

**LICENSING SUB-COMMITTEE
19th August, 2025**

Present:- Councillor Hughes (in the Chair); Councillors Garnett and Jones.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003) FOR THE REVIEW OF THE PREMISES LICENCE ISSUED TO HEPWORTH DRIVE OFF LICENCE STORE LIMITED, HEPWORTH DRIVE OFF LICENCE STORE, 22 HEPWORTH DRIVE, ASTON, SHEFFIELD S26 2BG

Consideration was given to an application (made in accordance with Section 51 of the Licensing Act 2003) for the review of the Premises Licence issued to Hepworth Drive Off Licence Store Limited, Hepworth Drive Off Licence Store, 22 Hepworth Drive, Aston, Sheffield S26 2BG.

The Chief Constable of South Yorkshire Police (acting in their role as a Responsible Authority under the Licensing Act 2003) had made the application on 30th May, 2025 for the review of the Premises Licence in respect of Hepworth Drive Off Licence Store (previously known as Comrades Convenience Store), 22 Hepworth Drive, Aston, Sheffield S26 2BG.

The premises traded as an off licence/grocery shop and was currently licensed for the sale of alcohol for consumption off the premises on:-

- Each of the days Monday to Saturday between 7.30 a.m. and 8.30 p.m. and
- Sunday between 9.30 a.m. and 8.30 p.m.

The opening hours of the premises, as stated on the Premises Licence, matched the hours authorised for the sale of alcohol.

The premises were first licensed by the Council under the Licensing Act 2003 in March 2014. The Licence was transferred to the current holder, Hepworth Drive Off Licence Store Limited, on 11th December 2018. A search of Company House records showed that Hepworth Drive Off Licence Store Limited was incorporated in July 2018; at that time Mr. Thomas Mani Palathu Parambil was one of two directors and has been the sole director of the company since July 2019 onwards.

On 6th June 2025 the Licence Holder made an application for a minor variation of the licence seeking to add the steps set out in the Police and Licensing Enforcement joint action plan as management controls to Annex 2 of the licence. The minor variation application was granted on 17th June 2025.

An application to vary the Designed Premises Supervisor (DPS) was made on 8th July 2025. This sought to remove the existing DPS, who had been named DPS since the licence was first granted in 2014, and made Mr. Thomas Mani Palathu Parambil the DPS with immediate effect.

The review application by the Responsible Authority was submitted on the grounds that the Licence holder, Mr. Thomas Mani Palathu Parambil, had failed to promote two of the licensing objectives, namely, the:-

- Prevention of crime and disorder.
- Protection of children from harm.

The review application, therefore sought, the revocation of the Premises Licence.

A copy of the application was served on the Licence holder by post and email on 26th October, 2023 as well as a hand delivered copy to the premises.

Three of the Responsible Authorities, Public Health, Rotherham Safeguarding Children Partnership and the Licensing Authority had made representations in support of the review application. The Sub-Committee heard representations from Mrs. D. Kraus (Principal Licensing Officer) together with Alan Pogorzelec (representing the Licensing Authority), Faisal Hussain (Solicitor, South Yorkshire Police) and Jo Belton (Licensing Officer, South Yorkshire Police). The written representations by Public Health and Children and Young People's Services were set out in the document pack.

Also present was Thomas Mani Palathu Parambil (Premises Licence Holder and Designated Premises Supervisor), Ms. Glory-Ann Mani, Ms. Grace Mani and Mr. N. Semper (Licensing Guys).

The objections of South Yorkshire Police were based on two of the licensing objectives i.e.:-

- Prevention of crime and disorder.
- Protection of children from harm.

and raised the following concerns:-

- The premises had first come to the attention of South Yorkshire Police in October 2021 when it had failed a test purchase
- Allegations that underage sales of alcohol were continuing at the premises had led to a second test purchase on 2nd March 2022. The test was passed and the sale refused
- Following intelligence from a concerned parent, further retesting took place on 23rd August 2022 and 13th November 2023 and passed both times. However, the premises had failed a test purchase on 20th November 2024 and again on 19th March 2025

- Every effort had been made to work with the sole director of company that held the Licence, Mr. Thomas Mani Palathu Parambil (referred to as Mr. Mani), with an action plan hand delivered on 31st March 2025 setting out each management control. These were discussed in person
- The premises failed a retest on 13th May 2025, the third failure in a 6 month period
- The Police Licensing Officer had visited the premises on 21st May 2025 and met with Mr. Mani and the premises DPS (at that time), Mr. Sreekumar Varakil Janardanan. The Officer could clearly see that no steps had been taken to put in place the improved management controls set out in the action plan which was still in the envelope it had been delivered in
- A further visit had been made on 22nd July at 10.50 hours by the Police Licensing Officer to carry out a Licence compliance inspection and found it to be operating in non-compliance with the following conditions:-
 - Condition 2 of Annex 2 of the Licence – staff shall log all refusals and challenges made under the Challenge 25 Policy – non-compliance. Refusals were being logged but not challenges
 - Condition 3 of Annex 3 of the Licence – the DPS shall check the Challenge 25 log at least once a week – non-compliance. No DPS checks recorded in the Challenge 25 log
 - Condition 8 of Annex 2 of the Licence – the DPS shall check the incident book at least once a week and sign and date each check – non-compliance. No DPS checks recorded in the incident book
 - Condition 9 of Annex 2 of the Licence – the CCTV system installed at the premises shall (a) be maintained fully at all times, (b) make and retain clear images (c) and show an accurate date and time that the images were made – non-compliance of condition 9a. Staff member unable to access the CCTV at the time of the visit. The Officer was told this was due to a faulty mouse and that the DPS was aware of the fault. As the system was not able to be accessed, the Officer was unable to ascertain compliance with conditions 9b and 9c
 - Condition 10 of Annex 2 of the Licence – all CCTV images shall be retained for a period of not less than 31 days – unable to ascertain compliance
 - Condition 11 of Annex of the Licence – CCTV images shall be immediately made available for review upon request of the Police or an authorised officer of the Licensing Authority – non-compliance. Unable to review CCTV images

- Condition 13 of Annex 2 of the Licence – a record of each member of staff who is authorised to sell alcohol shall be kept on the premises. This record shall include the staff member's full name, address and date of birth – non-compliance. No record available
- Condition 14 of Annex 2 of the Licence – all staff shall receive training on induction and year thereafter on (a) operation of 'Challenge 25', (b) types of acceptable ID, (c) method of recording refusals, (d) refusing sales of alcohol to persons who appear to be drunk (e) preventing proxy sales and (f) how to review the CCTV system if requested. Unable to ascertain compliance. Member of staff on duty said she had been trained but there was no record of this
- Condition 15 of Annex 2 of the Licence – staff training shall be recorded and this record shall be kept on the premises and shall, on request, be made available for inspection by the Police or an authorised officer of the Licensing Authority – non-compliance. There was no record available. The Officer was shown a book that had some training questions in but there was no signed training record maintained.

The written objections of Public Health were based on one of the licensing objectives i.e.:-

- Protection of children from harm

and raised the following concerns:-

- The area had a higher than Local Authority average for Looked After Children, Children not in Employment, Education or Training (NEET %) and anti-social behaviour
- Failure of multiple test purchases showed a disregard for the protection of children from harm which was particularly concerning in an area with high levels of vulnerable children and young people
- By the continued sale of alcohol it would appear that the advice was not understood/disregarded

The written objection of the Rotherham Safeguarding Children Partnership was based on one of the licensing objectives i.e.

- Protection of children from harm

and raised the following concerns:-

- The repeated failed test purchases and no evidence of standards improving undermined the licensing objectives of protecting children from harm

The objections of the Licensing Authority were based on two of the licensing objectives i.e.

- Prevention of crime and disorder.
- Prevention of public nuisance

and raised the following concerns:-

- An action plan had been delivered to the premises on 31st March 2025 by the Council's Licensing Enforcement Officers, which set out the steps required to bring about improvement and prevent further failed test purchases.
- Officers had met directly with Mr. Mani to discuss the action plan and clearly explain what steps needed to be taken. He was also advised that he needed to vary the Licence in order to make the recommended management controls a condition of the Licence
- An email was sent on 4th April 2025 to Mr. Mani providing him with supporting documentation to enable compliance with the action plan
- Despite this assistance, Mr. Mani chose not to take any action resulting in the third failed test purchase which had triggered the application to review the licence
- The licence holder had persistently failed to act on the advice/instruction of South Yorkshire Police or the Licensing Authority and had not complied with the action plan or the requirements of Annex 2
- The premises were found to be operating in a way that undermined the licensing objectives; the Licensing Authority had no evidence that the licence holder was willing or capable to operate in a manner that upheld the objectives
- The Licensing Authority was satisfied that the Licence Holder was unable, or unwilling, to put in place and adhere to the measures necessary to promote the licensing objectives of preventing crime and disorder and protecting children from harm

In response to questions, the applicant provided the following information:-

- Mr. Thomas Mani Palathu Parambil was the sole Director, Licence Holder and Designated Premises Supervisor
- Following the launch of the application to review, Licensing Guys had become involved with the business on 6th June and submitted a minor variation to the licence on 9th June with additional conditions and safeguards as required by South Yorkshire Police. The Designated Premises Supervisor had been removed with Mr. Mani assuming the role with immediate effect
- The visit on 25th July had revealed that some conditions were not being strictly adhered to
- Mr. Mani took full responsibility for the failures

- The two members of staff who had failed the test purchases had been dismissed. Currently there was Mr. Mani, Glory-Ann Mani and a new staff member all of whom had undertaken certificated training
- Licensing was a complicated legalistic business particularly for someone with limited experience as a Designated Premises Supervisor and English as a second language
- Ms. Glory-Ann Mani had been working with her father and the Licensing Guys. She was working in the shop at the present time until all the ways of working were embedded and ensure that the premises were fully compliant with the conditions
- Mr. Mani had not known that his staff were acting in non-compliance with the licensing laws. The staff had not been communicating with him although he acknowledged that he had known of the test purchases on the days they were conducted
- The family had initially not realised how serious it was; they did now and why Glory-Ann had stepped in to work at the shop whilst she awaited her post-graduate course to start. She cared about the shop and the community. Once Glory-Ann stepped back from the business in order to pursue her future employment, another member of staff would be employed

Resolved:- That, after due consideration of the application for review and to the representations, the Premises Licence in respect of the premises known as Hepworth Drive Off Licence Store Limited, Hepworth Drive Off Licence Store, 22 Hepworth Drive, Aston, Sheffield S26 2BG, be revoked.