

# WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Simon Jones

Age if under 18: over 18

Occupation: Licensing Officer - Team Leader

This statement consisting of 1 page signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature

Date: 01/08/2023

I am the Public Health & Regulation Team Leader – Licensing. I have worked at Worthing Borough Council for 18 years in the Licensing Unit.

Officers of West Sussex County Council's Trading Standards Service, approached me asking for details regarding the Premises Licence in force at Express Supermarket, 68-70 Newland Road, Worthing, BN11 1JX.

Records held by Worthing Borough Council show that Mr Arumugam Balachandran is the licence holder of the Licensing Act 2003 Premises licence LN/[REDACTED] which authorises the sale and supply of alcohol, for consumption off the premises, at the 'Express Supermarket' store. Mr Balachandran has held the licence since 04 December 2018.

The licence names [REDACTED] as the Designated Premises Supervisor (DPS). She holds a Personal Licence (no. [REDACTED]) issued by [REDACTED] Council. [REDACTED] has been in post as the DPS at the store since 04 December 2018.

A copy of the current premises licence and the licence plan of the premises are attached as exhibits SJ/1 & SJ/2 respectively.

The records to which I have referred form part of the records relating to the company business of Worthing Borough Council and have been compiled in the course of the business by a person acting under a duty, namely as an employee, from information supplied by a person who had, or may reasonably be supposed to have had, a personal knowledge of the matters dealt with in the information supplied and cannot reasonably be expected (having regard to the time which has elapsed since they supplied or acquired the information and to all the circumstances) to have any recollection of the matters dealt with in that information.

Date: 01/08/2023

Signed:

Simon Jones



WORTHING BOROUGH  
COUNCIL

**Licensing Act 2003 – Sections 16 and 18  
Premises Licence – Part A**

**Public Health & Regulation  
Portland House  
44 Richmond Road  
Worthing  
BN11 1HS**

**Premises Licence Number - LN/** XXXXXXXXXX

**Part 1 – Premises Details**

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

Express Supermarket  
68-70 Newland Road  
Worthing  
West Sussex  
BN11 1JX

**Telephone number** 01903 204604

**Licensable activities authorised by the licence**

See attached Schedule

**The times the licence authorises the carrying out of the licensable activities**

See attached Schedule

**Opening hours of the premises**

**Location :** Convenience Store

Conversion - No timings supplied.

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

OFF

**Part 2 – Premises Licence Holder Details**

**Name**

Mr Arumugam Balachandran

**Registered Address**

[REDACTED]  
[REDACTED]  
[REDACTED]

Telephone Numbers :

E-mail :

**Registered number of holder**

N/A

**Designated Premises Supervisor Details** (Where the premises licence authorises for the supply of alcohol)

**Name**

Mrs Kajenthini Balachandran

**Registered Address**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol**

Personal Licence Number :

Licensing Authority :

**Schedule 1 – Licensable Activities authorised by this Licence**

**Times the licence authorises the carrying out of the licensable activities**

<b>Location :</b> Convenience Store		
<b>Activities :</b> Alcohol OFF Sales/Supply (M)		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	10:00	22:30
<b>Monday</b>	08:00	23:00
<b>Tuesday</b>	08:00	23:00
<b>Wednesday</b>	08:00	23:00
<b>Thursday</b>	08:00	23:00
<b>Friday</b>	08:00	23:00
<b>Saturday</b>	08:00	23:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		
<ul style="list-style-type: none"><li>• Good Friday 08.00 to 22.30hrs.</li><li>• Christmas Day 12.00 to 15.00hrs &amp; 19.00 to 22.30hrs.</li></ul>		

Signed : .....

Date : 3 January 2019

**Authorised Officer (on behalf of the Licensing Authority)**

## **Annexe 1 : Mandatory Conditions**

### **A. Mandatory conditions: 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.

### **B. Mandatory conditions: Door Supervision**

When employed each such individual must be licensed by the Security Industry Authority.

### **C. Mandatory conditions: Age Verification**

An age verification policy for the premises must be produced, implemented and details made available to authorised officers upon request. 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.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- a holographic mark, or
- an ultraviolet feature.

### **D. Mandatory conditions : Permitted Price**

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.

For the purposes of the condition “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; “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 rate 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;*

“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;*

*Full details regarding this condition can be found in the Home office Guidance on banning the sale of alcohol below the cost of duty plus VAT for suppliers of alcohol and enforcement authorities in England & Wales dated May 2014.*

**E. Conditions consistent with the Embedded Restrictions of the Justices' 'Off' Licence (Licensing Act 1964)**

**1. Permitted Hours**

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

**Restrictions**

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

*Source Section 60,63,86 Licensing Act 1964*

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

*Source Section 164 Licensing Act 1964*

**3. Recorded Music**

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

*Source Section 182 Licensing Act 1964*

**Annexe 2 : Conditions Consistent with the Operating Schedule**

1. Digital CCTV and appropriate recording equipment to be installed; operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
  - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
  - CCTV footage will be stored for a minimum of 30 days in relation to interior front and back doors and 20 days at till points.
  - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime. A member of staff must be present at all times who can operate the system and supply copies of these images on request to officers of any responsible authority.
  - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the

- CCTV, and be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
- Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
  - In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.
2. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of cards bearing the 'PASS' mark hologram. Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
  3. The Premises Licence Holder shall ensure that all staff members [including family members] engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
    - The lawful selling of age restricted products
    - Refusing the sale of alcohol to a person who is drunkFurther verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed eight weeks, with the date and time of the verbal reinforcement/refresher training documented.
  4. All such training undertaken by staff members shall be fully documented and recorded. All training records shall be retained at the premises, and made available to officers of any responsible authority immediately upon request.
  5. The premises shall at all times maintain and operate refusals recording system (either in book. or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be retained at the premises and made available upon request to officers of any responsible authority.

**Annexe 3 : Conditions attached after a hearing by the Licensing Authority**

Not applicable

**Annexe 4 : Plans**

See attached plan dated 25 July 2005



WORTHING BOROUGH  
COUNCIL

**Licensing Act 2003 – Sections 16 and 18  
Premises Licence Summary – Part B**

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Portland House  
44 Richmond Road  
Worthing  
BN11 1HS**

**Premises Licence Number - LN/** XXXXXXXXXX

**Premises Details**

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

Express Supermarket  
68-70 Newland Road  
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West Sussex  
BN11 1JX

**Telephone number**

**Licensable activities authorised by the licence**

See attached Schedule

**The times the licence authorises the carrying out of the licensable activities**

See attached Schedule

**Opening hours of the premises**

**Location :** Convenience Store

Conversion - No timings supplied.

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

OFF



**Premises Licence Holder Details**

**Name**

Mr Arumugam Balachandran

**Registered Address**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Registered number of holder**

N/A

**Designated Premises Supervisor Details** (Where the premises licence authorises for the supply of alcohol)

**Name**

[REDACTED]

**Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol**

**Personal Licence Number :**

[REDACTED]

**Licensing Authority :**

[REDACTED]

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

N/A

**Schedule 1 – Licensable Activities authorised by this Licence**

**Times the licence authorises the carrying out of the licensable activities**

<b>Location :</b> Convenience Store		
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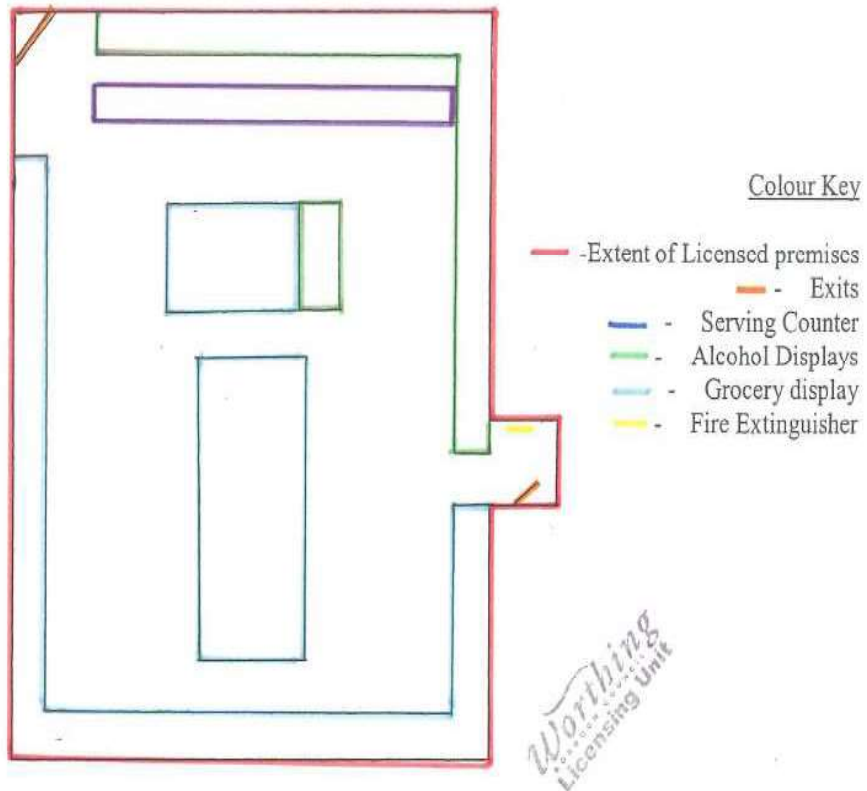
Signed : .....

Date: 3 January 2019

**Authorised Officer (on behalf of the Licensing Authority)**

Express Supermarket  
68 Newland Road, Worthing

29 July 2005



Scale 1:100