

-----Original Message-----

From: Hannah Lumley

Sent: 19 December 2014 11:21

To: Laura Driscoll

Subject: UNRESTRICTED: Jai's Liquor Store

Trading Standards

We would like to make a representation against this application, as we do not believe the conditions suggested are adequate to protect children from harm.

Trading Standards have powers of enforcement in relation to section 147 and 147A of the Licensing Act 2003 (the Act). These sections relate to the sale of alcohol to those under the age of 18. As such, we are a responsible authority in relation to the 'Protection of Children from Harm' objective of the Act. In order to ensure that children are protected from harm, we believe it is necessary to have additional conditions placed on this license.

The below explained the rational for each request.

General UAS:

- The licensee shall operate a challenge 25 policy.

This is a nationally recognised scheme. The Government now recommends this scheme, over its predecessor challenge 21. This scheme is more beneficial, as it provides a greater 'buffer' for licences.

As a town centre premises, located near schools and colleges, it is felt that adopting this national scheme is appropriate for the premises. As there will be a high proportion teenagers in the area.

- All staff will be trained on their responsibilities regarding the sale of alcohol. This training will be carried out at least twice a year. A record of this training and its content will be maintained and made available on request to enforcement bodies.

Training is critical for staff to understand the premises policy (national mandatory condition) in relation to underage sales.

Enforcement bodies would request to see records of this, firstly to ensure that the condition is being adhered with, and also to ensure that the training covers the areas necessary to ensure staff are aware of their responsibilities.

- The premises shall maintain a refusals register. This will detail the following information:

Date

Time

Member of staff

What was requested

Whether ID was produced, if so what ID, or Reason for refusal.

If relating to a delivery the address.

A responsible member of staff will review and sign the refusals register at least once a week

Having a refusals register, not only assists police with enquires, if alcohol related crime occurs, it is also a clear indication of whether the premises is following its 'challenge 25' policy. If used correctly, it is a very useful tool for license holders to ensure that staff are checking the age of customers. Therefore we believe that there is no reason for a responsible retailer to reject such a condition.

Delivery:

- On receipt of an order, it will be made clear to the customer that if they appear under 25, delivery will only be made if appropriate ID is provided.

As orders for delivery will be made via distance means, it is important to inform customers of their policy. This will hopefully deter under age persons placing the order.

In addition to this, it is hoped that this condition will help reduce confrontation. If the customer has already been made aware that ID will be requested, they will have time to locate appropriate identification.

- Deliveries will only be made by two or more members of staff.

When confronted by a number of underage persons, a lone employee may feel too intimidated to request identification. Having a colleague with them, will provide support and reassurance.

It will also help reduce the risk of crime and disorder taking place.

- No sales will take place directly from the vehicle.
- Deliveries will only be made to dwellings or a place of work with a recognisable post code. The delivery will take place only if the customer is inside the property, or inside a communal doorway.

This will help reduce the risk of proxy sales, as it prevents under 18's asking people to take collection of the alcohol to allow them to drink in public places.

It therefore in turn assists with the prevention and detection of crime.

- For every delivery a customer will sign a delivery note which will contain:

Time & Date
Address of delivery
Name of person making order
ID provided if applicable, if not why?
Method of payment
Items delivered
Member of staff making delivery

This again, allows the license holder to make sure that their policy is being followed. In addition to this it provides an audit trail if complaints are received or if the police are called to a premises to deal with an incident.

Therefore it is something that we believe a responsible retailer should be implementing as a matter of course.

- No more than 1 litre of spirits will be delivered to a premises in any 24 hour period.

Spirits are of a very high alcoholic volume. Only being able to deliver 1litre of spirits to a premises, will prevent an underage person at the gathering obtaining large volumes of strong alcohol.

This again will also help prevent the need for emergency services to attend the premises due to drunk and disorderly or injuries.

- If payment is made by credit card, the delivery will only be made to the card holder. If the person appears to be under the age of 25 to the employee, then appropriate ID will still be requested.

It could be possible that an under 18 could obtain a credit card. Therefore, it is still important to carry out the same steps as any other transaction.

The premises will be open from 07.00- 23.00. Deliveries will not be made outside of these times.

Although the premises is requesting a 24hour license. We do not believe this is suitable for this location. The premises is based in the town centre, near several license premises including a night club.

Having a 24hour license will attract people leaving from various venues in the town. Having a large volume of intoxicated people in one place, will lead to an increase in crime and disorder. This will generally place any under 18s in the area in greater danger.