

## APPENDIX A

Mr Panchalingam Aranan



**BY EMAIL: To Blake Morgan**

### Licensing Service

Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

Phone: 023 9283 4830

Our Ref: LAPREM/6622

Date: 31 October 2014

Dear Sir

### **LICENSING ACT 2003 - KWIKI MART 111-113 ALBERT ROAD, SOUTHSEA BREACH OF PREMISES LICENCE**

I am writing to you in your capacity as the joint premises licence holder for the Kwiki Mart premises at 111-113 Albert Road and following your interview, under caution on 07 August 2014. The attendance of Mr Jon Wallsgrove was noted.

You were interviewed in connection with an allegation that a condition of the premises licence was breached on two occasions - namely on the evening of 30 May 2014 and during the early morning of 04 July 2014 in that no personal licence holder was on duty (and there were only 2 staff in the store on 04 July 2014) at 111-113 Albert Road, Southsea. These offences are contrary to section 136 of the act.

There were other matters of concern relating to the production (or otherwise) of the premises licence and the absence of any tangible authorisation to staff for the sale of alcohol when the premises were visited on the evening of 30 May 2014. Mr Wallsgrove had previously provided a due diligence explanation on your behalf for the events on the evening of 30 May 2014 and this has been accepted.

The PACE interview on 07 August 2014 therefore concentrated on the alleged breaches observed from the early morning of 04 July 2014.

Having considered your representations under caution, together with the comments of your legal advisor, it is clear that you did not take reasonable precautions or exercise due diligence to avoid the commission of the offence under investigation and conceded that you left the premises at 0312 on the morning of 04 July 2014 for no other reason than "it looked very quiet so I thought I don't need to be there".

You did however tell us the following during interview:

- You had arranged for more staff training across your stores
- You were arranging for DPS variations in order to relieve some of the pressure from yourself as a "multiple DPS" within the city
- You would seek, via your solicitor, a minor variation to clarify the condition re staff and the requirement of a personal licence holder to be present at 111-113 Albert Road between 2300 and 0600 daily

Since the PACE interview (and following a test purchase failure at one of your stores) you have also held a number of meetings with PC Rackham from the Police Licensing Unit. He tells me that significant improvements have been made in developing clear staff training and the retention of "licensing manuals" at each store. I also understand that a number of minor variations have recently been approved and more are likely to follow via your solicitor and as a result of PC Rackham's advice.

Equally, recent high profile visits to all off licence premises in the city have highlighted no further problems with stores operated under the Kwiki Mart banner and under the control of yourself and your wife, Shivanthini Aranan.

This is of some significance to the council and demonstrates that despite your previous clear admission of guilt for the offence on 04 July 2014, you have been prepared to engage with the Police and other responsible authorities to both promote the licensing objectives and support local initiatives such as the "reducing the strength" campaign.

**For the above reasons, and after discussion with the Licensing Manager, this matter will not be referred to Legal Services for prosecution.**

**You should treat this letter as a formal written warning as to your future conduct as both the joint holder of the premises licence for 111 - 113 Albert Road and in your capacity as a personal licence holder.**

This letter has been sent to your solicitor, Mr Jon Wallsgrove and copied to PC Rackham for information purposes.

Yours faithfully



Mr Ross C Lee

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