

OFFICIAL (when complete)**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I, PC Andre Smuts, on behalf of Kent Police

Apply for the review of a premises license under section 51 of the Licensing Act 2003 for the premises prescribed below.

(delete as applicable)

Part 1 – Premises or club premises details

Post town: Premier Macknade Stores Canterbury Rd Faversham Kent ME13 8NG	Post code (if known) ME13 8NG
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Name of premises licence holder or club holding club premises certificate (if known) Mr Prajesh PATEL
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Number of premises licence or club premises certificate (if known) FAV/SWALE/189/0359
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Part 2 – Applicant details

I am

Please tick yes

1) an interested part (please complete (A) or (B) below)

- | | |
|---|--------------------------|
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

2) a responsible authority (please complete (C) below)

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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

<p>Name and address:</p> Kent Police Medway Police Station Purser Way Gillingham ME7 1NE
<p>Telephone number (if any) 01634 792388</p>
<p>E-mail address Licensing.north.division@kent.police.uk</p>

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 type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

<p>This application to review relates to the following licensing objectives:</p> <ul style="list-style-type: none">- Public safety.- The protection of children from harm <p>Kent Police will produce evidence in support of an incident where a staff member of the shop, describing himself as the manager has sold a bottle of Vodka to a 14 year old child.</p>

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Please provide as much information as possible to support the application

(please read guidance note 2)

On 1st March 2025, Kent Police were contacted by a concerned parent who expressed concern for his 14-year-old daughter (child 1, C1) who had arrived home very intoxicated after consuming alcohol.

The child's friend, another 14-year-old child (child 2, C2) had attended Premier Macknade Stores, Canterbury Road, Faversham and purchased a large bottle of Vodka. The concerned parent's child, C1 had become sick, and the following day continued feeling unwell due to the amount of alcohol she had consumed with her friend, C2 who had bought the alcohol.

Information provided by the parent suggested that his daughter and C2 had attended the shop earlier on in the day, was told that she was to return later that day to get the alcohol. C2 was said to have swapped phone numbers with the shop worker and during the day had exchanged messages with him. Later that day C2 returned and received the bottle of Vodka.

As a result, at 1040 hours on 4th March 2025 Kent Police licensing department attended the shop and spoke with a staff member who confirmed he was the shop manager, Shiv Patel. He explained that his father, Rajesh Patel was the holder of the premises license and designated premises supervisor for Macknade Stores and another shop. Their two shops within Swale were family run, not employing any staff, and that he ran their Macknade Stores shop. Shiv Patel confirmed that he had sold the vodka to the girl, but that she had shown him a photograph of her ID on her phone.

Shiv Patel was asked to show the shop's CCTV. He said that it was not working, not recoding, and that they were waiting for a technician to attend to repair it. When asked to bring it up on the screen so this could be established to be the case, he said he did not have the code and said only his father had the code, but that his father was not available to be contacted, but in any case, the CCTV was not recording so there was no point in trying. He said again that they awaited the technician.

He was warned that the CCTV hard drive would be seized by police as evidence if he were not to obtain the unlocking code and show it there and then. For a sixth time he said it was not recording and he knew it 'for a fact.'

After further conversation about seizing the whole unit Shiv Patel phoned his father, obtained the code, unlocked it and showed police a working, recording CCTV system which contained footage of the child purchasing the Vodka.

The child can be seen on the CCTV, in the shop on three separate occasions.

Shiv Patel initially explained that he had seen her ID on her 1st attendance at 1142. When the CCTV from behind the counter showed that her phone was on a phone call, and no ID being displayed he corrected himself and said he had seen the ID during their second conversation at 11:49 hours. She was seen handing her phone over to him and he has possession of it for 1 minute, 2 seconds until he hands it back to her.

On the third occasion she attends the shop at 1924 hours where he sold her the bottle of Vodka.

There is no evidence from shop CCTV to support the account that the child supplied a copy of her ID on her phone.

When asked why he had not provided the alcohol to C2 upon seeing the ID earlier, Shiv Patel said that based on the ID he had seen on her phone he had refused her the alcohol and told her he was not going to sell it to her. When asked why he had then supplied her alcohol when she returned later in the day, he said that by that time he had thought that she may have been old enough and she pleaded with him, so sold it to her without seeing an ID again.

He could not explain to the satisfaction of the licensing officers, why he would have sold the Vodka later, having made the earlier decision to refuse the sale based on seeing her ID.

Kent Police are of the opinion that the insistence that the CCTV was not operational may have been an attempt in not having to provide evidence of an underage sale. This prospect is exacerbated in light of the fact that later during the visit, Shiv was able to operate the shop's CCTV remotely on his phone.

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Even if the shop manager had seen a photo of an ID on the 14-year-old child's phone, his explanation as to having seen it, refusing the sale and then deciding to sell the alcohol to her in any case when she returned later in the day is clearly either not true, a huge error in judgment, dangerous, unacceptable, and possibly an offence under the licensing act.

Nonetheless, this point has become academic, as having spoken to the child's mother on 18th March 2025 it was ascertained that her daughter had confirmed to her that no ID, fake or otherwise had been used when she had purchased the 1 litre bottle of Vodka rather than her daughter is generally very persistent so may just have convinced the shop manager.

At 1930 hours on Friday 14th March 2025 Kent Licensing officers spoke with Mr Prajesh Patel at his other premises for which he too is the holder of the premises license and designated premises supervisor.

He confirmed that he is aware of the sale made by his son, Shiv on 1st March 25.

He confirmed that Shiv works and is in day-to-day control at their Macknade Store and is the only employee at the shop.

It is understood that Prajesh runs the family's other premises.

Having at their disposal all options under the licensing act, Kent Police would like the subcommittee to consider the circumstances and impose at least, but not limited to the conditions as suggested by them listed in: 'Appendix 2. List of suggested conditions.' to be added to the premises' operating schedule.

In addition, Kent Police request of the subcommittee to consider a period of suspension of the premises license so as to allow a period of time for these conditions to come into effect.

Imposing these conditions would assist the premises in the future in promoting the licensing objectives, not least of which include 'public safety' and 'the protection of children from harm.'

Supporting evidence:

Media footage provided under Axon Case ID ref: PMP/543/25:

Shop CCTV, Redacted (child image blurred.)

- CCTV – Clip 1. Female entering store showing phone – 1142 until 1147
- CCTV - Clip 2. Showing purchase of alcohol (Cam 5) 1923 until 1925
- CCTV – Clip 3. Female in store purchasing alcohol (Cam 2) 1924 until 1925
- CCTV – Clip 4. Female in store talking to staff, hands over phone. 1147 until 1151.

Body Worn Video footage: 'BWV, 04/03/25, Redacted.

Appendix 1: Refers to an email and text message sent on 5th March 2025 to the PLH/DPS, Mr Prajesh Patel requesting shop CCTV footage. This request was for all cameras and all coverage of the child throughout her visit at the shop. It was stipulated that no camera angle, no footage should be excluded.

Appendix 2: List of Suggested Conditions.

Appendix 3: MG11, PC Knight.

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Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

None, N/A

Please tick yes

- **I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate**
- **I understand that if I do not comply with the above requirements my application will be rejected**

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IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature: PC 11250 A. Smuts

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Date 19th March 2025

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Capacity Police Alcohol Licensing Officer.

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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) As above	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an e mail address your e mail address (optional) Licensing.north.division@kent.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.