks up looking at them and then replacing them, they were fully aware that I was watching. In the end they made no purchase and left the store. I would question why this took place.

My concern is that on Monday there had been an electrical fault and the CCTV was now broken. The hard drive had been removed and there was no way to check the condition of this unit. Also there is now no CCTV of my visit and events leading up to it.

Premises summary licence

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The summary licence must be on display at all times; we recommend that this is in a frame on the wall where it can be read. It was not displayed at the time of the visit. The first page of the full licence was displayed.

Section 57

Under the Licensing Act 2003 you are required to display a notice under section 57 Licensing Act 2003 advertising who the premises licence is under the control of. The required notice was not displayed. Please ensure the required notice is on display at all times

UV light

A working UV light is to be kept at the premises, near to the point of sale area, to check IDs.

This was missing.

Incident Book

All incidents of crime and disorder will be reported to the Police as soon as is practicable and be recorded in an incident book which will be kept at the premises and be available for inspection by any responsible authority on request.

There was not one

CCTV

No CCTV warning signs were displayed.

-

There are numerous conditions relating to CCTV but as the system was broken/missing all these have not been complied with.

One part also states.

An operational daily log must be kept, showing the CCTV has been checked and is working, bearing the signature of the person checking the system.

Mr Bajaj produce a log but this showed that he was only checking once a week last checked on the 11.11.2024.

The Premises Licence Holder must ensure at all times when the premises is open to the public that there is a person nominated in writing by themselves present who can operate the system. This staff member shall be able to show police recent data or footage with the minimum of delay when requested.

There was no written nomination.

Challenge 25

Challenge 25 posters will be displayed in the shop in prominent areas around the alcohol section and at the point of sale area.

There was one sign high up on the wall and covered by. There should be posters so more than one will be required.

All staff, paid and unpaid, will be trained on the Challenge 25 policy and a signed training record will be kept for each trained member of staff.

Having spoken to Mr Taha he was not aware of what identification he should be asking for

Staff Licensing Training

All staff (paid or unpaid) shall be fully trained in licensing legislation in relation to the Licensing Act 2003, including:

- ***proof of age training***, including training on recognising fake identification
- ***proxy purchasing***
- ***assertiveness training*** to ensure that all staff are capable of being robust in refusing sales of alcohol to underage or drunk persons,
- ***conditions of this premises licence.***
- *Training records will be available for inspection on request and will include details of the names of staff members trained including their signature, date of training, and a summary of the matters covered in the training including any material used.*

As mentioned under challenge 25 Mr REDACTED was lacking in training, also he didn't know what proxy purchasing was and didn't know the conditions of the premises licence.

Mr Bajaj said that he was completing the training, and this verbally completed and just a note in the training records to say it had been given but not recording what training had been given. The training needs to be completely revamped as MR Bajaj also didn't know what proxy purchasing was and his knowledge of suitable ID was also lacking.

Mr Singh as the DPS for this premises it is your responsibility to make sure the conditions of the licence are being complied with.

I will visit the premises in about 1 months' time to see that these faults have been rectified.

Mr Bajaj is the licence holder and he is also accountable, but the initial responsibility falls upon yourself.

I would also ask how many times a month you visit these premises and check that the conditions are being complied with.

If you have any concerns, please contact me.

Thanks

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

Environmental Health and Licensing

- **Site Visit 22.11.2024**

Licensing officer visit at approximately 14:15 to check on CCTV. Whilst speaking to the staff a white male apparent age 25 wearing a dark hat and jacket, unshaven with a distinctive small black mark left side of face below eye entered the shop and asked for the 'boss'. The server stated that he was not in, and this male hung around outside. Within 5 minutes the manager Mr Pawandeep Bajaj arrived, and this male went to speak to him, but Mr Bajaj told him that he could not speak and to come back later. Mr Bajaj went outside as the officer pointed out his parking was blocking the pavement and this male approached him again and stated that he had a S20 phone in a green rubber case on the back and showed the phone to him. Mr Bajaj told him to go away. The officer asked what was going on and Mr Bajaj said he wanted items on tick.

Whilst in the shop another white male AA 55 entered the shop and just stood behind a display watching us, he made no effort to browse or buy anything. When we left, Mr Bajaj was observed to approach the male outside and engage him in conversation and take the phone from him.

- **06.12.2024 Email to DPS. (sent to his Gmail address provided by Mr Bajaj).**

Mr Singh

As a result of my previous visit to Bobbys, I will be attending next Tuesday 10th December at 10am. I will require your attendance at the shop for this. You are the DPS and therefore responsible for making sure the licence conditions are complied with.

Please could you let me know you will be attending.

Thanks

BRUCE

10.12.2024 Compliance visit by council follow up email.

Pawandeep Bajaj
Balwinder Singh
Via email

Contact: Licensing
Service: Environmental Health
Direct line: +441784444202
E-mail: licensing@spelthorne.gov.uk

Our ref: 23/00589/LAPRE
Date: 10 December 2024

Dear Mr Pawandeep Bajaj and Mr Balwinder Singh

**Licensing Act 2003 Premises Licence.
Bobby's Food and Wine, 163 High Street, Staines, TW18 4PA**

I write further to my visit on 10th December 2024 with Mr Pawandeep Bajaj the licence holder, Mr REDACTED shop employee. In attendance was myself Stuart Bruce-Reid Licensing Enforcement Officer and Nessa Killen-McGuirk Licensing Enforcement Officer.

I am pleased to say that most of the failures I discovered on my last visit have been rectified.

Premises summary licence

This is now displayed but the first 2 pages of the full licence is also on display, I would recommend that these pages are removed and kept with the rest of the full licence.

Section 57

Under the Licensing Act 2003 you are required to display a notice under section 57 Licensing Act 2003 advertising who the premises licence is under the control of. The required notice was not displayed.

This was still not displayed, and this was discussed, you were shown where to download this form from the Spelthorne website, and you tried to get it printed this day but were not able to do so. Please complete as soon as possible.

UV light

A working UV light is to be kept at the premises, near to the point-of-sale area, to check IDs.

You now have a UV light.

Incident Book

All incidents of crime and disorder will be reported to the Police as soon as is practicable and be recorded in an incident book which will be kept at the premises and be available for inspection by any responsible authority on request.

You were able to now produce an incident book.

CCTV

No CCTV warning signs were displayed.

There are now CCTV signs in place.

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You now have 3 CCTV cameras working, 2 of these are linked to the hard drive in the shop and can be reviewed and downloaded there and then, the 3rd is linked in with your account and can be viewed from your phone.

The recordings go back to the 19th November which is the day you informed me that they had been installed.

I was unable to check that recordings go back 30 days as the system has not been installed for that period of time, but you have assured me with the hard drive installed this would be no problem.

One part also states.

An operational daily log must be kept, showing the CCTV has been checked and is working, bearing the signature of the person checking the system.

This log was checked and found to be fully updated.

The Premises Licence Holder must ensure at all times when the premises is open to the public that there is a person nominated in writing by themselves present who can operate the system. This staff member shall be able to show police recent data or footage with the minimum of delay when requested.

There was no written nomination.

This was discussed and it was suggested that this information could be put on the bottom of the Sec. 57 notice.

You mentioned that you might not want staff to have immediate access to this in case they decided to delete any footage. If you wanted this removed, then a minor variation would have to be submitted but with something that would be suitable for the current technology and for the downloading of footage that would be acceptable to the police.

Challenge 25

Challenge 25 posters will be displayed in the shop in prominent areas around the alcohol section and at the point-of-sale area.

This was displayed as you enter.

All staff, paid and unpaid, will be trained on the Challenge 25 policy and a signed training record will be kept for each trained member of staff.

Mr REDACTED was able to demonstrate a much better understanding of this.

Staff Licensing Training

All staff (paid or unpaid) shall be fully trained in licensing legislation in relation to the Licensing Act 2003, including:

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- ***proof of age training, including training on recognising fake identification***
- ***proxy purchasing***
- ***assertiveness training to ensure that all staff are capable of being robust in refusing sales of alcohol to underage or drunk persons,***
- ***conditions of this premises licence.***
- ***Training records will be available for inspection on request and will include details of the names of staff members trained including their signature, date of training, and a summary of the matters covered in the training including any material used.***

Again, Mr REDACTED was able to show a much better understanding of the licence conditions, proof of age and proxy sales

The training record didn't contain too much information and must include a summary of the training and any materials used.

Refusal Book

The refusal book was checked and there were 2 entries since my last visit, the last was on 26.11.2024 at 3:24pm refusal for a vape sell. CCTV was checked for this incident, and it shows over a period of 10 minutes numerous children in school uniform enter the shop and several of them engaged you in conversation at the till and left the shop without purchasing anything.

I am happy with this as it shows that refusals are being made and recorded.

I have still not heard anything from Mr Singh the DPS. I am concerned that he no longer has anything to do with this premises, even though Mr Bajaj has assured me that he still does. Mr Bajaj has stated that he has spoken to Mr Singh and he will contact me but at this time there is a family crisis and he will be focusing on that.

If you have any concerns, please contact me.

Thanks

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

Environmental Health and Licensing

- **10.01.2025 Further email to DPS using his Gmail address.**

Mr Singh

I have tried to contact you before, but I haven't had any reply. You are shown as the DPS for the above premises. Please will you contact me as a matter of urgency.

Thanks

BRUCE

Stuart Bruce-Reid
Licensing Enforcement Officer

- **10. 14.01.2025 Email to licence holder asking if DPS was actually working there.**

Mr Bajaj

As a result of the numerous visits and correspondence with you over the licence conditions at Bobbys I have not been able to contact the DPS MR Balwinder Singh. At this time, I do not believe Mr Singh is acting as the DPS for this premises. Please can you make every effort for him to contact me this week, as without a DPS you will not be able to sell any alcohol.

PLEASE TREAT THIS AS URGENT.

Regards.

BRUCE

Stuart Bruce-Reid
Licensing Enforcement Officer

- **Site visit 17.01.2024**
Attended shop and spoke to MR Bajaj, he confirmed the DPS email address was correct (the Gmail one), he provided the officer with his telephone number again saying that the DPS father was seriously ill. Mr Bajaj then took a picture of the officer's business card and Whatsapp'd to the DPS.

The officer told Mr Bajaj that he believed the DPS had nothing to do with the premises and was just a name and that he needed urgently to speak to him.

- **25.01.2025 1st email reply from DPS**

Hello

Thanks for your email and update on fone.

As discussed over the phone I will surely meet you on 31st around 11.30am only if I get my dad discharged from hospital. we are hoping he will get discharge by 29th Jan as per doctors but that too only if he clear certain blood checks.

So far am ok with 31st if anything changed will update you in email.

Thanks

Balwinder Singh

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- **13. 22.01.2025 Reply from DPS.**

Mr Singh

Please can I meet you at Bobby's on Friday 31st January 2025 at 11:30 am. I need to discuss your role as the DPS for this premises. Please make sure you bring your personal licence with you, along with any evidence which shows what actions you have taken in your role as the DPS for at least the last 6 months.

As I explained I don't believe you have been acting as the DPS and unless you can provide any things to contrary, I will be considering calling the licence into review.

Regards

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

- **Site visit 03.02.2025**

DPS failed to attend meeting, and officer emailed him asking why. The officer spoke to him on the phone, and he stated that he had a family medical emergency and had emailed him.

Mr Singh.

With reference to our telephone conversation last Friday, I have checked all my mail boxes and cannot find the last email you sent saying that you would not be available to attend Bobbys.

I appreciate that due to family problems you have not been to make this meeting, I will still need to speak to you and ask that you provide a suitable date to meet me within the next 7 working days.

I would again ask that you provide any document evidence you have been involved in the day to day running of Bobbys.

Regards

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

- **26.02.2025 email to DPS**

Mr Singh

Good morning, I have been trying to get hold of you for some time to discuss with you your role as DPS for Bobbys in Staines. I have not been able to show that you are involved in the daily running of this premises, and you have not replied with any details to show that you have.

Please can you contact me as soon as possible as I will be considering calling the premises licence into review as they do not have a DPS.

Regards.

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

- **04.03.2025 follow up email to DPS after meeting on site.**

Balwinder Singh

Via email

Contact: Licensing

Service: Environmental Health

Direct line: +441784444202

E-mail: licensing@spelthorne.gov.uk

Our ref: 23/00589/LAPRE

Date: 11 March 2025

Dear Mr Balwinder Singh

Licensing Act 2003 Premises Licence.

Bobby's Food and Wine, 163 High Street, Staines, TW18 4PA

Mr Singh, thank you for meeting me at Bobbys 4th March 2025. As a result of our conversation, I happy that now you will be undertaking your role as DPS for this premises.

You are supposed to be able to present you personal licence when a check is carried out, especially if this has been arranged beforehand.

I will expect that the next time we have a meeting you will be able to produce this. I will contact you and arrange a meeting in two weeks' time.

I did raise several points and feel you should incorporate this into you best practice policy.

Every time you attend the shop sign the daily CCTV record.

Staffing.

We discussed the staff working in the shop, you as DPS are responsible to make sure that you and the staff are complying with all the immigration procedure.

You need to be able to show that you have completed the right work checks and a copy of these should be retained at the shop so that any one from a relevant authority can check these.

We discussed your 'due diligence' which should include things like

A roster to show how many hours you are employing person who have a limit on their working hours.

A regular email from your employees stating that they still have a right to work and if they are still attending any courses.

I will require a check code for both your employees so I can complete this check.

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Can you provide the full name and date of birth for Mr REDACTED and the college he is studying at.

REDACTED I have her date of birth and also what college she is studying at.

As I said if there are any breaches of immigration law you will be liable to a fine. I mention this as REDACTED stated that she was not working but under a trial.

Having a person on a trial is still counted as employed.

I am concerned that both of these staff members are working more than their allocated 20hrs per week. As on the day of my visit REDACTED stated that she was working until midday but when I went past the shop at 5pm she was still there with Mr Taha both behind the counter.

I also told you that the allowed to work 20hrs a week was a total and not per premises. The scenario I gave was that if the person was working in another town and it would not be reasonable for you to know this, then this would be a reasonable excuse, but if they were working close by and it is likely that you would know then you would be responsible to make sure the 20 hrs employment was not exceeded whilst in your employment.

On Monday 10th March I was driving past at 5pm and I saw MR REDACTED working in Singh Vape 3 doors from Bobbys. I spoke to him and at first he denied he was working there but later admitted that he had been.

I spoke to Mr Bajaj and informed him that I had seen Mr REDACTED working and that he was only allowed to work 20hrs total and not at each premises. He seemed to be aware of Mr REDACTED working there.

If it is found that Mr Taha is working in excess of his permitted hours and any fine is imposed, you will as the DPS will could be liable for this.

I strongly recommend that you review your staffing arrangements as a matter of urgency.

If you have any concerns, please contact me.

Thanks

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

Environmental Health and Licensing

- **17.04.2025 follow up email to DPS after meeting him on site.**

Good afternoon Mr Singh.

I went to Bobbys yesterday and have seen that you have not been attending as I asked you to sign the CCTV sheet when you did. You have not replied to my previous email and we are back where we started.

Please reply to this email ASAP.

Regards

BRUCE

Stuart Bruce-Reid

Licensing Enforcement Officer

- **18. 16.04.2025** Compliance email after council visit.

Bobby's Food & Wine
Via email

Contact: Stuart Bruce-Reid
Service: Environmental Health
Direct line: 01784 446301
E-mail: s.bruce-reid@spelthorne.gov.uk
Our ref: 24/03568/LAPLIV
Your ref:
Date: 16 May 2025

Mr Balwinder Singh

LICENSING ACT 2003

Bobby's Food & Wine 163 High Street Staines-upon-Thames TW18 4PA

I write further to a visit carried out to the above premises on 16 April 2025 with Jacquie Clark, Surrey Police Licensing Officer. Surrey Police, and Stuart Bruce-Reid Licensing Enforcement Officer and Surrey Trading Standards officer REDACTED. In attendance at the premises was REDACTED serving.

Also included is my visit on 29 April 2025.

Section 57 Notice

Under the Licensing Act 2003, you are required to display a notice advertising who the premises licence is under the control of.

This was missing.

Summary Licence

This had all the details of the licence holder "tippexed" out. If the address is a private one and you do not want this to be visible to the public then you will need to amend your licence to the shop address, instead of your home address. You must display the original licence or a certified copy only.

If you want to do this, please let me know as there will be a fee of £10.50.

Staff Licensing Training

All staff (paid or unpaid) shall be fully trained in licensing legislation in relation to the Licensing Act 2003.

The training record for REDACTED could not be found and when questioned about who should be refused alcohol she failed to mention drunk people.

CCTV

The Premises Licence Holder must ensure at all times when the premises is open to the public that there is a person nominated in writing by themselves present who can

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operate the system. This staff member shall be able to show police recent data or footage with the minimum of delay when requested.

The Premises Licence Holder must also ensure that at all times when the premises is open to the public there is a person, nominated in writing by themselves, that is capable and competent at downloading CCTV footage onto CD rom format for the police or local authority within 48 hours of request and have the necessary equipment to be able to do this.

REDACTED was asked if she could download the CCTV and she was not able to do so.

CCTV time

Your clock on the CCTV was 1 hour slow, this needs to be changed to the correct time. Mr Baja was informed of this on the 16 April but still on my visit 29 April this had not been corrected.

Refusals Log Book

A refusals book, bound and with pre-printed page numbers

Your refusal book was just sheets of paper, this needs to be changed to the above.

Premises plan

Your plan held on file does not match the current layout of the shop and you will need to submit a minor variation with a current plan. This should be completed as soon as possible.

I have attached the guidance for plans at the end of this document. Minor Variations can be applied for online here: [Application for a minor variation to a premises or club certificate from Spelthorne Borough Council](#). There is a cost of £89 and the application will need to be advertised at the premises as well. You can download a notice to display using the above link.

On my visit on the 29 April I discussed with you about the need for a plan, access to the staff toilet and kitchen which must be kept clear so that staff can use these facilities.

Again I must remind you, that as the DPS for these premises you are responsible for breaches of the legislation identified.

Once you have your new personal licence, please could you send me a copy of this, so I can confirm all the details are correct.

Regards.

Stuart Bruce-Reid

Licensing Enforcement Officer

Police test purchase pass.

BOBBY'S FOOD AND CONVENIENCE STORE, 163 High Street, Staines-Upon-Thames, TW18 4PA

Appendix D

Police check for selling alcohol to minors NEGATIVE.

Check on BOBBY'S FOOD AND WINE conducted as part of a multi-agency op on 27th AUGUST 2025 during the afternoon to determine if they are selling alcohol to underage minors, based on previous information that they may have been doing so. OFFICER attended BOBBY'S in plain clothes, witnessing 16-year-old TEST PURCHASER attending and asking to buy alcohol. BOBBY'S did not serve the TEST PURCHASER alcohol. The beginning of the conversation was not clearly overheard by the OFFICER but the OFFICER heard the female serving TEST PURCHASER say 'NO' before the TEST PURCHASER left the store without alcohol.

31.10.2025

Site visit by LO.

A group of 3 young girls all looking around 16 years old or younger were seen to go into the shop. After they left the LO went and asked the server if they could play the CCTV back but they stated that they were in training and didn't know how to.

Mr Bajaj was spoken to on the phone at this time and reminded that it was part of his licensing conditions was that someone had to be in the shop who could play back and download the CCTV.

01.11.2025

Site visit by LO.

Same server on and was still not able to review or download the CCTV.

01.11.2025

Message left on the DPS phone asking him to contact me. He has not called the LO since then.

MR Singh was spoken to 16 January 2025 and asked if he knew about the review and he stated that he didn't and asked that the Licensing Authority send him the forms to have himself removed as DPS. Mr Bajaj has become the DPS on 22 January 2026.

Appendix E – Surrey Police Representation

As a responsible Authority under the Licensing Act 2003 we have considered the review application submitted by Trading Standards and support the request for the review of the Premises Licence.

Trading Standards have outlined the intelligence they have received regarding this premises selling vapes to persons under the age of 18 and that the premises failed a Trading Standards test purchase on the 12th February 2024 when a member of staff sold a nicotine containing vape to a 17 year old child assisting with the operation.

On the 16th April 2025 a multi agency visit was conducted to the premises.

At that time the following was noted:

Section 57 was not displayed.

The refusal book condition was being breached as it was not a bound book with pre-printed page numbers.

No training records for the member of staff working.

CCTV member of staff was unable to produce the daily log, staff member unable to operate CCTV and the time on the CCTV was incorrect by one hour.

Unable to produce the incident book.

Licence summary was not correct as details on it had been tippexed out.

The layout of the premises was different to that of the plan on the Premises Licence.

The Licensing Authority wrote to the DPS on the 16th May 2025 detailing the above and informing them that they needed to submit a minor variation in relation to their plan, but non minor variation appears to have been submitted.

On the 27th August 2025 a test purchase was conducted at the premises to determine whether they were selling alcohol to underage persons. The premises passed the test purchase as the member of staff did not serve the underage person assisting in the operation.

Also on the 27th August 2025 a joint visit from Trading Standards and Surrey Police was conducted in which Trading Standards seized illicit vapes and tobacco, oral tobacco which is banned was seized and some tablets which is medication only permitted to be sold by a chemist.

During our visits to the premises the DPS has never been present at the premises and we had concerns that he had very little to do with the premises, he never contacted us in relation to our visits.

The application to review the Premises Licence was submitted by Trading Standards on the 6th January 2026 and on the 21st January 2026 an application to vary the DPS to the current Premise Licence holder Pawandeep Bajaj was submitted.

The Secretary of States S182 Guidance paragraph 11.27 states that there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously and included in the list is the use of the premises for the sale or storage of smuggled tobacco.

Surrey Police support the review application submitted by Trading Standards and that consideration is given to the revocation of the Premises Licence as the Premises Licence Holder has failed in their responsibility to uphold the licensing

Appendix E – Surrey Police Representation

objectives of the prevention of crime and disorder and the protection of children from harm.

1. Introduction

The Licensing Act 2003

- 1.1 The Licensing Act 2003 (referred to in this Guidance as the 2003 Act), its explanatory notes and any statutory instruments made under it may be viewed online at www.legislation.gov.uk. The statutory instruments include regulations setting out the content and format of application forms and notices. The Home Office has responsibility for the 2003 Act. However, the Department for Culture, Media and Sport (DCMS) is responsible for regulated entertainment, for which there is provision in Schedule 1 to the 2003 Act (see Chapter 16).

Licensing objectives and aims

- 1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.3 The licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 1.4 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.
- 1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
 - giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
 - recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
 - providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
 - encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

The guidance

- 1.6 Section 182 of the 2003 Act provides that the Secretary of State must issue and, from time to time, may revise guidance to licensing authorities on the discharge of their functions under the 2003 Act. This revised guidance takes effect as soon as it is published. Where a licence application was made prior to the publication of the revised guidance, it should be processed in accordance with the guidance in effect at the time at which the application was made; the revised guidance does not apply retrospectively. However, all applications received by the licensing authority on or after the date the revised guidance was published should be processed in accordance with the revised guidance.

Purpose

- 1.7 This Guidance is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 1.8 The police remain key enforcers of licensing law. This Guidance does not bind police officers who, within the parameters of their force orders and the law, remain operationally independent. However, this Guidance is provided to support and assist police officers in interpreting and implementing the 2003 Act in the promotion of the four licensing objectives.

Legal status

- 1.9 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.
- 1.10 Nothing in this Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on any public authorities under human rights legislation). This Guidance does not in any way replace the statutory provisions of the 2003 Act or add to its scope and licensing authorities should note that interpretation of the 2003 Act is a matter for the courts. Licensing authorities and others using this Guidance must take their own professional and legal advice about its implementation.

Licensing policies

- 1.11 Section 5 of the 2003 Act requires a licensing authority to determine and publish a statement of its licensing policy at least once every five years. The policy must be published before it carries out any licensing functions under the 2003 Act.
- 1.12 However, determining and publishing a statement of its policy is a licensing function and as such the authority must have regard to this Guidance when taking this step. A licensing authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives. But once again, it is important that it should be able to give full reasons for departing from its published statement of licensing policy. Where revisions to this Guidance are issued by the Secretary of State, there may be a period of time when the licensing policy statement is inconsistent with the Guidance (for example, during any consultation by the licensing authority). In these circumstances, the licensing authority should have regard, and give appropriate weight, to this Guidance and its own existing licensing policy statement.

Licensable activities

- 1.13 For the purposes of the 2003 Act, the following are licensable activities:
- The sale by retail of alcohol;
 - The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
 - The provision of regulated entertainment; and
 - The provision of late night refreshment.

Further explanation of these terms is provided in Chapter 3.

Authorisations or permissions

- 1.14 The 2003 Act provides for four different types of authorisation or permission, as follows:
- Premises licence – to use premises for licensable activities.
 - Club premises certificate – to allow a qualifying club to engage in qualifying club activities as set out in Section 1 of the Act.
 - Temporary event notice – to carry out licensable activities at a temporary event.
 - Personal licence – to sell or authorise the sale of alcohol from premises in respect of which there is a premises licence.

General principles

- 1.15 If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from responsible authorities or other persons, the licensing authority must grant the application, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions. It is recommended that licence applicants contact responsible authorities when preparing their operating schedules.

Licence conditions – general principles

- 1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:
- must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
 - should not replicate offences set out in the 2003 Act or other legislation;
 - should be proportionate, justifiable and be capable of being met;
 - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - should be written in a prescriptive format.

Each application on its own merits

- 1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

Additional guidance

- 1.18 From time to time, the Home Office may issue additional supporting guidance to licensing authorities and other persons on the Gov.uk website. This supporting guidance is good practice guidance and should be viewed as indicative and subject to change. Such supporting guidance will broadly reflect but will not be part of the statutory guidance issued by the Secretary of State under section 182 of the 2003 Act. Licensing authorities may wish to refer to, but are under no statutory duty to have regard to such supporting guidance issued by the Home Office.

Other relevant legislation

1.19 While licence conditions should not duplicate other statutory provisions, licensing authorities and licensees should be mindful of requirements and responsibilities placed on them by other legislation. Legislation which may be relevant includes:

- The Gambling Act 2005
- The Environmental Protection Act 1990
- The Noise Act 1996
- The Clean Neighbourhoods and Environmental Act 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Health and Safety at Work etc. Act 1974
- The Equality Act 2010
- The Immigration Act 2016
- Regulators' Code under the Legislative and Regulatory Reform Act 2006

2. The licensing objectives

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 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.

Appendix F – Extract from National Guidance on Reviews

- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.
- 2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:
- Putting alcohol into someone's drink without their knowledge or permission
 - Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission
 - Injecting another person with prescription or illegal drugs without their knowledge or permission
 - Putting prescription or illegal drugs into another person's food without their knowledge or permission
 - Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

Protection of children from harm

- 2.28 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.
- 2.29 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. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.30 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism,

Appendix F – Extract from National Guidance on Reviews

or entertainment involving strong and offensive language.

- 2.31 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.34 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.36 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the

licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.37 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.38 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.

11. Reviews

The review process

- 11.1 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.
- 11.2 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.
- 11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility. The applicant must give notice of the review application to the responsible authorities and holder of the licence or certificate. The licensing authority is required to advertise a review application.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should

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achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as relevant unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, consideration may be given as whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the licensing authority may be asked to consider whether it would be appropriate to publish a cumulative impact assessment. Further guidance on cumulative impact assessments can be found in Chapter 14 of this Guidance.
- 11.9 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. 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.
- 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.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Powers of a licensing authority on the determination of a review

- 11.16 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.
- 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.
- 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

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when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

- 11.19 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, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
 - 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.
- 11.20 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.
- 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.
- 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.
- 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.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. 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.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
-
- for the organisation of racist activity or the promotion of racist attacks;
 - for employing a person who is disqualified from that work by reason of their immigration status in the UK;
 - for unlawful gambling; and
 - for the sale or storage of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Review of a premises licence following persistent sales of alcohol to children

11.29 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

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Licensing Act 2003

Hearing procedure for Licensing Sub-Committee – Premises Licence Review

	Introductions
1.	The Chairman will open the meeting, introduce members of the Sub-Committee and officers present and explain the nature of the decision to be taken and the procedure to be followed.
2.	All persons present to introduce themselves to the Sub-Committee. <i>*NOTE*</i> the Applicant for a <u>review</u> is either a Responsible Authority or an Other Person. The Premises Licence Holder is a “respondent”.
	Summary of Application and Representations
3.	The Council's Licensing Manager will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. OR summarise the salient points of the report on the agenda.
4.	The Applicant for the review or their representative may ask relevant questions of the Council's solicitor/Licensing Manager.
5.	The Responsible Authorities may ask relevant questions of the Council's Licensing Manager if necessary.
6.	Any Other Persons who have submitted representations about the application may ask relevant questions of the Council's Licensing Manager if necessary.
7.	The Premises Licence Holder may ask the Licensing Manager QUESTIONS arising from what he/she has said or relating to the application. (The Applicant will have the opportunity to state his/her case later).
8.	The members of the Sub-Committee may ask relevant questions of the Council's Licensing Manager.
9.	The Council's Licensing Manager may respond to any new issues raised.
	The Applicant's Case
10.	The Responsible Authorities or Other Persons applying for the review presents their case (may include evidence of witnesses if appropriate).
11.	The Responsible Authorities who have submitted representations about the application may ask any relevant questions of the applicant for the review if necessary.

12.	Any Other Persons who have submitted representations about the application may ask any relevant questions of the applicant for the review if necessary.
13.	The Premises Licence Holder asks questions of the Applicant for the review if necessary.
14.	The members of the Sub-Committee may ask relevant questions of the Applicant for the review.
15.	The Applicant for Review may respond to any new issues raised.
	The Responsible Authorities case
16.	The Responsible Authorities who have submitted representations about the application will present their case (may include evidence of witnesses if appropriate).
17.	The Applicant for the review or their representative may ask relevant questions of the Responsible Authorities.
18.	Any Other Persons who have submitted representations about the application may ask relevant questions of the Responsible Authorities.
19.	The Premises Licence Holder may ask relevant questions of the Responsible Authorities who have submitted representations about the application.
20.	The members of the Sub-Committee may ask relevant questions of the Responsible Authorities.
21.	The Responsible Authorities may respond to any new issues raised.
	The Other Persons Case
22.	Any Other Persons who have submitted representations about the application will present their case (may include evidence of witnesses if appropriate).
23.	The Applicant for Review or their representative may ask relevant questions of the Other Persons.
24.	The Responsible Authorities who have submitted representations about the application may ask relevant questions of the Other Persons who have submitted representations about the application.
25.	The Premises Licence Holder may ask relevant questions of the Other Persons who have submitted representations about the application.
26.	The members of the Sub-Committee may ask relevant questions of the Other Persons who have submitted representations about the application.
27.	The Other Persons may respond to any new issues raised.

	The Premises Licence Holder Case
28.	The Premises Licence Holder will present their case (may include evidence of witnesses if appropriate).
29.	The Applicant for the review or their representative may ask any relevant questions of the Premises Licence Holder.
30.	The Responsible Authorities who have submitted representations about the application may ask relevant questions of the Premises Licence Holder.
31.	Any Other Persons who have submitted representations about the application may ask relevant questions of the Premises Licence Holder.
32.	The members of the Sub-Committee may ask relevant questions of the Premises Licence Holder.
33.	The Premises Licence Holder may respond to any new issues raised.
	Summing Up
34.	The Chairman will invite the Licensing Enforcement Officer to clarify any technical points.
35.	The Chairman will invite any Other Persons who have submitted representations about the application to briefly summarise their case if they so wish.
36.	The Chairman will invite any Responsible Authorities who have submitted representations about the application to briefly summarise their case if they so wish.
37.	The Chairman will invite the Applicant for the review to briefly summarise their case if they so wish.
38.	The Chairman will invite the Premises Licence Holder to briefly summarise their case if they so wish.
39.	The Chairman will then ask all parties if they are satisfied they have said all they wish to. (NOTE – The Premises Licence Holder to have the last word.)

	Decision
40.	The members of the Sub-Committee will retire to reach a decision in private, accompanied by the Council's legal officer and Committee Manager.
41.	Members of the Sub-Committee return. The Chairman will announce the decision of the Sub-Committee with reasons (summary or full) for the decision.

42.	Meeting closed.
43.	The Council's legal officer will remain in the room to assist all parties should they require clarification of the decision and/or next steps.

GUIDANCE NOTES

*The Licensing Authority will allow the parties an equal maximum period of time in which to address the Sub-Committee, but request that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency. However, the overriding principle for the Licensing Authority will be to ensure that all parties receive a fair hearing.

- (a) Cross examination of parties is at the discretion of the Sub-Committee.
- (b) When the Premises Licence Holder questions the Licensing Manager or any other party he/she should not go into the merits of his/her case as he/she will have an opportunity to present it at Stage 28. He/she should only ask questions relating to what the Licensing Manager or other person has said or relating to the application as a whole.
- (c) The Applicant or any other party may be represented by a friend or a professional person to speak on his/her behalf who will follow the same procedure as described above and who may call the Applicant as a witness.
- (d) The order or proceedings may be varied by the Chairman if he/she thinks that it is necessary to do so in the interests of affording the Applicant a fair hearing or in order to take into account all relevant considerations.
- (e) If, after the Sub-Committee has withdrawn to make their decision, they decide that they need to ask a question of any of the parties involved in the proceedings or to clarify any matter then they shall do so in the presence of all parties.
- (f) Members of the Sub-Committee must be present throughout the hearing and must not communicate with any party involved in the proceedings except for when they are in the presence of all of the parties and the remainder of the Sub-Committee.