

Cheltenham Borough Council Licensing Sub Committee-Alcohol and Gambling

Meeting date: 4 September 2024

Meeting time: 4.30 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillor Dilys Barrell, Councillor Dr Steve Steinhardt and Councillor Dr David Willingham

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Contact: democraticservices@cheltenham.gov.uk
Phone: 01242 264 130

Agenda

1 Election of Chair

2 Apologies

3 Declarations of interest

4 Bargain Booze Review (Pages 5 - 98)

5 BRIEFING NOTES

6 Any other items the Chairman determines to be urgent and which requires a decision

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Licensing Sub Committee – 4 September 2024

Licensing Act 2003: Determination of Application for Review of a Premises Licence

**Bargain Booze Select Convenience, 216 - 218 Hewlett Road,
Cheltenham, GL52 6UJ**

Report of the Head of Public Protection

1. Introduction

- 1.1 Under section 51 of the Licensing Act 2003, 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, or matters, arising at the premises in connection with any of the four licensing objectives.
- 1.2 In this case, an application for a review of the premises licence was submitted by Gloucestershire Constabulary on 16.07.2024 in relation to Bargain Booze Select Convenience, 216 - 218 Hewlett Road, Cheltenham, GL52 6UJ.
- 1.3 The ground for the review can be summarised as follows:

The Protection of Children from Harm

And offence of persistently selling alcohol to children (Section 147A of the Licensing Act 2003)

Within a 3 month period between 4th April and 25th June 2024, this premises sold alcohol to a minor DPS (Designated Premises Supervisor) conducted the sale and a separate member of staff failed a Test Purchase (TP) Operation selling alcohol to the 16yr old tester.

The same DPS also failed a previous TP OP in November 2022 serving alcohol to a 16yr old tester.

A staged approach has been adopted and efforts made to try to deal with the concerns at a local level, including PC 2309 Sansom visiting the store in person on two occasions, giving two written warnings and having numerous phone calls & emails with the DPS.

The premises licence holder, who is also the DPS (since 2021), has failed to demonstrate that she can run a safe and responsible premises and has failed to address issues that have arisen thus negatively impacting on the licensing objectives.

- 1.4 Further grounds supporting this review application can be found in the appendices accompanying the application for the review (attached at **appendix 1** of this report).
- 1.5 A copy of the existing premises licence is attached at **appendix 2**.

1.6 Implications

1.6.1 Legal	<p>The legal background is contained within the body of the report.</p> <p>The subcommittee must, having regard to the application for a review and any relevant representations, take such of the steps (if any) mentioned in paragraph 5.17 of the report as it considers appropriate for the promotion of the licensing objectives.</p>
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The decision of the sub committee can be subject to an appeal to the Magistrates' Court within 21 days of its decision.

One Legal

E-mail: legalservices@onelegal.org.uk

2. Application (Ref. 24/01246/PRMR)

2.1 Applicant: Gloucestershire Constabulary

2.2 Agent: N/A

2.3 Premises: Bargain Booze Select Convenience, 216 - 218 Hewlett Road, Cheltenham, GL52 6UJ

3. Other Representations

3.1 Following an application for a premises licence review, the licensing authority is required to undertake a 28 day consultation period with responsible authorities or any other persons.

3.2 One further representation was received from Gloucestershire Trading Standards (on 25/07/2024) in relation to this review application. The Trading Standards and Financial Intelligence Officer submitted the following comments:

The service carried out a project relating to the sale of e-cigarettes (vapes) to minors and used intelligence gained from complaints, to visit those stores to test their procedures with regards to the sale of disposable e-cigarettes. One of these stores visited was Bargain Beers and Wines (also known as Bargain Booze) who are based at 216-218 Hewlett Road, Cheltenham. Details as follows:

At approximately 13.10 on 28th May 2024, two volunteers aged 17 entered Bargain Beers and Wines in Hewlett Road, Cheltenham on my instruction, to attempt to purchase a disposable vape. The officers were able to witness the volunteers both inside and outside the store to provide a full picture on any interaction which occurred.

The volunteers approached the counter after entry and spoke with an older Sikh male behind the counter.

The cadets pointed to the vape they wanted, the male took the vape and scanned it through the till. The cost of the vape was £6.50

The volunteer handed over a £10 note and received £3.50 change along with the vape. The volunteers then left the store.

At no point during the transaction was any questions directed to the volunteers as to their age or whether they had identification.

The volunteers returned to the vehicle which was a short distance away and the vape was then handed to me along with the change. I bagged the vape which was a Bloody Mary – Meta Moon disposable vape, and securely sealed it with seal number KP4957466. On return to the office, the vape was placed in secure storage.

On 4th June 2024 I wrote to the store advising them of this failure and provided information about joining the No Proof Of Age No Sale Scheme which the service is currently offering free of charge to small businesses. I also confirmed I would be visiting the store to discuss this failure.

Unfortunately, due to current circumstances, I have not yet been able to visit the store but intend to visit the week commencing 5th August 2024. If you would like me to update you following the visit I am happy to do so.

I have to date, not received any response to my letter.

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4. Local Policy (December 2020)

4.1 The objective of this policy is to:

- a) promote the four licensing objectives;
- b) ensure that the premises are appropriate for their proposed use;
- c) ensure the premises layout and condition is acceptable for the proposed use;
- d) ensure that the premises are being managed responsibly; and
- e) promote the policy vision statement.

4.2 In determining a licensing application, the overriding principle adopted by the authority will be that each application is determined on its merits. Licence conditions will be tailored to the individual application and only those necessary to promote the licensing objectives will be imposed.

4.3 The authority will also have regard to wider considerations affecting the residential population and the amenity of the area. These include littering, noise, street crime and the capacity of the infrastructure.

4.4 Each of the four objectives is of equal importance and will be considered in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business has on the vicinity.

Protection of Children from Harm

4.5 The authority needs to satisfy itself that there are appropriate measures in place to protect children from harm.

4.6 To this extend it will expect applicants, where necessary, to consider the measures necessary to promote the licensing objective of protecting children from harm when on the premises.

4.7 These measures may include staff training on how to control the entry of children and young people under 18 and the vetting of staff who will supervise them. Applicants will have to give particular regard to these measures in applications for licences involving:

- a) the sale of alcohol;
- b) children’s performances; and
- c) attractions or performances likely to attract children.

4.8 It is an offence to sell alcohol to children. In this context, children are defined as individuals under 18. The provisions of the Act are that unaccompanied children under 16 should not be on “premises being used exclusively or primarily for the supply of alcohol” (eg “alcohol led” premises such as pubs, bars and nightclubs). In addition, it is an offence to allow unaccompanied children under 16 on premises licensed to sell alcohol for consumption on the premises after midnight but before 05:00.

4.9 Issues for consideration include:

- a) installing effective measures to check the age of those young people who appear under 21 to ensure that alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises;
- b) exclusive or primary purpose of the services provided at the premises;

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- c) accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises are taking a table meal or are being entertained by a live performance;
- d) the hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises;
- e) due regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks;
- f) are there adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult;
- g) the likelihood of children being attracted to the premises by the nature of activities or facilities provided whether or not these are licensed;
- h) is there evidence of heavy, binge or underage drinking on the premises;
- i) if the premises commonly provides entertainment or services of an adult or sexual nature;
- j) is there a strong element of gambling on the premises;
- k) age restricted films are to be shown classified in accordance with the recommendations of the British Board of Film Classification;
- l) the number of adults required for the supervision of children and the suitability and vetting of those adults to ensure they pose no risk to children.

5. National Statutory Guidance (December 2023)

- 5.1 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.
- 5.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 5.3 The licensing objectives are:
 - a) The prevention of crime and disorder;
 - b) Public safety;
 - c) The prevention of public nuisance; and
 - d) The protection of children from harm.
- 5.4 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.

Protection of children from harm

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- 5.5 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.
- 5.6 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.
- 5.7 Licensing authorities should give considerable weight to representations about child protection matters.

Offences relating to the sale and supply of alcohol to children

- 5.8 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.

Reviews (section 51 and 52)

- 5.9 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.
- 5.10 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.
- 5.11 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.
- 5.12 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.
- 5.13 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 cooperation.
- 5.14 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.

- 5.15 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.
- 5.16 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 when considering what further action is appropriate.
- 5.17 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;
 - 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.
- 5.18 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.
- 5.19 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.
- 5.20 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.
- 5.21 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.

6. Licensing Comments

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- 6.1 The committee must determine this application with the view of promoting the licensing objectives. Members can do whatever you consider appropriate for the promotion of the licensing objectives, noting that each objective is of equal importance.
- 6.2 The committee is also required to have due regard to the statutory guidance issued under s.182 of the Licensing Act 2003 and the authority’s Licensing Policy Statement – relevant extracts of both referred to above.
- 6.3 With this in mind, and taking into account this report and the evidence it hears, the committee can resolve to:
 - modify the conditions of the premises licence;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months; or
 - revoke the licence.

5.4 In considering this case, officers make the following comments:

- a) Whilst all four licensing objectives are of equal importance, the principle objective relevant to this application is the protection of children from harm.
- b) Members will note from the statutory guidance that the protection of children is seen as particularly serious, and that the Government believes that it is completely unacceptable to sell alcohol to children. To this end, the statutory guidance also makes clear that it expects licensing authorities to give considerable weight to representations about child protection matters.
- c) As outlined in the review application, the police have attempted to engage with the premises licence holder in order to address the concerns prior to making a formal application to review their premises licence. The premises licence holder has not engaged with the police which has left the police with no confidence in the premises licence holder’s ability to run a safe premises. Members are to note that – at 5.16 above – the statutory guidance considers this an aggravating factor and that licensing authorities should take the lack of engagement into account when considering what further action is appropriate.
- d) Linked to the above, whilst the committee has the discretion to impose or vary the premises licence’s conditions, if there is an issue with confidence in the premises licence holder’s ability to operate the premises responsibly, new or varied conditions may not be an effective means to promote the licensing objectives.
- e) Following the two test purchase failures in April and June, the police requested additional licence condition added to the premises licence. Whilst an application was submitted, it was incomplete and was subsequently declared invalid. As a consequence, the requested licence conditions were never imposed on the premises licence.

If Members are minded to impose conditions as the appropriate outcome for this review, the police’s requested licence conditions are attached at **appendix 3** for reference.

- f) Furthermore, it is worth noting that the premises licence holder and the DPS (Designated Premises Supervisor) are the same person. This is relevant if the committee is minded to remove the DPS from the licence. The relevance of this being that, if the committee is does not have confidence in the DPS to fulfil their duties, the committee should consider how this applies to the premises licence holder – who is the same person.
- g) For reference, the DPS is the key person who will be responsible for the day-to-day management of the premises by the premises licence holder including upholding the licensing objectives. DPS’ are required to pass a level 2 qualification (Level 2 Award for Personal Licence Holders). Topics covered include:

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- legal duties as a personal licence holder
- the roles, responsibilities and functions of licensing authorities
- the licensing objectives and why they're so important
- how the nature and strength of alcohol can affect your customers
- the law relating to protecting children on a licensed premises

Background Papers

Service Records

Report Author

Contact officer: Mr Louis Krog
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 262626

Summary

Premises [BARGAIN BOOZE](#)

Reference SITE VISIT BY PC2309

Date and Time 15/01/2022 21:30

Description ON SATURDAY 15TH JANUARY 2022 AT 21:30 HRS PC 2309 COMPLETED A LICENCE INSPECTION AT THE ABOVE PREMISE. THE CCTV WAS NOT WORKING AS I HAVE PROVIDED 21 DAYS GRACE TO HAVE IT REPAIRED AND BACK TO WORKING CONDITION. THEY HAD NO STAFF TRAINING LOG AND THE INCIDENT LOG AND REFUSAL LOG WERE BLANK.
PART B WAS ON DISPLAY.

DPS DALWINDER KAUR AND HER DAUGHTER WERE BOTH PRESENT AT MY VISIT. DPS CONTACT NUMBER IS [REDACTED]

ADVICE ON HOW TO ADDRESS THE PROBLEMS HAS BEEN PROVIDED AND I HAVE LEFT MY DIRECT CONTACT DETAILS.

BOTH WERE PRO TO HAVE THE ISSUES FIXED AND UNDERSTOOD THE IMPORTANCE AND THAT THE CCTV IS PART OF THEIR LICENCE CONDITION.

A FOLLOW UP VISIT WILL BE COMPLETED.

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Statement of: **Matt Hammond**Age if under 18 (if over insert "over 18"): **Over 18**Occupation: **Police officer**

This statement (consisting of1..... Pages(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.

Signature: Date: **6th December 2022**

I am a police officer in the Gloucestershire Constabulary and my current role is alcohol licensing officer for Gloucester & Forest policing area.

On the 26th November 2022 I conducted a Test Purchase operation utilising one male and one female young person both of whom were 16 years of age. Neither young person dressed or changed their appearance to look older in any way and in my opinion neither looked older than 18 years. The full details and dates of birth of these young persons is detailed within the operational order.

In total five premises were checked on the 26th November 2022, three of these premises passed and requested identification to prove age and declined the sale when this could not be produced.

At 1406 hours I was in the Bargain Booze premises, 216-218 Hewlett Road, Cheltenham where I observed the female test purchaser select a bottle of Old Mout Cider 4% abv and she paid for this at the till with no verbal communication from the cashier at all, she then left the store. I identified myself to the cashier and she provided the following details Mrs Dalwinder Kaur [REDACTED] she stated she was the designated premises supervisor and that she had been trying to sell quickly due to the small queue forming and was also distracted by a young child who was sat on the floor next to her in the staff area, she admitted that she didn't look at the purchaser and that she had made an error.

An entry was made of these facts on my police mobile device and this was signed by Dalwinder.

I advised Dalwinder that contact would be made over the next few weeks and that she must observe the challenge 25 scheme and ensure all age restricted products are sold correctly with age verification.

Signature ... 

Please complete in BLOCK CAPITALS

URN 53 B 22

Witness Contact Details

Name: Former name (s):

Date of Birth: Place of Birth: Gender:

Home address: Postcode:

Home Tel No.: Work Tel No.: Mobile Tel No.:

Email address: Ethnicity 16+1

Preferred means of contact (specify details for vulnerable/intimidated victims and witnesses only):

Dates of Witness Non-Availability:

Witness Care

Witness / Victim Status: X Witness Statement Victim Statement Juvenile Professional Interpreter

Is this Witness / Victim? Vulnerable Intimidated Persistently Targeted A victim of most serious crimes

a) Is the witness willing to attend court? Yes No No, include reason(s) on form MG06.

b) Does the witness require special measures Yes No **MG2 Mandatory**
MG2 not required 18 & over

c) Does the witness have any particular needs? Yes No If Yes select below

Disability, Childcare, Language Difficulties, Restricted mobility
 Healthcare, Transport, Visually Impaired, Other concerns

d) Are alternative contact methods requested? Yes Complete MG11 (Page 2 alternative contact details) Attached

VPS ONLY: All victims have the right to have it read aloud or just read by the Court. Choose one of the below:

Read aloud by the victim Read aloud by CPS. Read, and included in the court process but not read aloud

MG2 ALWAYS required for:

All youths under 18.
Witnesses with mental disorders,
Learning or physical disabilities,
Witness in fear of giving evidence
All sexual offence cases

Witness Consent

a) The Victim Personal Statement scheme (victims only) has been explained to me Yes No

b) I have been informed that victim & witness leaflets are available on Gloucestershire Constabulary's website at address: <http://www.gloucestershire.police.uk/VictimsandWitnesses>
All Gloucestershire libraries have computers with free access to the internet. Yes No N/A

c) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes No N/A


d) I consent to my medical record in relation to this matter being disclosed to the defence Yes No N/A

e) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA Yes No N/A

f) Child witness cases only. I have had the provision regarding reporting restrictions explained to me. See Below Yes No N/A

I would like CPS to apply for reporting restrictions on my behalf Yes No N/A

Read to Child Witness
'Because you are a victim/witness to a criminal offence you may be required to attend court and give evidence. This means telling the court what happened in the incident and answering questions about it. Even if you are not required to attend court your name may be mentioned in court as part of the proceedings. Members of the media are allowed to attend court and report on what happens, but this is rare unless the offence is particularly serious. If the case is dealt with in a youth court, or you are a victim of certain offences, the media are not allowed to identify you in their reports but if the case is dealt with in an adult court your identity can be reported. The Crown Prosecution Service can make a request to the adult court on your behalf to stop your identity being reported. A magistrate or judge can then decide to stop the media identifying you in their reports by imposing 'reporting restrictions'. Would you like the Crown Prosecution Service to ask for 'reporting restrictions' to stop your identity being reported in the media?'
g) The information recorded above will be disclosed to Victim Support so that they can offer help support, unless you ask them not to. Tick this box to decline their services

Witness Signature:  Print Name:

Parent/Guardian/Appropriate Adult Signature: Print Name:

Address & Tel. No. if different from above:

Statement Taken by (print name) Station:

Time and place statement taken



Your reference: **Failed Test Purchase Op**
Our reference: Test Purchase Op 26/11/2022
E-mail: 252309
@gloucestershire.police.uk
Direct dial: 07966 882823 / 01452 754482
Postal Address: As above
Date: 8th December 2022

*****OFFICIAL*****

Dear DPS,

I write to you in your capacity as the DPS to inform you that regrettably your premises, namely Bargain Booze, 216-218 Hewlett Road, Cheltenham, GL52 6UJ, failed a Test Purchase Operation on Sat 26th November 2022, whereby a 16 year old purchased 1 bottle of Old Mout Cider from yourself who is acting in the capacity as the DPS for the store and you failed to ask any age verification questions or challenge the young person.

The sale of alcohol to children is an offence and places children at risk, and fuels anti-social behaviour and crime in our communities. This letter therefore affirms the seriousness with which the Constabulary views this offence.

- Sec.146 of the Licensing Act 2003 provides the offence of the sale of alcohol to children. **Maximum fine on conviction is unlimited**
- Sec.147 provide the offence of allowing the sale of alcohol to children. **Maximum fine on conviction is unlimited**
- Sec.147A of the Licensing Act 2003 provides the offence of persistently selling alcohol to children. An offence is committed if two underage sales take place at any given premises within a three month period. **Maximum fine on conviction is unlimited plus possible three month suspension of alcohol sales (or 14 day closure)**

In light of this recent failure I feel it prudent to advise you that the premises licence is now at risk.

- 1.) First failure results in a Written Warning and affords you appropriate time to review the current working practices and take necessary, positive action to prevent this from occurring again.

- 2.) Second failure may result in a £90^{Page 18}alty Notice for the seller (if appropriate) and a request for the PLH to attend a police station to explain what has happened and discuss further measures to be implemented. A request for a voluntary cessation of alcohol sales for a period of up to 14 days may be requested to avoid being prosecuted.
- 3.) Third failure (within any 12 month rolling period) results in an application being submitted to the Licensing Authority requesting a review of the premises licence.

Under the Licensing Act 2003 the responsibility for the sale of alcohol rests with the DPS and PLH. It is therefore strongly recommended that immediate steps are taken to ensure that no further offences occur. It is imperative that staff are fully aware of their responsibilities and that they challenge for identification where appropriate.

Re-testing will take place again soon.

The licensing objectives are concerned with the avoidance of harm and are there to be positively promoted, particularly the protection of children from harm. Failed Test Purchases negatively impact on these objectives.

Advice for your consideration;

- Ensure all staff involved in the sale of alcohol have received appropriate training on induction, and regular refresher training in respect of the Licensing Act 2003 and their responsibilities. Ensure individual records are signed and dated when completed.
- Adopt a Challenge 25 policy whereby all staff are to ask anyone who appears to be under the age of 25 to produce identification. If the identification cannot be produced then the sale must not be made. Display Challenge 25 notices around the premises to reaffirm this policy.
- Only the following should be accepted as forms of identification: Identity card bearing the PASS hologram, photo card driving licence, passport, military ID.
- Adopt a Refusals' Register requiring staff to record details of when they refuse service. The time and date should be recorded together with a brief description of what occurred. Review this register regularly and countersign it.

A copy of this letter will be kept on police licensing records and will be supplied to the Licensing Authority.

I leave this for your attention and consideration.

Kind regards



Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Licensing Officer
Gloucestershire Constabulary
Hestersway Police Station | Princess Elizabeth Way | Cheltenham | GL51 7SJ
Mobile 07966 882823 | Licensing Team 01452 754482
www.gloucestershire.police.uk | [Twitter page](#) | [Facebook page](#)

OFFICIAL

Sansom, Jeremy

From: [REDACTED]
Sent: 09 April 2024 10:38
To: Licensing
Subject: Bargain Booze GL52 6UJ Underage Alcohol Sale Complaint

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Jez, Chelt

CAUTION: This email originated from outside of Gloucestershire Constabulary, do you trust this sender? Please exercise caution before opening any attachments or clicking on links contained within this email particularly if the sender is unknown.

To Whom it may concern,

Gloucestershire Trading Standards received a complaint regarding **Bargain Booze, located at 216/218 Hewlett Road, GL52 6UJ**, it is also known as Bargain Beer and Wine.

The complaint we received is following:

On Thursday evening (04/04/2023), a lady working in this branch served a 17-year-old boy with a £15 bottle of Glens Vodka. This vodka made its way to my 15-year-old son, who consequently ended up in A and E as he was found unresponsive and covered in his own vomit.

We have also been notified that the 15-year-old boy is "relatively unharmed after an 11 hour stay in A and E".

Due to the nature of this complaint a licensing review may be needed.

Any questions let me know,

[REDACTED]
Authorised Enforcement Assistant
Gloucestershire Trading Standards
Shire Hall, Gloucester, GL1 2TG

Tel: 01452 887666 [REDACTED]

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This email and any attachments are strictly confidential and intended for the addressee only.
If you are not the named addressee you must not disclose, copy or take any action in reliance of this transmission and you should notify us as soon as possible.

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Visit Details

Visit 22133

Details

Door Supervisors

Narrative

Tasks

Logs

Summary

Premises [BARGAIN BOOZE](#)

Reference JEZ P/C TO DPS

Date and Time 12/04/2024 10:30

Description FOLLOWING THE COMPLAINT AROUND UNDERAGE SALES, I HAVE CONTACTED THE DPS AND EXPLAINED I WOULD LIKE TO SEE THE CCTV FOOTAGE AND WOULD ARRANGE A TIME TO MEET WITH HER AT THE STORE TO DISCUSS FURTHER AND I WOULD ALSO COMPLETE A FOLLOW UP LICENCE INSPECTION.

DPS INFORMED ME THE ONLY FEMALE MEMBERS OF STAFF THAT WORK AT THE STORE ARE HERSELF AND HER DAUGHTER IN LAW.

Print Details

Send Letter

Documents (0)

Convert to Incident

Edit Details

Page 21

Officers

There are no officers associated with this visit.

Responsible People

ID	Name	Building	Street	District
8411	DALWINDER KAUR	BARGAIN BOOZE	216-218 HEWLETT ROAD	

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Visit Details

Visit 22146

Details

Door Supervisors

Narrative

Tasks

Logs

Summary

Premises [BARGAIN BOOZE](#)

Reference JEZ TO DPS

Date and Time 23/04/2024 17:30

Description I HAVE JUST CALLED THE DPS TO CONFIRM SHE HAS SAVED THE CCTV FOOTAGE FOR ME AND TO INFORM HER I WOULD ATTEND IN PERSON TOMORROW (24-04-24) AT 11:30AM - 12PM TO COMPLETE A LICENCE CHECK AND LOOK AT THE CCTV. THE DPS HAS INFORMED ME SHE DOES NOT HAVE THE CCTV FOOTAGE AS THE CCTV SYSTEM DOES NOT RECORD. I HAVE LOOKED BACK AT MY LAST VISIT IN 2022 AND CAN SEE THE CCTV DID NOT WORK THEN EITHER AND SHE WAS WARNED AROUND THIS AND UNDERSTOOD IT NEEDED TO BE FIXED.

DUE TO THE SERIOUSNESS OF THE RECENT INCIDENT AND LACK OF UNDERSTANDING FROM THIS DPS I WILL LOOK TO SERVE A S.19 NOTICE UNDER THE CRIMINAL JUSTICE AND POLICE ACT 2001 WHICH WILL GIVE HER 7 DAYS TO RECTIFY THE CCTV BREACH OF CONDITION AND ANY OTHER BREACHES I OBSERVE WHILE IN ATTENDANCE.

THIS WILL ALSO START THE STAGED APPROACH TO A POTENTIAL REVIEW. I WIL LIAISE WITH THE LA PRIOR TO GOING SO THEY ARE AWARE.

Print Details

Send Letter

Documents (0)

Convert to Incident

Edit Details

Officers

There are no officers associated with this visit.

This page is intentionally left blank

Visit Details

Visit 22147

Details

Door Supervisors

Narrative

Tasks

Logs

Summary

Premises	BARGAIN BOOZE
Reference	JEZ VISIT IN PERSON
Date and Time	24/04/2024 11:45
Description	<p>ATTENDED THE STORE TO DISCUSS THE BREACH, WHILE IN ATTENDANCE DPS CALLED HER DAUGHTER TO THE STORE, BETWEEN US WE WERE ABLE TO GET THE CCTV WORKING SO THERE IS NO BREACH HOWEVER THE DPS JUST DOESN'T SEEM TO UNDERSTAND THE LICENCE CONDITIONS AND IF THE CCTV WAS WORKING ETC.</p> <p>WE HAVE DISCUSSED THIS AND I HAVE DISCUSSED THEM PUTTING IN A MINOR VARIATION TO BRING THE LICENCE MORE UP TO DATE (HAVE BETTER WORDING FOR THE CCTV CONDITION ETC. AS IN ITS CURRENT FORM IT IS NOT FIT FOR PURPOSE).</p> <p>RE THE ALCOHOL SALE, CCTV IS UNCLEAR DUE TO TIMINGS AND ANGLES IF ID WAS ASKED FOR AND AS THE COMPLAINANT WILL NOT GIVE ME A STATEMENT OF EVIDENCE, IT IS PROPORTIONATE TO LOOK AT THE VARIATION TO TIGHTEN THE CONDITIONS AND I WILL ALSO TP THE STORE IN DUE COURSE.</p>

Print Details

Send Letter

Documents (0)

Convert to Incident

Edit Details

Officers

There are no officers associated with this visit.

Responsible People

This page is intentionally left blank

Sansom, Jeremy

From: Sansom, Jeremy
Sent: 26 April 2024 15:42
To: [REDACTED]
Cc: Licensing (CBC)
Subject: Minor Variation

Categories: Egress Switch: Unclassified

Good afternoon Mrs KAUR,

Following my visit on Wednesday 24th April 2024 at 11:45am, as discussed due to the balance of probability that an underage sale of alcohol has taken place with you being the DPS who made the sale I would like you to submit a minor variation for conditions to be added to the current premises licence. This is not compulsory but would allay some of the concerns I currently have in regards to the premises. By adding these conditions to your premises licence and fully understanding the meaning and importance of them I believe this will assist you negating any future underage sales which if did take place could lead to a review of your premises licence.

This would be a cost to you of £89 and I have provided a link to Cheltenham Borough Council Licensing application page for the minor variation at the end of the email. I have also added at the end of this email the licence conditions and wording I would like used.

I would like the minor variation to be submitted by **Friday 17th May 2024**.

If you wish to discuss this matter any further with me please don't hesitate to contact me. CBC Licensing team have been copied into this email.

Proposed licence conditions and wording for the minor variation:

Prevention of crime and disorder

- a) A CCTV system will be in operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
- b) The correct time and date will be generated onto both the recording and the real time image screen
- c) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- d) Spirits for sale shall only be displayed behind the staff counter.

The protection of children from harm

- a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.
- b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.
- c) A log (electronic or written) shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date

and time of the refusal and the name of the staff who refused the sale. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.

- d) An incident log will be kept which will include the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis..
- e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request.

Links:

Minor Variation - [Minor variations](#) | [Premises licence](#) | [Cheltenham Borough Council](#)

Kind Regards

Jeremy Sansom

Police Constable 2309

Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team

Gloucestershire Constabulary

Hucclecote Police Station | 58 Hucclecote Road | Hucclecote | Gloucester GL3 3RT

Mobile - 07966 882823 | Licensing Team 01452 - 754482

www.gloucestershire.police.uk | [Twitter page](#) | [Facebook page](#)



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Visit Details

Visit 22173

Details

Door Supervisors

Narrative

Tasks

Logs

Summary

Premises [BARGAIN BOOZE](#)

Reference 2309 TO DPS CHASE UP

Date and Time 16/05/2024

Description CALLED AND SPOKE WITH DPS. UNSURE IF SHE UNDERSTANDS WHAT IS REQUIRED OF HER IN REGARDS TO THE MINOR VARIATION. I HAVE EXPLAINED IT AGAIN AND ASKED FOR HER TO DISCUSS WITH HER DAUGHTER.

EMAIL RESENT WHICH WAS ORIGIANLLY SENT ON 26TH APRIL.

Print Details

Send Letter

Documents (0)

Convert to Incident

Edit Details

Page 29

Officers

There are no officers associated with this visit.

Responsible People

ID	Name	Building	Street	District
8411	DALWINDER KAUR	BARGAIN BOOZE	216-218 HEWLETT ROAD	

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Sansom, Jeremy

From: Navjinder Kaur [REDACTED] >
Sent: 20 May 2024 06:43
To: Sansom, Jeremy
Subject: Re: Minor Variation

CAUTION: This email originated from outside of Gloucestershire Constabulary, do you trust this sender? Please exercise caution before opening any attachments or clicking on links contained within this email particularly if the sender is unknown.

Good morning to you ,
I have seen the video email but my sister in law gonna help us to fill the form we will make payment and apply the changes soon we can and I will let you know through the email , we r really apologise for delay ... thank you ..
I have been working whole week could not get chance to do anything ...

[Sent from Yahoo Mail for iPhone](#)

On Friday, April 26, 2024, 3:42 PM, Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk> wrote:

Good afternoon Mrs KAUR,

Following my visit on Wednesday 24th April 2024 at 11:45am, as discussed due to the balance of probability that an underage sale of alcohol has taken place with you being the DPS who made the sale I would like you to submit a minor variation for conditions to be added to the current premises licence.

This is not compulsory but would allay some of the concerns I currently have in regards to the premises. By adding these conditions to your premises licence and fully understanding the meaning and importance of them I believe this will assist you negating any future underage sales which if did take place could lead to a review of your premises licence.

This would be a cost to you of £89 and I have provided a link to Cheltenham Borough Council Licensing application page for the minor variation at the end of the email.

I have also added at the end of this email the licence conditions and wording I would like used.

I would like the minor variation to be submitted by **Friday 17th May 2024.**

If you wish to discuss this matter any time please don't hesitate to contact me.

CBC Licensing team have been copied into this email.

Proposed licence conditions and wording for the minor variation:

Prevention of crime and disorder

- a) A CCTV system will be in operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
- b) The correct time and date will be generated onto both the recording and the real time image screen
- c) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- d) Spirits for sale shall only be displayed behind the staff counter.

The protection of children from harm

- a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.
- b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.
- c) A log (electronic or written) shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal

and the name of the member of **Page 33** refused the sale. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.

d) An incident log be will kept which will include the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis..

e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and “authorised persons” immediately upon request.

Links:

Minor Variation - [Minor variations | Premises licence | Cheltenham Borough Council](#)

Kind Regards

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team

Gloucestershire Constabulary

Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT

Mobile - 07966 882823 | Licensing Team 01452 - 754482
www.gloucestershire.police.uk | [Twitter page](#) | [Facebook page](#)



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Sansom, Jeremy

From: Sansom, Jeremy
Sent: 30 May 2024 09:38
To: Navjinder Kaur
Subject: RE: Minor Variation

Categories: Egress Switch: Unclassified

Good morning,

Can I ask if this has been actioned yet please?

Regards

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer
Crime Prevention Team
Gloucestershire Constabulary
Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT
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We are committed to being an anti-discriminatory organisation. This means not only acting in a non-discriminatory way, but addressing systemic inequalities, disadvantage and discrimination.

From: Navjinder Kaur [REDACTED] >
Sent: 20 May 2024 06:43
To: Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk>
Subject: Re: Minor Variation

CAUTION: This email originated from outside of Gloucestershire Constabulary, do you trust this sender? Please exercise caution before opening any attachments or clicking on links contained within this email particularly if the sender is unknown.

Good morning to you ,
I have seen the video email but my sister in law gonna help us to fill the form we will make payment and apply the changes soon we can and I will let you know through the email , we r really apologise for delay ... thank you ..
I have been working whole week could not get chance to do anything ...

[Sent from Yahoo Mail for iPhone](#)

On Friday, April 26, 2024, 3:42 PM, Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk> wrote:

Good afternoon Mrs KAUR,

Following my visit on Wednesday 24th April 2024 at 11:45am, as discussed due to the balance of probability that an underage sale of alcohol has taken place with you being the DPS who made the sale I would like you to submit a minor variation for conditions to be added to the current premises licence.

This is not compulsory but would allay some of the concerns I currently have in regards to the premises. By adding these conditions to your premises licence and fully understanding the meaning and importance of them I believe this will assist you negating any future underage sales which if did take place could lead to a review of your premises licence.

This would be a cost to you of £89 and I have provided a link to Cheltenham Borough Council Licensing application page for the minor variation at the end of the email.

I have also added at the end of this email the licence conditions and wording I would like used.

I would like the minor variation to be submitted by **Friday 17th May 2024**.

If you wish to discuss this matter any further with me please don't hesitate to contact me.

CBC Licensing team have been copied into this email.

Proposed licence conditions and wording for the minor variation:

Prevention of crime and disorder

- a) A CCTV system will be in operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
- b) The correct time and date will be generated onto both the recording and the real time image screen

Page 37
c) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.

d) Spirits for sale shall only be displayed behind the staff counter.

The protection of children from harm

a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.

c) A log (electronic or written) shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.

d) An incident log will be kept which will include the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis..

e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request.

Links:

Kind Regards

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team

Gloucestershire Constabulary

Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT

Mobile - 07966 882823 | Licensing Team 01452 - 754482
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Sansom, Jeremy

From: Navjinder Kaur <[REDACTED]>
Sent: 06 June 2024 18:55
To: Sansom, Jeremy
Subject: Re: Minor Variation

CAUTION: This email originated from outside of Gloucestershire Constabulary, do you trust this sender? Please exercise caution before opening any attachments or clicking on links contained within this email particularly if the sender is unknown.

Hi sorry to email you again can you please contact on this email she is owner and her email is [REDACTED]

[Sent from Yahoo Mail for iPhone](#)

On Thursday, June 6, 2024, 6:37 PM, Navjinder Kaur <[REDACTED]> wrote:

Sorry but tommrow my sister coming and she is gonna do it for us and I will email you immediately ... thank you ..

[Sent from Yahoo Mail for iPhone](#)

On Thursday, May 30, 2024, 9:37 AM, Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk> wrote:

Good morning,

Can I ask if this has been actioned yet please?

Regards

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team

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From: Navjinder Kaur <[REDACTED]>
Sent: 20 May 2024 06:43
To: Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk>
Subject: Re: Minor Variation

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[Sent from Yahoo Mail for iPhone](#)

On Friday, April 26, 2024, 3:42 PM, Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk> wrote:

Good afternoon Mrs KAUR,

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I would like the minor variation to be submitted by **Friday 17th May 2024**.

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Proposed licence conditions and wording for the minor variation:

Prevention of crime and disorder

- a) A CCTV system will be in operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
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The protection of children from harm

- a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving

licence or a PASS (ward) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.

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d) An incident log be will kept which will include the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis..

e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and “authorised persons” immediately upon request.

Links:

Minor Variation - [Minor variations | Premises licence | Cheltenham Borough Council](#)

Kind Regards

Jeremy Sansom Page 43
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer
Crime Prevention Team
Gloucestershire Constabulary
Hucclecote Police Station| 58 Hucclecote Road|
Hucclecote |Gloucester GL3 3RT
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Visit Details

Visit 22216

Details

Door Supervisors

Narrative

Tasks

Logs

Summary

Premises	BARGAIN BOOZE
Reference	2309 TO DPS REVIEW
Date and Time	20/06/2024 13:25
Description	<p>PC 2309 HAS SPOKEN TO THE DPS AS FOLLOWING ALL THE PROMISES (VIA EMAIL) TO COMPLETE THE VARIATION IT HAS STILL NOT BEEN COMPLETED. DPS HAS ASKED FOR ONE MORE CHANCE AND PROMISED IT WOULD BE COMPLETED BY TOMORROW AT THE LATEST.</p> <p>I HAVE INFORMED HER I WILL BE CALLING FOR A REVIEW OF THE LICENCE ON MONDAY 24TH JUNE IF THE VARIATION WITH THE CONDITIONS I HAVE REQUESTED TO BE ADDED TO THEIR LICENCE HAS NOT BEEN COMPLETED. I EMPHASISED MY CONCERN AROUND THE UNDERAGE SALES AND LACK OF UNDERSTANDING AND REQUIRE THESE CONDITIONS TO BE ADDED SO THE DPS IS IMPLEMENTING PROCESSES TO PREVENT ANY FURTHER BREACHES.</p>

Print Details

Send Letter

Documents (0)

Convert to Incident

Edit Details

Officers

There are no officers associated with this visit.

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Sansom, Jeremy

From: Navjinder Kaur <[REDACTED]>
Sent: 21 June 2024 20:30
To: Sansom, Jeremy
Subject: Re: Minor Variation

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[Sent from Yahoo Mail for iPhone](#)

On Friday, June 21, 2024, 1:15 PM, Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk> wrote:

As requested

From: Sansom, Jeremy
Sent: 26 April 2024 15:42
To: [REDACTED]
Cc: Licensing (CBC) <Licensing@cheltenham.gov.uk>
Subject: Minor Variation

Good afternoon Mrs KAUR,

Following my visit on Wednesday 24th April 2024 at 11:45am, as discussed due to the balance of probability that an underage sale of alcohol has taken place with you being the DPS who made the sale I would like you to submit a minor variation for conditions to be added to the current premises licence.

This is not compulsory but would allay some of the concerns I currently have in regards to the premises. By adding these conditions to your premises licence and fully understanding the meaning and importance of them I believe this will assist you negating any future underage sales which if did take place could lead to a review of your premises licence.

This would be a cost to you of £89 and I have provided a link to Cheltenham Borough Council Licensing application page for the minor variation at the end of the email.

I have also added at the end of this email the licence conditions and wording I would like used.

I would like the minor variation to be submitted by **Friday 17th May 2024**.

If you wish to discuss this matter any further with me please don't hesitate to contact me.

CBC Licensing team have been copied into this email.

Proposed licence conditions and wording for the minor variation:

Prevention of crime and disorder

- a) A CCTV system will be in operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
- b) The correct time and date will be generated onto both the recording and the real time image screen
- c) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- d) Spirits for sale shall only be displayed behind the staff counter.

The protection of children from harm

- a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.
- b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.
- c) A log (electronic or written) shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.

d) An incident log will be kept vPage 51 clude the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis..

e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and “authorised persons” immediately upon request.

Links:

Minor Variation - [Minor variations | Premises licence | Cheltenham Borough Council](#)

Kind Regards

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team

Gloucestershire Constabulary

Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT

Mobile - 07966 882823 | Licensing Team 01452 - 754482
www.gloucestershire.police.uk | [Twitter page](#) | [Facebook page](#)



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Sansom, Jeremy

From: Licensing (CBC) <Licensing@cheltenham.gov.uk>
Sent: 24 June 2024 11:26
To: Sansom, Jeremy
Subject: RE: Minor Variation: 24/01135/PRVM
Attachments: 1495469.pdf

CAUTION: This email originated from outside of Gloucestershire Constabulary, do you trust this sender? Please exercise caution before opening any attachments or clicking on links contained within this email particularly if the sender is unknown.

Hi Jez

We have received an application (attached) however it is lacking the details you have requested. I will ask them to submit your proposed conditions as a supplementary document.

Kind regards

Jake Johnstone
Licensing Officer

Cheltenham Borough Council Licensing
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

Tel: 01242 264135
Email: licensing@cheltenham.gov.uk

From: Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk>
Sent: Saturday, June 22, 2024 9:39 AM
To: Licensing (CBC) <Licensing@cheltenham.gov.uk>
Subject: FW: Minor Variation

Morning Team,

Can you keep me updated on this one and confirm they have applied to add my proposed conditions for the variation please.

Kind Regards
Jez

From: Navjinder Kaur [REDACTED] >
Sent: 21 June 2024 20:30
To: Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk>
Subject: Re: Minor Variation

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Yo

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co

[Sent from Yahoo Mail for iPhone](#)

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From: Sansom, Jeremy
Sent: 26 April 2024 15:42
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Cc: Licensing (CBC) <Licensing@cheltenham.gov.uk>
Subject: Minor Variation

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This would be a cost to you of £89 and I have provided a link to Cheltenham Borough Council Licensing application page for the minor variation at the end of the email.

I have also added at the end of this email the licence conditions and wording I would like used.

I would like the minor variation to be submitted by **Friday 17th May 2024**.

If you wish to discuss this matter any further with me please don't hesitate to contact me.

CBC Licensing team have been copied into this email.

Proposed licence conditions and wording for the minor variation:

Prevention of crime and disorder

- a) A CCTV system will be in operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
- b) The correct time and date will be generated onto both the recording and the real time image screen
- c) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- d) Spirits for sale shall only be displayed behind the staff counter.

The protection of children from harm

- a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.
- b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.
- c) A log (electronic or written) shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.
- d) An incident log be will kept which will include the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis..
- e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include

challenging every individual who appears **Page 58** 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request.

Links:

Minor Variation - [Minor variations](#) | [Premises licence](#) | [Cheltenham Borough Council](#)

Kind Regards

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team

Gloucestershire Constabulary

Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT

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https://www.cheltenham.gov.uk/info/81/how_we_use_your_data

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Minor Variation

Review

Please review the details to below to ensure they are correct before proceeding. If the details shown are not correct, click previous to enter the correct licence number.

Current Licence number

21/01158/PRMVPS

Current Premises address

216 - 218 Hewlett Road Cheltenham Gloucestershire GL52 6UJ

Premises/Club Premises Details

I, being the premises licence holder(s)/club holding a club premises certificate, apply to vary a premises licence under section 41A/club premises certificate under section 86A of the Licensing Act 2003.

Please select the relevant licence type. *

Premises Licence

Premises/Club Premises Details

Address *

216 - 218 Hewlett Road Cheltenham Gloucestershire GL52 6UJ

Telephone Number at premises (if any)

[REDACTED]

Premises Licence/Club Certificate Number *

21/01158/PRMVPS

Brief Description of Premises *

216-218 Hewlett road Cheltenham GL52 6uj

Type of Premises Licence Holder

Are you applying as: *

Individual(s)

Premises Licence Holder - Individual

I am/we are the premises licence holder.

Title *	<input type="text" value="Mrs"/>
First name *	<input type="text" value="Dalwinder"/>
Surname *	<input type="text" value="Kaur"/>
Street address *	<input type="text" value="216-218 Hewlett road"/>
	<input type="text"/>
	<input type="text"/>
Town/City *	<input type="text" value="Cheltenham"/>
County	<input type="text" value="Gloucestershire"/>
Postcode *	<input type="text" value="GL52 6UJ"/>
Daytime Contact Telephone Number *	<input type="text" value=""/>
Email *	<input type="text" value=""/>

Premises Licence Holder - Non Individual

I am/we are the premises licence holder/club premises certificate holder.

Premises Licence Holder Name *	<input type="text"/>
Street address *	<input type="text"/>
	<input type="text"/>
	<input type="text"/>
Town/City *	<input type="text"/>
County	<input type="text"/>
Postcode *	<input type="text"/>

Premises Licence Holder - Non Individual

Daytime Contact Telephone Number

Email *

Proposed Variation

Do you want the variation to have effect as soon as possible?

*

If not, from what date do you want the variation to take effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 3) *

Proposed Variation

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent).

Details of proposed variation(s) (Please see Guidance Note 4) *

Operating Schedule

Provision of regulated entertainment. Please tick those parts of the Operating Schedule which would be subject to change if this application to vary was successful. (please read guidance note 5) *

Plays

Films

Indoor sporting events

Boxing or wrestling entertainment

Operating Schedule

- Live music
- Recorded music
- Performances of dance
- Anything of a similar description to that falling within (e), (f) or (g)
- Late night refreshment provided
- Alcohol to be provided

Operating Schedule

Please select an option to indicate if you will return the following:

I agree to return the original premises licence / club premises certificate or the relevant part of the original premises licence / club premises certificate: *

Yes

Note: This application cannot be processed until the original licence is received or a statement as to why it cannot be returned has been accepted.

Operating Schedule

I will upload/return a copy of the plan. (This is necessary if the proposed variation will affect the layout). *

Yes

You may upload a copy of the plan as a later step within this form

Any further information to support your application. (See Guidance Note 6)

I am apologies what has happened in past , since then , i have sort the cctv and recording is available for4 weeks ,all with correct time and date,also we have moved all the spirits behind the counter, we are also asking id to everyone who look under 25 , also we are logging the details for refuse sale in log book, i m also going to take refreshment training regularly and also I will make sure our staff fully trained ...

Declaration

Declaration

Declaration Type *

Sole Applicant/Premises Licence Holder

Declaration - Premises Licence Holder

I have enclosed the plan, if appropriate, of the premises in scale [1mm to 100mm], unless otherwise agreed with the licensing authority. I understand I must now return the original premises licence/club premises certificate, or relevant part of it or have provided an explanation why I will not be able to do this. I understand that if I do not comply with the above requirements my application will be rejected. I understand that I must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day. IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT. Declaration to be completed by the applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Notes 7 & 8). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

Full Name *

Dalwinder kaur

Date *

21/06/2024

Capacity *

Applicant



Declaration Made

Do you wish to provide alternative correspondence details? *

No

Correspondence Address

This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided. Contact Name (where not previously given) and address for correspondence associated with this application (See Guidance Note 10).

Title

Mr

First Name

Surname

Street Address *

Correspondence Address

Town/City *

Postcode *

Telephone number

Email address *

Email confirmation

On submission an email confirmation will be sent using the details below

Forename

Dalwinder

Surname /Company Name

Kaur

Email *

Telephone


Text Entry: Mr MeJOR Singh

Creation date/time of entry	25-06-2024 18:02
------------------------------------	------------------

Incident Details

Is this document related to an incident?	
Officer	Surname Sansom Forename Jeremy Collar number 252309 Rank PC Station

I am the above named person, my date of birth is [REDACTED] contact no [REDACTED] and I am currently employed to work at Bargain Booze Hewlett Rd. On Tuesday 25th June 2024 at 19:35 I was on duty and I sold a WKD Blue £5.49 pack of 4 with an ABV of 4% which cost £5.49 . I did not ask for any age verification questions or for identification. I now know this was a test purchase operarion which I have failed by selling alcohol to someone who was under 18 years of age. I have read this account and agree it is acurate.

Crime Number	
Signature	
Name	MeJOR Singh
Date/time of entry	25-06-2024 19:57

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BARGAIN BOOZE
Cheltenham

QTY	DESC	TOTAL
1	Alcohol	£5.49
	Sub Total:	£5.49
	Cash	£10.00
	Change Due:	£4.51

Thank You For Shopping At
Your Local PayPoint store

Site: 31101273 TID:31264017
Retailer ID: 10102220 Txn ID:377173
Served by admin
Tuesday 25/06/2024 19:32:42 pm

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DRINKWARE®

£5.49
RRP

4x
CANS

ALCOHOLIC MIX
BLUE
ORIGINAL

Alc. 4% Vol.
250ml e CANS
ORIGINAL ALCOHOLIC MIX
be drinkaware.co.uk

BLUE

DRINKWARE®

£5.49
RRP

4x
CANS

ALCOHOLIC MIX
BLUE
ORIGINAL

Alc. 4% Vol.
250ml e CANS
ORIGINAL ALCOHOLIC MIX
[be drinkaware.co.uk](http://drinkaware.co.uk)

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*****OFFICIAL*****

ATT: DPS – Dalwinder Kaur
BARGAIN BOOZE
216-218 HEWLETT ROAD
CHELTENHAM
GL52 6UJ

Our reference: Fail Test Purchase 25th
June 2024

Please ask for: PC Jeremy Sansom

Direct Dialling 07966 882823

Date: 1st July 2024

Dear Dalwinder Kaur,

I have to advise you that on 25th June 2024 a test purchase was conducted at your premises namely BARGAIN BOOZE, 216-218 HEWLETT ROAD, CHELTENHAM. The testers who were only 15 years old was able to purchase a 4 pack of WKD Blue with an ABE of 4% costing £5.49 from your employee Mr Mejor Singh who failed to ask any age verification questions or challenge the young person.

This is your 2nd recorded failure in a 3 month consecutive period. A sale to a minor is a breach of the licensing objectives and breach of your licence under the Licensing Act 2003. As this is a second sale of alcohol to a minor in a 3 month consecutive period it is classed as the following offence:

Section 147a Licensing Act 2003 - Persistently selling alcohol to children

A person guilty of an offence under this section shall be liable, on summary conviction, to **[F3a fine]**.

Due to the fact that this is now a second failure for selling alcohol to someone under 18 years of age within a 3 month period, I am not looking to prosecute you but will be requesting a review of your licence as I discussed with you.

You are the Designated Premises Supervisor for the premises, it is your responsibility to ensure that the licensing objectives are upheld and implemented.

Yours Sincerely

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer

Crime Prevention Team
Gloucestershire Constabulary
Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT



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*****OFFICIAL*****

Sansom, Jeremy

From: Sansom, Jeremy
Sent: 03 July 2024 12:13
To: Licensing (CBC)
Cc: Matthew.Morris@cheltenham.gov.uk; Sarah.Hughes@cheltenham.gov.uk; Benbow, Steven
Subject: Emailing: PLH-DPS Bargain Booze 2nd fail - warning letter off sale 25-06-24
Attachments: PLH-DPS Bargain Booze 2nd fail - warning letter off sale 25-06-24.docx
Categories: Egress Switch: Unclassified

Good afternoon team,

Please find the attached warning letter for a second fail in regards to selling alcohol to a minor.

I will be requesting a review of their premises licence which I will action asap.

Kind Regards
Jeremy

Jeremy Sansom
Police Constable 2309
Cheltenham & Tewkesbury Liquor Licensing Officer Crime Prevention Team Gloucestershire Constabulary
Hucclecote Police Station| 58 Hucclecote Road| Hucclecote |Gloucester GL3 3RT Mobile - 07966 882823 |
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Cheltenham Borough Council Licensing Authority
Municipal Offices
Promenade
Cheltenham
GL50 9SA

**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 Jeremy Sansom

(Insert name of applicant)

**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

BARGAIN BOOZE SELECT CONVENIENCE
216-218 HEWLETT ROAD

Post town Cheltenham

Post code (if known) GL52 6UJ

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

DALWINDER KAUR

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

21/01158/PRMVPS

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
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC 2309 Jeremy Sansom Gloucestershire Constabulary 1 Waterwells Waterwells Business Park Waterwells Dr Gloucester GL2 2AN
Telephone number (if any) XX
E-mail address (optional) jeremy.sansom@gloucestershire.police.uk

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

Please state the ground(s) for review (please read guidance note 2)

The police request a review of the licence on the grounds of Licensing Objective:

- **The Protection of Children from Harm**

And offence of:

- **Section 147A of the Licensing Act 2003 - Persistently selling alcohol to children**

Within a 3 month period between 4th April and 25th June 2024, this premises sold alcohol to a minor DPS (Designated Premises Supervisor) conducted the sale and a separate member of staff failed a Test Purchase (TP) Operation selling alcohol to the 16yr old tester.

The same DPS also failed a previous TP OP in November 2022 serving alcohol to a 16yr old tester.

A staged approach has been adopted and efforts made to try to deal with the concerns at a local level, including PC 2309 Sansom visiting the store in person on two occasions, giving two written warnings and having numerous phone calls & emails with the DPS.

The PLH, who is also the DPS (since 2021) has failed to demonstrate that she can run a safe and responsible premises and has failed to address issues that have arisen thus negatively impacting on the licensing objectives.

Further grounds supporting this review application found below, which will assist the Committee.

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

Summary

This application for a review relates to concerns of underage alcohol sales and non-compliance with the licence.

- **06th May 2020** - Intelligence received that staff at Bargain Booze, Hewlett Road in Cheltenham have served 16 year old boy alcohol and tobacco without asking for any ID. He was clearly underage.
- **15th January 2022** – PC Sansom completed a licence check at Bargain Booze. Summary added to the Police Innkeeper system which is the Police Licensing database. At this visit I discussed in detail best practice and due diligence.
Some of the breaches seen while in attendance such as the CCTV system not working which was a licence condition. I discussed having a staff training log, incident log and refusal log. My direct contact details were left advising them to contact me if they required any support. I was in attendance for around 40 minutes. (**See appendix 1**).
- **26th November 2022** – Operation Scorpion - Failed TP OP - DPS Mrs Dalwinder Kaur conducted sale to a 16 year old cadet. PC Matt Hammond provided a Statement in which he detailed the sale of alcohol to the minor and confirmed the tester did not dress or change their appearance to attempt to look older and in his opinion clearly looked under 18 years of age. PC Hammond details in the Statement that he provided advice around age verification and using challenge 25. (**See Appendix 2**).
- **8th December 2022** – Following the above TP Fail, PC Sansom sent a letter to the DPS clearly outlining the seriousness of the failed TP OP, especially her being the DPS. The letter outlined the offences under the Licensing Act 2003 which included section 147a persistently selling alcohol to children and advised her of the staged approach we use. The letter outlined and explained her responsibilities around preventing under age sales, training of staff members, checking ID and Challenge 25. (**See appendix 3**).
- **4th April 2024** – DPS Mrs. Dalwinder Kaur allegedly served an underage youth alcohol. Details below to keep this in chronological order.
- **09th April 2024** – PC Sansom received an email from Trading Standards (**See appendix 4**) which was a complaint they had received that stated 'on Thursday 4th April 2024 Bargain Booze Hewlett Rd in Cheltenham a lady working in this branch served a 17-year-old boy with a £15 bottle of Glens Vodka. This vodka made its way to my 15-year-old son, who consequently ended up in A and E as he was found unresponsive and covered in his own vomit'. PC Sansom called the complainant to check on the welfare of the son and obtain further details and ask if they would make a Statement, which was refused, but they did provide details of the youth that allegedly purchased the alcohol describing his clothing, time he entered etc.

- **12th April 2024** – PC Sansom contacted the DPS via a phone call and discussed the complaint received. Request was made to secure the CCTV and to contact me once ready so I could attend and view it and complete a follow up licence inspection (**See appendix 5**).
- **23rd April 2024** – PC Sansom called the DPS again as no contact received from her. DPS stated on this call she did not have the CCTV footage as the CCTV system does not record. I already knew that in 2022 I had advised the DPS the CCTV needed to work as it was a licence condition. Due to the seriousness of the incident (youth ending up in hospital), I advised I would attend the store the following day to complete a licence check and my intention was to also serve a Section 19 Notice under the Criminal and Police Act 2001, once I had confirmed the CCTV was not working and alcohol had been served within the previous 24hrs to meet the requirement of the Notice. (**See appendix 6**).
- **24th April 2024** – PC Sansom attended the premises and was in situ for approximately 60 minutes. DPS and her daughter were present. We were actually able to get the CCTV working, so this negated the Section 19 Notice and the potential breach of this condition. The CCTV timings were out, but I believe we did see the youth who was alone, wearing the clothes as described around the time the alleged purchase a bottle of spirits took place. CCTV showed the DPS fetching the bottle from the shelves behind her which she confirmed to me is where the spirits are located. CCTV is unclear if ID was asked for, but as I informed the DPS, on the balance of probability she had served this minor and not asked for ID otherwise the sale would have been refused. A receipt for this sale was asked for, but I was informed this was not possible. A confusing response as to why was given.

I also discussed again, the seriousness of this incident and importance of Challenge 25, requesting ID and how to check it correctly (holographic markings, raised print, checking the DOB for example). I also emphasised my concerns around the lack of understanding of their licence and the licensing objectives. Based on the above, I discussed them putting in a licence variation and explained it was not compulsory, but I would like them to consider it as it would bring their licence up to date. This would assist in promoting the licensing objectives and ensure staff training in underage sales would be officially completed with a written record kept. This would also allay some of the concerns I had around this premises selling alcohol to minors. They both agreed to complete the variation and agreed it would benefit them. (**See appendix 7**).

- **26th April 2024** – PC Sansom sent email to DPS and CBC summarising the visit and details for the variation. To help the DPS, PC Sansom sent a link for the variation and all the wording for the conditions I suggested to be added to the licence. I requested this variation to be completed by 17th May 2024. Offer of any further assistance and my contact details included on this email (**see appendix 8**).
- **16th May 2024** – PC Sansom made a phone call chasing this matter as no variation received. DPS promised it was being done and that her daughter was dealing with it. Re-sent original email about the variation again and included her daughters email address. (**See appendix 9**).

- **20th May 2024** – Reply from Mrs Kaur (DPS) apologising for the delay and stating she has been busy at work and her sister in law will help sort it. (**See appendix 10**).
- **30th May 2024** – Chase email from PC Sansom sent (**See appendix 11**).
- **6th June 2024** – 2 x emails sent from Mrs Kaur to PC Sansom apologising for delay and informing me her sister will complete it immediately. (**See appendix 12**).
- **20th June 2024** – PC Sansom makes call to DPS to inform her the variation has not been completed and the offences being looked at are serious and I have concerns around the premises continuing to sell alcohol to underage children. The reason for the variation is to ensure the DPS is implementing processes to negate any further underage alcohol sales. On this call I also informed her I would be looking at calling a review of their licence if the variation was not completed due to my concerns and would give a further 4 days for them to submit the variation. This was recorded onto the police data base Innkeeper (**See appendix 13**).
- **21st June 2024** – Picture of submitted variation sent to PC Sansom via email (**See appendix 14**).
- **24th June 2024** – Email received from CBC with copy of the variation attached informing me it was lacking the details I had requested (licence conditions), however I did note the DPS had added in the operating schedule 'we are also asking ID to everyone who look under 25, also we are logging all the details for refuse sale in log book, I'm also going to take refreshment training regularly and also I will make sure our staff fully trained'. (**See appendix 15 and 16 for the variation**).
- **25th June 2024** – TP OP conducted on the premises at 19:25hrs using two 16 year old Police Cadets. When I saw the Police Cadets I immediately thought all the premises I tested would pass as they were both very young looking, small in stature with young looking faces (male had no facial hair etc.) and in my opinion certainly looked no older than 16. Eight tests were conducted in Cheltenham & Tewkesbury in the course of the operation with only this premises failing.

The male staff member behind the counter I know to be Mr. Mejor Singh sold the alcohol, namely a 4 pack of WKD Blue with ABE of 4% without asking for any identification. A brief account was taken by PC Sansom from Mr. Singh who did not speak English and a family member translated for me who admitted the sale and that he did not ask for any ID. (**See appendix 17**). PC Sansom also requested a receipt of the transaction (**See appendix 18**) and photo of the alcohol sold (**See appendix 19**). At this time I was being asked a lot of questions by Mrs Kaur who has returned from being upstairs and stated she had only been gone 5 minutes and Mr. Singh was animated and unhappy stating when he has refused the sale of alcohol to youths in the past they kick the shop door and shout at him and he didn't feel it was fair that I had tested the store. I explained the store was empty and there were no youths in the store other than the testers so there was no reason for him not to challenge their age. I explained that he worked in a licensed premises, by law they are not allowed to sell alcohol to anyone under 18 years of age and are required

to have an age verification process in place. They also adopted challenge 25, so should be asking for ID on anyone that does not look older than 25 years of age.

- **1st July 2024** - Letter sent to premises in post advising them I would be requesting a review of their licence. (**See appendix 20**).
- **3rd July 2024** – PC Sansom – Email sent with a copy of the letter to CBC Licensing Team, Enforcement Team and the local Neighbourhood Policing Inspector (**See appendix 21**).

The following sections of the Revised Guidance issued under section 182 of the Licensing Act 2003 are relevant to this review application. The officer has highlighted the relevant wording in each section.

Section 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.’

Section 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.**

Section 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 when considering what further action is appropriate.**’

Section 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.

Section 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.’

Section 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.’

Section 11.24 - ‘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.’**

Conclusion

The DPS, who is also the PLH, has dismissed the importance of the licence and legal compliance.

Even after three failed underage sales (two conducted by the DPS), two written warnings, two personal visits by the Police Licensing Officer and numerous phone calls and emails, the PLH continues to operate other than in accordance with the authorisation and exposing young people to harm by allowing underage sales.

The police respectfully recommend to the Sub-Committee, a suspension of the licence, imposed conditions and removal of the DPS. This would allow for the amendment of requested condition(s) to be implemented and a change of DPS before re-opening.

The police are not seeking revocation, and do not want to see the demise of the off-licence however, it is felt that a suspension, change of DPS and amendment of conditions are fully justified in the circumstances.

Should the PLH fail to learn from this, then the police would be seeking a revocation in the future.

Condition on licence sought:

Any staff member concerned in the sale of alcohol or age related products will take an online training course for age related product sales which produces a certificate of completion at the end of the course once the online test has been passed. This course must be endorsed by the BIIAB (British Institute of Innkeeping Awarding Body) and refreshed every 12 months.

** To assist the committee some examples of online courses BIIAB approved are:

Inn Dispensable - www.inn-dispensable.com £20 + VAT

My Training Academy – www.mytrainingacademy.org.uk £14.99 Inc VAT

Appendices

- Appendix 1** – Police system Innkeeper entry detailing visit by PC Sansom
- Appendix 2** - SOE provided by PC Matt Hammond
- Appendix 3** – Copy of Letter sent to PLH and LA in regards to failed TP OP
- Appendix 4** – Copy of email from Trading Standards
- Appendix 5** - Police system Innkeeper entry detailing call by PC Sansom
- Appendix 6** - Police system Innkeeper entry detailing call by PC Sansom
- Appendix 7** - Police system Innkeeper entry summary of visit by PC Sansom
- Appendix 8** – Copy of email from PC Sansom to DPS re variation
- Appendix 9** - Police system Innkeeper entry detailing call by PC Sansom
- Appendix 10** – Email from DPS to PC Sansom
- Appendix 11** – Email from PC Sansom to DPS (Chase up)
- Appendix 12** - Email from DPS to PC Sansom
- Appendix 13** - Police system Innkeeper entry detailing call by PC Sansom
- Appendix 14** - Email from DPS to PC Sansom
- Appendix 15** – Email from CBC Licensing to PC Sansom
- Appendix 16** – Copy of Minor Variation application
- Appendix 17** – PNB entry signed by staff member that failed TP OP
- Appendix 18** – Transaction receipt for alcohol purchased on TP OP
- Appendix 19** – Photo of alcohol purchased on TP OP
- Appendix 20** – Warning letter and advice of impending review sent to DPS
- Appendix 21** – Email sent by PC Sansom to CBC Licensing

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

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

..... 

Date

15/7/24.....
...

Capacity **Police Inspector**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Gloucestershire Constabulary Hucclecote Road Hucclecote Gloucestershire GL3 3RT	
Post town	Post Code
Telephone number (if any) 07966 882823	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) jeremy.sansom@gloucestershire.police.uk	

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.

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CHELtenham
BOROUGH COUNCIL
Licensing Act 2003
Cheltenham Borough Council

Premises Licence Number

21/01158/PRMVPS

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Bargain Booze Select Convenience
216 - 218 Hewlett Road
Cheltenham
Gloucestershire
GL52 6UJ

Telephone number

Not supplied

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale/Supply of Alcohol	Every Day	06:00 - 23:00
------------------------	-----------	---------------

The opening hours of the premises

Opening Hours	Every Day	06:00 - 23:00
---------------	-----------	---------------

Non Standard Timings

Not Applicable

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

Off

LICENSING : PUBLIC PROTECTION

CHELtenham BOROUGH COUNCIL • P.O. BOX 12 • MUNICIPAL OFFICES • PROMENADE • CHELTENHAM • GLOS GL50 1PP
TELEPHONE 01242 262626 • FACSIMILE 01242 227131 • DX 7406 CHELTENHAM 1 • www.cheltenham.gov.uk

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mrs Dalwinder Kaur
216 - 218 Hewlett Road
Cheltenham
Gloucestershire
GL52 6UJ
Electronic Mail dalwinder.kaur@yubha.co.uk

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

None

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

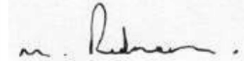
Mrs Dalwinder Kaur
~~216 - 218 Hewlett Road~~
Cheltenham
Gloucestershire
~~GL52 6UJ~~

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

Party Reference: 0010880

Licensing Authority: Stratford Upon Avon District Council

Signature of Issuing Officer



Director of Environment

Date of issue

4 August 2021

Annex 1 – Mandatory conditions

Premises licensed for the sale of alcohol

Condition 1

(1) No retail sale 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.
- (c) Every retail sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (d) The other conditions are any conditions specified in an order under section 19A and applicable to the premises licence.

Condition 2 – Irresponsible promotions

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

- (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to–
 - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries significant risk of undermining a licensing objective;
- (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner that which carries significant risk of undermining a licensing objective;
- (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

Condition 3 – Free tap water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Condition 4 – 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 served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Condition 5 – Availability of certain measures of alcohol

The responsible person must ensure that—

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) Beer or cider: ½ pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml; and

(b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Conditions 1, 2 and 4 do not apply where the licence or certificate authorises the sale by retail or supply of alcohol only for consumption off the premises.

Condition 6 – Minimum pricing

(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 3 above—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(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) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).

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

(4) 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

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of a change to the rate of duty or value added tax. 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

- 1a) A CCTV system will be fitted with recording facility.
- b) Challenge 21 scheme will be adopted with a refusals system and refusals book
- c) Spirits to be located behind the counter
- d) Ongoing staff training will take place.
- e) Staff trained in evacuation procedures and use of fire safety equipment.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 – Plans

See attached plan dated 17.03.09 _ date stamped 24.04.09

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Prevention of crime and disorder

- a) A CCTV system will be in Operation and recording when the premises is open and licensable activities are taking place. Cameras shall encompass all ingress and egress to the premises. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order.
- b) CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable.
- c) The correct time and date will be generated onto both the recording and the real time image screen
- d) Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- e) Spirits for sale shall only be displayed behind the staff counter.

The protection of children from harm

- a) The 'Challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.
- b) Challenge 25 signage will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The signage will be displayed prominently and in the sight of customers and staff.
- c) A log (electronic or written) shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The DPS shall check the book (if in written format) once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.
- d) An incident log will be kept which will include the date, time and details of incident that has taken place. The DPS shall check the book (if in written format) once a month ensuring that it is up to date and when it is checked will sign and date it. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. This log will be retained for a period of 12 months on a rolling basis.
- e) The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request.

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