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Dear Mrs Kraus

11th September 2023

**RE: Application for the Review of a Premises Licence –
John Bull Stores Limited, 44 Highthorn road, Kilnhurst, Rotherham, S64 5UP**

Licence Details

The above mentioned store has the benefit of a Premises Licence (No.P0297) that authorises the sale of alcohol for consumption off the premises. The Licence is issued to Mr Vanithan Selvaratnam who is also named on the Licence as the designated premises supervisor (DPS).

The Licence is subject to the mandatory conditions and one additional condition, which is:

- Alcohol shall not be sold in an open container or be consumed in the licensed premises.

The applicable mandatory conditions are:

- No supply of alcohol may be made under the premises licence:
 - i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii) at a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.

Licensing Compliance Inspection - 2nd August 2023

A licence compliance visit was carried out at the premises on 02/08/2023 at approximately 13:10. The purpose of this visit, which was unannounced, was to ascertain if the premises were operating in compliance with the terms and conditions of the Licence.

The visit was conducted following the seizure of illegal vapes from the premises by the Council's Trading Standards Service.

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Upon arrival a single member of staff was on the shop floor of the premises, behind the till. This person identified themselves as Mr Azhegasan.

When asked about the age verification policy in use at the store Mr Azhegasan was unsure. Whilst “ Challenge 25” posters were on display in the shop, when questioned Mr Azhegasan had no idea how “Challenge 25” worked and was unable to answer the questions put to him regarding the need to check id and the types of acceptable id. Mr Azhegasan also didn’t have any knowledge or understanding of proxy sales.

Mr Azhegasan stated he worked part time and had only just started working at the shop. Whilst he said that he had been trained on alcohol sales and the age verification policy in place, he response to the questions asked did not support this.

Whilst not a condition of the Licence it is good practice to maintain a log in which to record any refusals of the sale of alcohol and also a log to record any incidents that may occur.

When asked whether there was a refusals log in place at the premises Mr Azhegasan appeared not to understand, his response was that the till prompts you for id when making sales of alcohol. In response to a question about whether there was an incident log kept at the premises Mr Azhegasan replied that he didn’t know what this was.

At this point Mr Azhegasan stated that the Licence holder and DPS , Mr Selvaratnam, was downstairs doing stock and called him into the shop.

When questioned why an untrained member of staff, with no knowledge of the age verification policy in place, was working unsupervised in the shop Mr Selvaratnam response was that *“he is new and hasn’t trained him yet other than telling him to ask for ID if a customer looks young”*

Mr Selvaratnam was unable to provide any staff training records and confirmed that neither a refusal log nor incident log was kept.

Subsequent to the visit the Licensing Authority has supplied Mr Selvaratnam with samples of refusal and incident logs.

Recommendation

Mr Selvaratnam is required in law to operate an age verification policy at the premises, yet despite being fully aware of this, allowed an untrained member of staff to be left in charge of shop a time when Mr Selvaratnam was fully aware that the shop would be under scrutiny following the seizure of illegal vapes from the premises.

The Licensing Authority is satisfied that the Licence holder, Mr Selvaratnam, is operating the premises in a manner that fails to promotes the licensing objectives of:

- The Prevention of Crime & Disorder
- The Protection of Children from Harm.

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Given this and having regard to the evidence provided by the Trading Standards Service in the review application, the Licensing Authority **supports the recommendation made in the review application that the Licence should be revoked.**

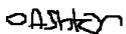
However if the Sub Committee are not minded to revoke the Licence it is recommended that the following additional management controls are imposed upon it.

1. A Challenge 25 Policy shall be in operation. The Policy shall require that any person who appears to be under the age of 25 to provide id prior to being served alcohol. Acceptable forms of ID are:
 - a passport;
 - a UK photo driving licence; or
 - a military ID card.
2. Record all refusals made under the Challenge 25 Policy. Refusals must be logged in a bound book. This log must show:
 - date of refusal made;
 - member of staff who made the refusal; and if refused, whether fake ID was seized.
3. The DPS shall check the Challenge 25 refusal log at least once a week. Each check should be signed and dated.
4. The Challenge 25 log shall be kept on the premises and shall be available for inspection upon request of the Police or an authorised officer of the Licensing Authority.
5. Signs shall be displayed inside the premises that:
 - Advertise that the premises operates “Challenge 25”; and
 - Warn adults that it is an offence to buy alcohol on behalf of anyone under the age of 18 (proxy sales).
6. A bound incident book shall be maintained, in which the following shall be recorded:
 - All incidents of crime and disorder occurring at the premises; and
 - Details of occasions when the police are called to the premises.
7. The incident book shall be kept on the premises and shall be available for inspection upon request of the Police or an authorised officer of the Licensing Authority.
8. The DPS shall check the incident book at least once a week. Each check should be signed and dated.
9. A record of each member of staff who is authorised to sell alcohol shall be kept on the premises. This record shall include the staff members full name, address, and date of birth.

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- 10.** A CCTV system shall be installed at the premises, which shall:
- be maintained fully at all times;
 - make and retain clear images; and
 - show an accurate date and time that the images were made.
- 11.** All CCTV images shall be retained for a period of not less than 31 days.
- 12.** CCTV images shall be immediately made available for review upon request of the Police or an authorised officer of the Licensing Authority.
- 13.** A copy of a CCTV image shall be provided within 48 hours upon request of the Police or an authorised officer of the Licensing Authority.
- 14.** All staff shall receive training on induction and year thereafter, on the prevention of the unlawful sales of alcohol, and the likely consequence of making an unlawful sale.
This training must include:
- operation of 'Challenge 25';
 - types of acceptable ID;
 - method of recording refusals;
 - refusing sales of alcohol to persons who appear to be drunk;
 - preventing proxy sales;
 - incident recording and when to call the Police; and
 - How to reviewing of the CCTV system if requested.
- 15.** Staff training shall be recorded, records shall be kept of the premises and shall, on request, be made available for inspection by the Police or an authorised officer of the Licensing Authority

Yours sincerley



Oliver James Ashton
Licensing Enforcement Officer