

Notice of Meeting

Licensing Panel

Councillor Allen (Chairman),
Councillors Porter and Tullett

Thursday 3 October 2019, 10.00 am
Room 8 Ground Floor South - Time Square, Market Street,
Bracknell, RG12 1JD



Agenda

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1.	Maps	3 - 6
2.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
3.	The Procedure for Hearings at Licensing Panels	7 - 12
4.	Application of review of premises licence SS Food and Wine Limited Reporting: Amanda Ward Annex A - application Annex B – current premises licence Annex C – location map Annex D – TVP report Annex E – TVP intelligence 30 June 2018 Annex F – TVP letter 25 October 2018 Annex G – TVP intelligence report 23 November 2018 Annex H – TVP letter 27 November 2018 Annex I – summary of meeting 7 March 2019 Annex J – TVP letter 13 June 2019 Annex K – TVP log of incidents Annex L – representation from Trading Standards	13 – 19 21 – 26 27 – 32 33 35 37 39 – 40 41 43 – 44 45 – 46 47 – 48 49 – 54 59 - 60

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EMERGENCY EVACUATION INSTRUCTIONS

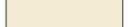
If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

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Bracknell Town Centre Map



Legend

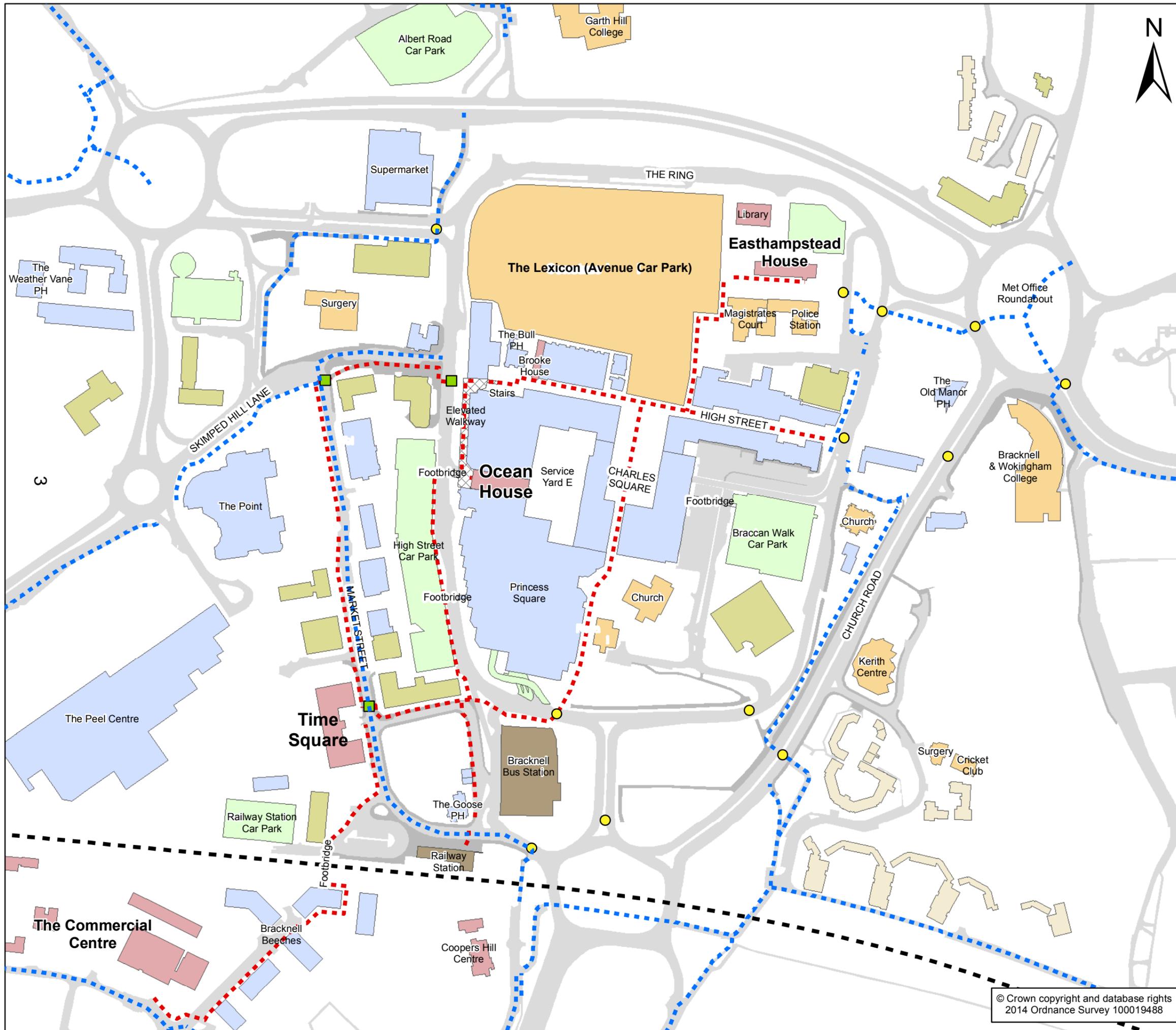
-  Subway
-  Zebra Crossing
-  Walk Route
-  Footpath/Cycleway
-  Railway
-  Council Buildings
-  Places of Interest
-  Car Parks
-  Elevated Walkway
-  Public Transport
-  Offices
-  Commercial
-  Residential

0 50 100 150 Metres



Map Produced June 2014

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Agenda Item 1

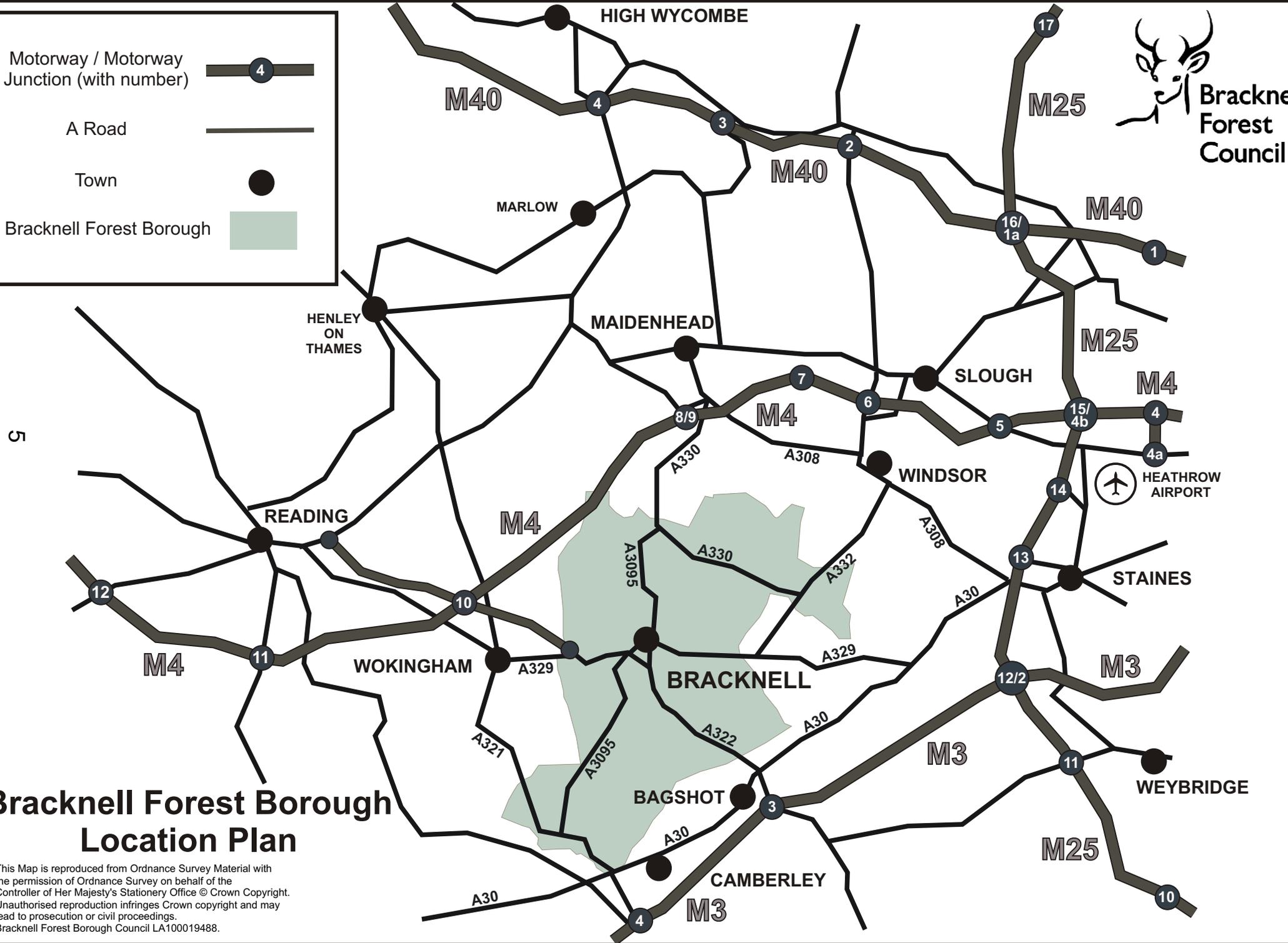
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Motorway / Motorway Junction (with number) 

A Road 

Town 

Bracknell Forest Borough 



Bracknell Forest Borough Location Plan

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Bracknell Forest Borough Council LA100019488.

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INFORMATION AND THE PROCEDURE FOR HEARINGS OF THE LICENSING PANEL

The following document provides information and outlines the procedure taken for hearings by the Licensing Panel, when considering applications.

1. REQUIREMENTS FOR THE HEARING

- 1.1 The applicant will normally be required to attend the meeting in person. They will be entitled to be represented by a solicitor or counsel or by any other individual provided that the name of any such person is given to the relevant Licensing Officer 48 hours in advance of the hearing.
- 1.2 Written notification of the intended proceedings will be given to the applicant not less than ten clear working days before the meeting. This notification will give details of the procedure to be followed at the hearing and shall advise applicants of their right to be represented.
- 1.3 Any documents to be produced at the hearing by the Public Protection Partnership representative shall be sent to reach the applicant by no later than 48 hours before the hearing. A copy of these documents shall at the same time be given to Democratic Services to distribute to members of the Panel.
- 1.4 Any documents to be produced at the hearing by the applicant shall be sent to the Licensing Officer by no later than 48 hours before the hearing. A copy of these documents shall at the same time be sent to Democratic Services to distribute to members of the Panel.
- 1.5 At the discretion of the Panel any or all of the requirements set out in paragraphs 1.3 to 1.4 above may be waived, provided that the Panel is satisfied that the interests of the applicant or any objector have not been prejudiced.
- 1.6 Financial costs incurred by either party in the hearing must be met in full by those parties and no awards for costs will be made to either party regardless of the outcome of the hearing.
- 1.7 The public will be allowed access, except if "Confidential Information" as defined by Section 100A of the Local Government Act 1972 is likely to be disclosed (in which case the public must be excluded) or, if "Exempt Information" falling within Schedule 12A of the Local Government Act 1972 is likely to be disclosed in which case the Panel may decide to exclude the public.

2. ORDER OF THE HEARING

- 2.1 Hearings shall be conducted as follows:
 - (a) The Chairman will open the proceedings by stating the nature of the matter which is to be considered and will welcome the parties, introduce them and confirm the roles of those present.
 - (b) The Chairman will ask the officers to confirm whether or not the formal requirements in respect of the matter to be considered have been complied with.
 - (c) The applicant will be asked if there is any reason for the case to be adjourned. An adjournment will only normally be granted if unforeseeable circumstances can be demonstrated which would be prejudicial to a fair hearing if it was heard at that time.

- (d) The Chairman shall first call upon the Public Protection Partnership representative to present their report on the matter.
 - (e) If satisfied as to the formal requirements, the Panel will consider the merits of the application for review and the report of the officer. The Panel may ask the Public Protection Partnership representative for clarification of any points.
 - (f) The licence holder shall have an opportunity to put questions to the Public Protection Partnership representative.
 - (g) The Chairman will then invite the review applicant to speak. The Panel may ask questions and points of clarification.
 - (h) The Chairman will then invite the licence holder to make any representations.
 - (i) The Chairman, members of the Panel and the Public Protection Partnership representative may ask the licence holder questions and points of clarification. Having heard the licence holder's statement, the party requesting the review will be given the opportunity to respond.
 - (j) An opportunity shall be given to the Public Protection Partnership representative and the licence holder, in that order, to sum up their case (but not to add any new facts).
 - (k) The Panel members, the representative from Legal Services and Clerk to the Panel shall withdraw. The legal adviser and clerk do not take part in the decision making but will provide legal and procedural advice and record the decision.
 - (l) The members of the Panel consider their decision. The licence holder or his/her representative (if any) and any officer present is asked to remain in attendance and if any further clarification or information is required, this will be sought by the clerk.
- 2.2 The decision of the Panel shall be notified to all parties within two working days following the meeting. In most cases, a verbal decision will be given on the day of the hearing.

3. ROLES OF THOSE AT THE HEARING

- 3.1 The Public Protection Partnership representative is present at the hearing to present the professional officer's case for refusal, suspension or revocation of licences. They are also present to challenge points put forward by the licence holder.
- 3.2 Members of the Panel are present to consider whether a licence should be suspended or revoked. In doing so, they will follow the above procedure.
- 3.3 The representative from Legal Services is present to provide legal and procedural advice to the members of the Panel and to assist in the clarification of any issues which might arise.
- 3.4 The representative from Democratic Services is present to provide procedural advice to members of the Panel and to record the decision.

Address for Correspondence:

Licensing Team – Public Protection Partnership
Bracknell Forest Council
Time Square
Market Street
Bracknell
Berkshire RG12 1JD
Tel: 01344 352000
e-mail: Licensing@Bracknell-Forest.gov.uk

Democratic Services, Corporate Services
Bracknell Forest Council
Time Square
Market Street
Bracknell
Berkshire
RG12 1JD
Tel: 01344 352253
e-mail: lizzie.rich@bracknell-forest.gov.uk

4. BACKGROUND

4.1 The Council's Licensing Panel has been given delegated authority to deal with the following applications:

Matter to be dealt with:	Licensing Panel
Application for personal licence	If a Police objection
Application for personal licence with unspent convictions	All cases
Application for premises licence/club premises certificate	If a relevant representation is made
Application for provisional statement	If a relevant representation is made
Application to vary designated premises supervisor	If a Police objection
Application for transfer of premises licence	If a Police objection
Applications for interim authorities	If a Police objection
Applications to review premises licence/club premises certificate	All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application.	All cases
Determination of a police objection to a temporary event notice.	All cases

4.2 In carrying out its licensing function, the Licensing Authority will promote the four Licensing Objectives. These are the only matters to be taken into account when determining an application. The four Licensing Objectives are:

- Prevention of Crime and Disorder;
- Public Safety;
- Prevention of Public Nuisance; and
- Protection of Children from Harm.

4.3 The Licensing Policy is about the regulation of licensable activities and as such is focussed on the direct impact of activities taking place on or in the vicinity of those

premises. It is not a mechanism for controlling general nuisance unconnected to the Licensing Objectives.

- 4.4 The Council has, apart from the above, delegated power to determine applications, renew, suspend or revoke existing licences and consents to the Public Protection Partnership. The Director has in turn delegated such authority to officers within the Department.
- 4.5 Whilst officers have delegated authority there will be occasions where it is considered appropriate to refer the matter to the Licensing Panel. Specifically the Licensing & Safety Committee at its meeting on 12 March 2003, resolved to receive representations from applicants for either a licence or a consent where under delegated powers the applicant has been advised that a refusal or revocation is likely.
- 4.6 Where the application is being considered for refusal, having exhausted all options for negotiating an acceptable solution, the applicant is invited should they wish to present their case to the Panel. This request must have been made in writing within 21 days following receipt of a letter from the Council offering the opportunity of a hearing. If the applicant or licence holder fails to comply with this requirement or declines the offer, the matter will be dealt with under delegated authority.
- 4.7 Where an application is refused or a licence/consent is suspended or revoked by the Panel the applicant may have a right of appeal to the courts under the relevant provisions of the legislation and the Panel will inform the applicant within their decision letter.

LICENSING ACT 2003
HEARINGS – Right of Attendance, Assistance and Representation

Regulation 15 of the Licensing Act 2003 (Hearings) Regulations 2005.

15. Subject to regulations 14(2) and 25 in relation to hearings taking place in public and the right for the Chairman to ask a person attending the hearing to leave the room, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified to do so.

LICENSING ACT 2003
HEARINGS – REPRESENTATIONS AND SUPPORTING INFORMATION

Regulation 16,17,18 and 19 of the Licensing Act 2003 (Hearings) Regulations 2005.

16. At the hearing, a party shall be entitled to:
- In response to a point upon which the Panel has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable).
 - If given permission by the Panel, question any other party.
 - Address the Panel.
17. Members of the Panel may ask any question of any party or other person appearing at the hearing.
18. In considering any representations or notice made by a party, the Panel may take into account documentary or other information produced by a party in support of their application, representations or Notice, (as applicable), either before the hearing or, with the consent of all the other parties at the hearing.
19. The Panel shall disregard any information given by a party or any other person to whom permission to appear at the hearing is given by the Panel which is not relevant to:
- their application, representations or notice, (as applicable); or in the case of another person, the application representations or notice of the party requesting their appearance, and
 - The promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

LICENSING ACT 2003
HEARINGS – CONSEQUENCES WHERE A PARTY DOES NOT ATTEND, OR IS NOT
REPRESENTED AT A HEARING

Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005.

20. (1) If a party has informed the Authority that he does not intend to attend, or be represented at, a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend, or be represented, at a hearing, the Authority may:
 - (a) where it considers it to be **necessary in the public interest**, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the Authority holds the hearing in the absence of a party, the Authority shall consider at the hearing, the application, representations or Notice made by that party.
- (4) Where the Authority adjourns the hearing to a specified date, it must, forthwith, notify the parties of the date, time and place to which the hearing has been adjourned

LICENSING PANEL October 2019

LICENSING ACT 2003

S.S FOOD AND WINE LIMITED, MARKET STREET, BRACKNELL RG12 1JG APPLICATION FOR REVIEW OF A PREMISES LICENCE

1 APPLICATION DETAILS

- 1.1 On 20 August 2019 an application was made by Thames Valley Police for the review of the premises licence in respect of S.S Food and Wine Limited, Unit 1 at Market Street, Bracknell, on the grounds that the licence holder is failing to meet the licensing objective of prevention of crime and disorder, as illegal working has been identified at this premises.
- 1.2 The application is attached at **Annex A** and the current premises licence at **Annex B**. The licence permits the sale of alcohol from Monday to Sunday: 07:00 to 23:00. The licence was first issued on 5 February 2015 to RP-Jai's Liquor Stores Ltd. The licence was transferred on 11 August 2018 to the current licence holder and designated premises supervisor ('DPS') specified on the licence. The licence was re-issued on 8 March 2019 following a change to the trading name from Bracknell Wines to S.S Food and Wine Limited.
- 1.3 The premises operates as an Off License situated on Market Street in Bracknell. Market Street is subject to a Public Space Protection Order. (PSPO) The DPS is Preet Singh Lamba, and he has been the DPS since 11 August 2015.
- 1.4 A map showing the location of the premises is attached at **Annex C**.
- 1.5 The Licensing Authority is satisfied that this application for review meets the appropriate legislative requirements within the Licensing Act 2003 and is therefore a valid application to be considered by the Panel.
- 1.6 The 28 day consultation period ran from 21 August 2019 to 17 September 2019. Members and the Parish Council were advised by email on the 29 August 2019. I can also confirm that the neighbour notification policy was implemented with letters being sent out on 30 August 2019.
- 1.7 I can confirm that the required site notices were displayed at the premises and in the public notice board at the main entrance to the council offices from the 21 August 2019. The notice were checked again on the 9 September by officers to confirm that they were still displayed as required.

2 SUPPORTING INFORMATION

- 2.1 A series of breaches as outlined below have led to Thames Valley Police's application to review the premises licence. Members of public and Police Officers in the early part of 2018 brought this premise to our attention following concerns raised over street drinkers on Market Street. Following an incident staff were not able to provide CCTV as requested by Thames Valley Police. This was in breach of the condition on the license. This report can be found at **Annex D** of this report.
- 2.2 Due to these reports Thames Valley Police Licensing Officer attend the premise on the 6 June 2018 to raise the issues with staff and get the staff to notify the owner. They were told that we received reports of street drinkers buying from the premises which was causing issues elsewhere, which in turn would have a knock-on effect to the premises, which was not good practice.

On 8 June 2018 the local council and Thames Valley Police, visited the premises as part of an evening operation, and it was noted that the part b (Premise Summary) was visible but only a single page. They were again warned about selling to street drinkers and advised to display the full part B summary.

On the 30 June 2018 intelligence from Thames Valley Police Town Centre advised a known street drinker was intoxicated and had purchased a bottle of Ace cider from Bracknell Wine can be found at **Annex E**.

- 2.3 On the 3 July Police Officers attended your premise to request CCTV an incident of disorder on Market Street. Staff present were not able to operate the system and although an assurance was given that the footage would be available by the 9 July. When officers returned only part of the required footage was made available and the remainder was never produced.
- 2.4 Thames Valley Police Licensing attended on 31 July 2018, spoke to staff as DPS was not at the premises, advice was given that when required CCTV must be readily made available. Further advice given about selling to street drinkers. A letter was sent to the DPS.

As a result, Bracknell Forest Council Licensing wrote to Mr Lamba on the 25 October outlining the breaches to the conditions of his licence this can be found at **Annex F**.

A further intelligence report was received concerning the sale of alcohol to intoxicated males on the 23 November 2018 at **Annex G** following this a letter dated 27 November 2018 was hand delivered to the premise reminding the DPS of his obligations to adhere to the Licensing Objectives at **Annex H**.

- 2.5 On the 3 January 2019 Police were called to Market Street as intoxicated males were being aggressive. Whilst at the premises other shop keepers show photos of males obtaining alcohol from Bracknell Wine (now known as S.S Food and Wine Ltd). (URN754/03JAN). As a result, Licensing requested by letter a meeting at Bracknell Police Station on the 19 February 2019. The DPS failed to attend this meeting. Andy Dean phoned the DPS who advised he had moved address and had failed to notify Licensing. The meeting was re arranged for 7 March 2019. At this meeting the DPS agreed to some voluntary changes to his conditions to protect himself from allegations of alcohol sales to street drinkers at **Annex I**.
- 2.6 Thames Valley Police returned to your premise on the 11 June and although some matters had been addressed a number were still outstanding. As you were not at the premise a letter dated 13 June was sent clearly setting out the outstanding items and the possible consequences should you not address these matters at **Annex J**.
- 2.7 A further visit on the 21 June 2019 from Thames Valley Police and Bracknell Forest Council confirmed that none of the outstanding matters have been addressed. Thames Valley Police attended again on the 11 July 2019 and still the outstanding matters have not been addressed.
- 2.8 Bracknell Town Centre Police team have kept a log of incidents involving street drinking at **Annex K** which highlights the ongoing issues within the Town Centre. Whilst all incidents cannot be put down to Bracknell Wine, in our opinion those marked with a * are incidents where there is a high probability that the alcohol was purchased at Bracknell Wine.

- 2.9** Thames Valley Police are of the opinion which is borne out by the facts above that Mr Lamba is incapable of managing a License Premise. He has shown that he is not willing to ensure that his paperwork is correctly displayed as per the Licensing Act 2003 requires. He appears not willing to support Police in managing the issues around street drinkers and Anti- Social Behaviour and he is certainly not in specific areas preventing crime and disorder.

Thames Valley Police in this circumstance have no option but to request that this Premises License is revoked.

3 REPRESENTATIONS RECEIVED

- 3.1 I can confirm representation were received from Trading Standards - Responsible Authority on the 10 September 2019 supporting Thames Valley Police review of the premises licence. No representations were received from the other responsible authorities or members of the public. **Annex L.**

4 GUIDANCE

BRACKNELL FOREST COUNCIL STATEMENT OF LICENSING POLICY

- 4.1 The council will carry out its licensing functions under the Act with a view to promoting the four licensing objectives, which are:
- a) Prevention of crime and disorder;
 - b) Public safety;
 - c) Prevention of public nuisance; and
 - d) Protection of children from harm (1.7).
- 4.2 Within all licensed premises, whether or not alcohol is to be sold, the council will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence (16.2).
- 4.3 The council will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The licence holder will also be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided. Where the DPS is not available at the premises for whatever reason, the Licensing Authority will expect his or her full contact details to be available at the premises and made known to at least one individual who will be present at the premises (16.4).

GUIDANCE UNDER SECTION 182 OF THE LICENSING ACT 2003

- 4.4 **The licensing objectives – Crime and disorder**
The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises (4.6)

4.5 Home Office Immigration Enforcement acting as a responsible authority

The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly (9.25)

4.6 Hearings

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- a) the steps that are appropriate to promote the licensing objectives;
- b) the representations (including supporting information) presented by all the parties;
- c) this Guidance;
- d) its own statement of licensing policy (9.38)

4.7 Determining actions that are appropriate for the promotion of the licensing objectives

Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. (9.42)

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve (9.43).

4.8 The review process

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 (11.1).

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 (11.2).

4.9 Powers of a licensing authority on the determination of a review

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 (11.16).

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 (11.17).

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. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker (11.18).

Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- a) 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;
- b) exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- c) remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- d) suspend the licence for a period not exceeding three months;
- e) revoke the licence (11.19).

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 (11.20).

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 (11.21).

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 by representations, 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 (11.22).

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 (11.23).

4.10 Reviews arising in connection with crime

A number of reviews may arise in connection with crime that is not directly connected with licensable activities... 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 (11.24).

Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them (11.25).

Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder (11.26).

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises: ... for employing a person who is disqualified from that work by reason of their immigration status in the UK (11.27).

It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered (11.28).

5 RECOMMENDATION

5.1 The panel may take such of the following steps as it considers appropriate for the promotion of the licence objectives:

- a) take no further action
- b) issue formal warnings to the premises supervisor and/or premises licence holder

- c) modify the conditions of the licence (including, but not limited to hours of operation of licensable activities)
- d) exclude a licensable activity from the scope of the licence
- e) remove the designated premises licence supervisor
- f) suspend the licence for a period not exceeding three months, and/or
- g) revoke the licence.

Where the panel takes a step mentioned in c) or d) may provide that the modification or exclusion is to have effect for a period not exceeding three months or permanently.

Background Papers

Licensing Act 2003 and the associated regulations

Guidance issued under section 182 of the Licensing Act 2003 (April 2017)

Bracknell Forest Borough Council Statement of Licensing Policy (January 2016)

Guidance for Licensing Authorities to prevent illegal working in licensed premises (April 2017)

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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, Gary Clarke, on behalf of the Chief Constable of Thames Valley Police,

(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

S.S Food & Wine Ltd.

Post town Bracknell

Post code (if known) RG12 1JG

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

Preet Singh Lamba

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

1 LN-201400493

Part 2 – Applicant details

I am

Please tick ✓ yes

- | | |
|---|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3) a member of the club to which this application relates (please complete (A) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current address

Post Town

Postcode

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

**Thames Valley Police
Thames Valley Police Headquarters South
Oxford Road
Kidlington
OX5 2NX**

Telephone number (if any)

01865 542059

E-mail address (optional)

licensing@thamesvalley.pnn.police.uk

This application to review relates to the following licensing objective(s)

Tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" 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 type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Prevention of Crime and Disorder.

Issues regarding street drinkers purchasing alcohol the causing disorder and anti- social behaviour around town.

Please provide as much information as possible to support the application

Bracknell Wine is an Off License situated on Market Street in Bracknell. Market Street is subject to a PSPO. The DPS is Preet Singh Lamba, and he has been the DPS since 11/08/2015.

MOP and Police Officers in the early part of 2018 brought this premise to our attention following concerns raised over Street Drinkers on Market Street. Following an incident staff were not able to provide CCTV as requested by TVP. This was in breach of the condition on the license. (See Appendix A)

Due to these reports TVP Licensing Officer attend the premise on the 6th June 2018 to raise the issues with staff, and get the staff to notify the owner. They were told that we received reports of street drinkers buying from the premises which was causing issues elsewhere, which in turn would have a knock on effect to the premises, which was not good practice.

On 8th June 2018 the local council and Thames Valley Police, visited the premises as part of an evening operation, and it was noted that the part b (Premise Summary) was visible but only a single page. They were again warned about selling to street drinkers and advised to display the full part B summary.

On the 30th June 2018 intelligence from Thames Valley Police Town Centre advised a known street drinker was intoxicated and had purchased a bottle of Ace cider from Bracknell Wine. (Appendix B).

On the 3rd of July Police Officers attended you premise to request CCTV an incident of disorder on Market Street. Staff present were not able to operate the system and although an assurance was given that the footage would be available by the 9th July. When officers returned only part of the required footage was made available and the remainder was never produced. As a result BFC Licensing wrote to you on the 25th October outlining the breaches to the conditions of your license (Appendix G).

Thames Valley Police Licensing attended on 31st July 2018, spoke to staff as DPS not on scene, advice was given that when required CCTV must be readily made available. Further advice given about selling to Street drinkers. A letter was sent to the DPS.

A further intelligence report was received concerning the sale of alcohol to intoxicated males on the 23rd

November 2018,(Appendix C). Following this a letter was hand delivered to the premise reminding the DPS of his obligations to adhere to the Licensing Objectives, (Appendix D).

On the 3 January 2019 Police were called to Market Street as intoxicated males were being aggressive. Whilst there other shop keepers show photos of males obtaining alcohol from Bracknell Wine.

(URN754/03JAN). As a result Licencing requested by letter a meeting at Bracknell Police Station on the 19th February 2019. The DPS failed to attend this meeting. Andy Dean phoned the DPS who advised he had moved address and had failed to notify Licensing. The meeting was re arranged for 7th March 2019. At this meeting the DPS agreed to some voluntary changes to his conditions to protect himself from allegations of alcohol sales to street drinkers (Appendix E).

Thames Valley Police returned to your premise on the 11th June and although some matters had been addressed a number were still outstanding. As you were not at the premise a letter dated 13th June was sent clearly setting out the outstanding items and the possible consequences should you not address these matters (Appendix F).

A further visit on the 21st June 2019 from Thames Valley Police and Bracknell Forrest Council confirmed that none of the outstanding matters have been addressed. Thames Valley Police attended again on the 11th July 2019 and still the outstanding matters have not been addressed.

Bracknell Town Centre Police team have kept a log of incidents involving street drinking, (Appendix H), which highlights the ongoing issues within the Town Centre. Whilst all incidents can't be put down to Bracknell Wine, in our opinion those marked with a * are incidents where there is a high probability that the alcohol was purchased at Bracknell Wine.

Thames Valley Police are of the opinion which is born out by the facts above that Mr Lamba is incapable of managing a License Premise. He has shown that he is not willing to ensure that his paperwork is correctly displayed as per the Licensing Act 2003 requires. He appears not willing to support Police in managing the issues around street drinkers and Anti- Social Behaviour and he is certainly not in specific areas preventing crime and disorder.

Thames Valley Police in this circumstance have no option but to request that this Premises License is revoked.

Please tick ✓ yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day

Month

Year

--	--	--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them

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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature G Clarke
 Date 20/08/2019
 Capacity Thames Valley Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Gary Clarke Thames Valley Police Station, The Broadway,	
Post town Bracknell	Post code RG121AD
Telephone number (if any) 01865 309114	
If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional) Gary.clarke@thamesvalley.pnn.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application

LICENSING ACT 2003

PART A - PREMISES LICENCE

Granted by Bracknell Forest Borough Council as Licensing Authority

Premises Licence Number : LN/201400493

Part 1 – Premises Details

Postal address of premises :

Premises Name : S.S Food and Wine Ltd
Address : Unit 1 Market Street
Bracknell
RG12 1JG
Telephone Number : N/K

Where the licence is time limited the dates : N/A

The licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :

Licensable Activities :	Authorised Times :
Sale by retail of alcohol	Monday - Sunday: 07:00 - 23:00

The opening hours of the premises : Monday - Sunday: 07:00 - 23:00

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

Part 2

Name and (registered) address of holder of premises licence :

Name : Mr Preet Singh Lamba
Address : [REDACTED]
Telephone Number : N/A
Email Address: N/A

Registered number of holder (where applicable) : [REDACTED]

Name and address of designated premises supervisor (where the premises authorises the supply of alcohol) :

Name : Mr Preet Singh Lamba
Address : [REDACTED]

Telephone Number : N/A

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

Personal Licence Number : [REDACTED]
Issuing Authority : London Borough Of Hounslow



Signed:
Head of Public Protection Partnership

Date: 8th March 2019

Licensing Team, Bracknell Forest Council, Time Square, Market Street, Bracknell, RG12 1JD
Telephone: 01344 352000
Email: licence.all@bracknell-forest.gov.uk

Annex 1 – Mandatory Conditions

- (1) No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence or when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- (2) Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- (3) 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. For the purposes of this condition,
 - (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 $P = D + (D+V)$ where –
 - (i) P is the permitted price,
 - (ii) D is the rate 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;

Where the permitted price given by this formula is not a whole number, it should be rounded up to the nearest penny.
 - (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; and
 - (d) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (e)
 - (i) Sub-paragraph (ii) applies where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
 - (ii) 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.
- (4)
 - (a) 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.
 - (b) 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.
 - (c) 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
 - (i) holographic mark or
 - (ii) an ultraviolet feature

Annex 2 - Conditions consistent with the Premises Operating Schedule:

- (5) All stock shall be purchased from reputable wholesalers or cash and carry premises.
- (6) Alcohol shall be delivered to customers by a reputable recognised delivery firm.
- (7) All delivery drivers shall be trained in the Challenge 25 policy.
- (8) The appropriate safety equipment and emergency lighting shall be installed and maintained at the premises.
- (9) A management policy shall be implemented to take into account the external areas of the premises and the conduct of customers.
- (10) A notice to customers regarding consideration for neighbours shall be displayed in a prominent location at the premises.
- (11) Staff shall monitor CCTV for any anti-social behaviour.
- (12) Alcohol shall not be displayed near the children's confectionary shelves.
- (13) All spirits and cigarettes shall be kept behind the counter.
- (14) The online order system shall use 'Experian Prove ID' software or similar to ensure the ID provided by purchasers is legitimate and to ensure they are over the age of 18.
- (15) A digital CCTV system shall be installed, in accordance with current Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police (TVP), ensuring all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points enabling frontal identification of every person entering and in any light condition.
- (16) All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with time and date stamping. Except for mechanical breakdown beyond the control of the licence holder recordings shall be made available upon request to TVP and authorised officers of Bracknell Forest Council (BFC). Recordings shall be made available to these officers together with facilities for viewing with immediate access by a person qualified to operate the system.
- (17) Any breakdown or system failure will be notified to the Police immediately and remedied as soon as practicable. Any request from TVP or BFC for a recording to be made for evidential purposes must be carried out within forty eight hours.
- (18) In accordance with the Data Protection Act 1988 a sign advising customers that CCTV is in use shall be positioned in a prominent position at all entrances to the premises.
- (19) Alcohol shall not be sold in open containers or be consumed in the licensed premises.
- (20) The licensee shall ensure that the footway and public space in the vicinity of the premises is swept and kept free of litter at regular intervals whilst the premises are open and at the close of business, and litter and sweepings disposed of in an appropriate manner.

- (21) All staff employed in the sale of alcohol shall be trained and a record of their training shall be maintained in respect of: (a) The legal obligation with the sale of alcohol; (b) Advice and procedure on handling refusals; (c) Understand the company's proof of age policy; (d) Understand the policy on the recording of refusal and incidents of note. This training shall formally take place at least every 6 months. Records of this training shall be maintained. These records shall be made available on request to any authorised officer of the Council or TVP.
- (22) The licence holder and their staff (including delivery drivers) shall be able to communicate with customers, the public, and representatives of statutory agencies to a level that satisfies TVP and BFC that they are able to meet the four licensing objectives.
- (23) An incident book shall be used to record details of incidents that occur in and around the venue. The incident book shall truly reflect what has occurred and shall be specific in detail. If incidents involve members of staff, including any door supervisors, their names shall be entered. All incidents shall be signed off weekly either by the DPS or a nominated individual when the DPS is not on site.
- (24) The premises shall maintain a refusals register. This will detail the following information:
- (i) Date and time
 - (ii) Member of staff
 - (iii) What product was requested
 - (iv) Whether ID was produced, if so what ID, or specify reason for refusal.
 - (v) If relating to a delivery the address.

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

- (25) The premises shall at all times operate a Challenge 25 policy. This will require any customers who attempt to purchase alcohol and who appear to staff members to be under the age of 25 years to provide identification. This policy shall be in written form and retained at the premises and shall be made available on request to any authorised officer from TVP or BFC.
- (26) Only a valid British driver's licence showing a photograph of the person, a valid passport or a nationally approved proof of age card showing the 'Pass' hologram (or any other similarly nationally recognised scheme) shall be accepted as identification.
- (27) Notices advertising the Challenge 25 policy and 'No proof of age no sale' shall be displayed in prominent positions at the entrance to and throughout the premises, including any shelves containing alcohol and till points.
- (28) Deliveries shall only be made to residential dwellings or a place of work with a recognisable postcode. The delivery shall take place only if the person receiving the alcohol is inside the property, or inside a communal doorway, and able to prove to the person delivering the alcohol they are a resident or employee at the premises.
- (29) Alcohol shall not be delivered to a person who is in a public place e.g. in a street, a park etc. and no sales will take place directly from the delivery vehicle.
- (30) All payments for alcohol to be delivered shall be made by credit card only.
- (31) Upon receipt of an order including alcohol to be delivered, the customer shall be clearly advised that the delivery will only be made to the person named on the credit card and that if they appear to be under the age of 25 they shall be required to produce an approved form of identification, the name of which corresponds with the name on the credit card. Failure to provide the requested identification and or credit card shall result in non-delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.

(32) For every delivery a customer will sign a delivery note which shall contain:

- (i) Date & time
- (ii) Name of person making order
- (iii) Address of delivery
- (iv) Details of ID provided if Challenge 25 policy applies
- (v) Items delivered
- (vi) Member of staff making delivery

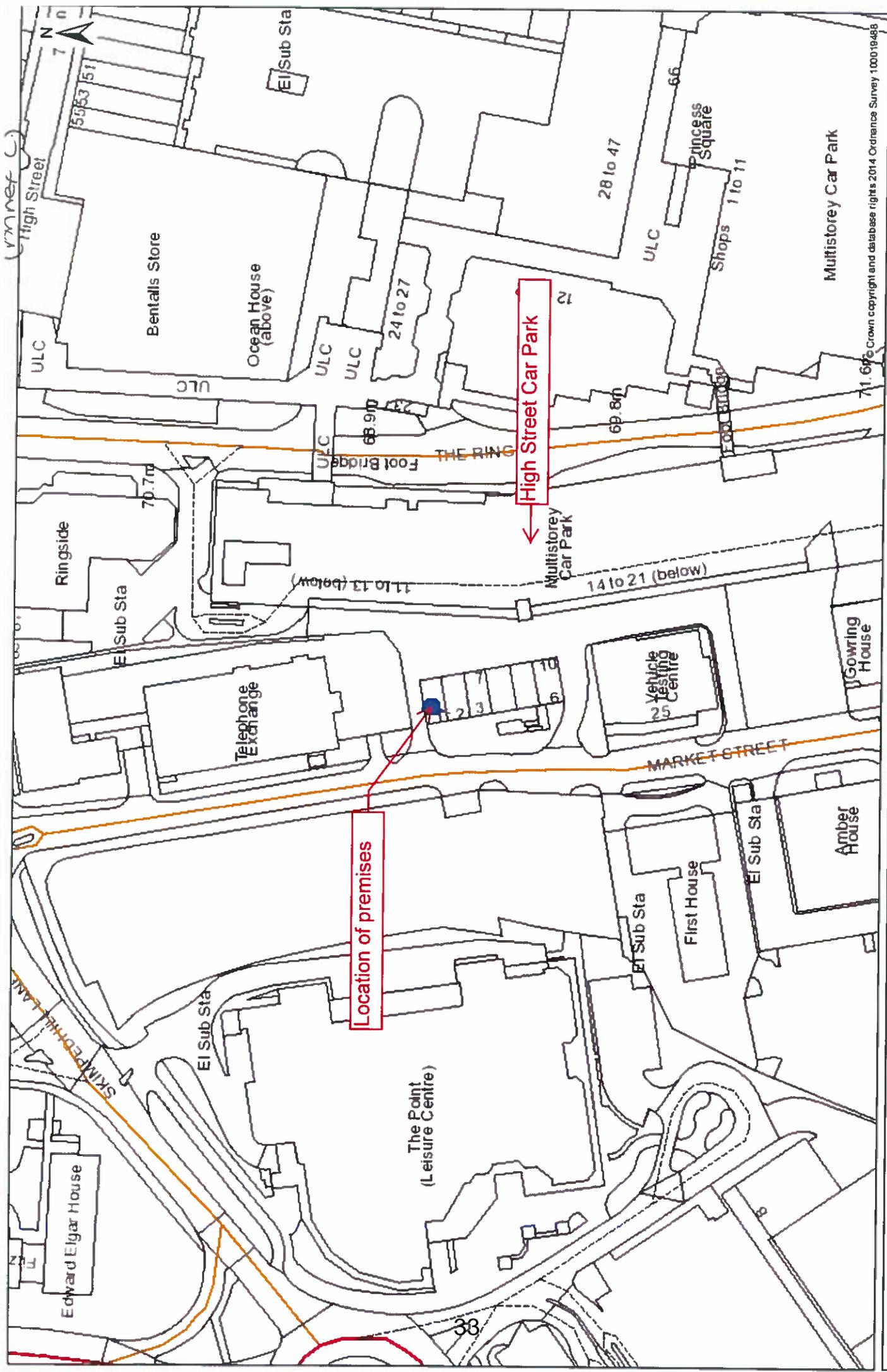
(33) No more than 1 litre of spirits shall be delivered to any one address, customer or premises in any 24 hour period unless the alcohol is being delivered to fulfil an order made at least 24 hours prior to the delivery.

Annex 3 - Conditions attached after a hearing by the Licensing Authority:

- (34) The opening hours of the premises shall be restricted to 07:00-23:00 every day of the week. No alcohol shall be sold or delivered outside of these times.
- (35) Deliveries of alcohol to customers shall only be made by two or more members of staff, although deliveries may be made by one person if they are wearing body worn video recording equipment. All images shall be kept for a period of at least 6 months and made available to TVP or BFC on request.

Annex 4 - Plans:

Attached – dated 5 February 2015



Map showing location of 1 Market Street

Date: 13/01/2015

Scale: 1:1,250

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APP A.

(rmet D)

Shoulder No/Name: C8688	Station: Bracknell	LPA: Bracknell and Wokingham
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Premises Name/Location:	Bracknell Wines, 1 Market Place, Bracknell, RG12 1DT		
Incident Date:	03/01/2018	Incident Time:	
Command & Control URN:	754	Crime Report(s):	
CCTV Seized?	staff member not able to use system to give to us when requested		
Sources of Information:			

Local shopkeeper has reported URN 754 03/01/2018 which is report of street drinkers on the bench outside his premise. On attendance by PCSO C8688 Darby-Shearing and PC 429 May he has been very frustrated by the ongoing issue and lack of action to the point of being abusive to PC May. Another business owner from [REDACTED] has shown us photographs on her phone (these are attached to my email) showing the street drinkers there from 1100 till 1500 that day drinking from cans and with a bottle of vodka all purchased from Bracknell Wines. One of the males shown in the photos drinking alcohol there all afternoon has gone on to become verbally abusive and aggressive within the High street to a group of youths outside McDonalds. PC May and PCSO Darby-Shearing have attempted to control this situation but have had to withdraw due to potential violence displayed by the male to police and back up being a long way off. On arrival of other officers it has taken several to take control of the male and 2 have been assaulted in the process. Male has to be both captured and tasered. This situation escalated to this point due to the male having been able to sit outside Bracknell wines and drink alcohol to the level where he has lost control. URN 869 03/01/2018 refers.

Premise were asked for their cctv at the time of our attendance and the shop keeper did not know how to use the system to allow us access to it, I believe this is a breach of the terms of their license.

Pc 429 May has taken details from [REDACTED] ([REDACTED] business owner). the photos have been sent to PCSO C8688 Darby-shearing.

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)

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Dean Andy (Licensing)

From: Darby-Shearing Jane
Sent: 30 June 2018 22:38
To: May Carla; Shearing Jack; Hughes Joanna; Dean Andy (Licensing); 'Vicky Kurlus'
Subject: Bracknell Wines and [REDACTED]



At 1720 this afternoon [REDACTED] was at Station Green and downed his bottle of 'Ace' cider as he saw me walking over. He knew that this was within the PSPO area as I clarified it for him yesterday when he was drinking within Jubilee Gardens.

At 2115 he was extremely intoxicated but had purchased another bottle of Ace, which again he downed on seeing me. From his movements and the shops being open at that time of night I have no doubt it came from Bracknell wines, which he was sat ou

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17/10/18 f

APPENDIX G

Public Protection Partnership | Bracknell Forest
West Berkshire
Wokingham

Our ref: 16/12059/LPRE10

25 October 2018

Mr Preet Singh Lamba
[Redacted]

Dear Mr Lamba

Bracknell Wines, Market Street, Bracknell, RG12 1JG
Licensing Act 2003, section 136(1)(a)

I am writing to you in your capacity as premises licence holder for the above mentioned premises and further to a report from Thames Valley Police. The report relates to an incident which took place in July of this year. Police officers attended Bracknell Wines to obtain CCTV footage in relation to potential offences which had taken place.

I shall remind you of three conditions which are attached to your premises licence:

- (15) A digital CCTV system shall be installed, in accordance with current Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police (TVP), ensuring all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points enabling frontal identification of every person entering and in any light condition.
- (16) All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with time and date stamping. Except for mechanical breakdown beyond the control of the licence holder recordings shall be made available upon request to TVP and authorised officers of Bracknell Forest Council (BFC). Recordings shall be made available to these officers together with facilities for viewing with immediate access by a person qualified to operate the system.
- (17) Any breakdown or system failure will be notified to the Police immediately and remedied as soon as practicable. Any request from TVP or BFC for a recording to be made for evidential purposes must be carried out within forty eight hours.

Police Officers attended Bracknell Wines initially on 03/07/2018 to view and request copies of footage. The member of staff present was not able to operate the CCTV system. This appears to be a breach of condition 16 mentioned above, which requires recordings to be made immediately available for viewing by Police or Council officers. The notes made by the officers state that the member of staff working at the store contacted his manager in their presence to seek advice, and was told that the footage would be available by the following Monday (09/07/2018). This would appear to be a breach of condition 17 mentioned above which requires recordings to be made available within 48 hours.

Officers returned after 48 hours, but the requested recordings were not available, with only part of the footage being provided. The full requested recordings were never provided despite further time being given by the Police Officers involved.

I will advise you that it is an offence under section 136(1)(a) to carry on or attempt to carry on licensable activities otherwise than in accordance with an authorisation. By failing to comply with a condition attached to a licence, the activities are being carried out otherwise than in accordance with an authorisation.

I would suggest that you take this opportunity to review the conditions which are attached to your licence to ensure that you understand what is required in order to be compliant. In the future, should any licence condition breaches be identified, you risk not only a potential prosecution under the above mentioned section of the Licensing Act 2003, but also a potential review of the premises licence should it be deemed that the business is failing to support any of the licensing objectives (the prevention of crime and disorder, public safety, the protection of children from harm, and the prevention of public nuisance).

Should you have any queries with respect to the above, any of the requirements of the Act, or of the conditions which are attached to your licence, you are encouraged to contact me via the customer service centre on 01344 352000 or using the email address below.

Yours sincerely,

Charlie Fletcher
Licensing Officer

charlie.fletcher@bracknell-forest.gov.uk

Shoulder No/Name: PC CARLA MAY 429 **Station:** BRACKNELL **LPA:** BRACKNELL

Premises Name/Location: BRACKNELL WINES MARKET STREET BRACKNELL
Incident Date: 23/11/18 **Incident Time:** 1530HRS
Command & Control URN: **Crime Report(s):**
CCTV Seized? NO BUT AVAILABLE IF NEEDED
Sources of Information: PC MAY 429

PC MAY WAS OUTSIDE THE FRONT OF BRACKNELL WINES I HAD BEEN THERE TO MAKE SURE ALL WAS IN ORDER. WHEN I LEFT TWO MALES WALKED INTO THE SHOP AND WERE CLEARLY INTOXICATED AND WERE EACH SOLD TWO CANS OF K CIDER WHICH I BELIEVE IS 9%. I SPOKE TO BOTH AND COULD CLEARLY SEE THEY WERE INTOXICATED AND COULD SMELL ACOHOL ON THEIR BREATH. THIS WOULD BE OBVIOUS TO THE PERSON WHO SOLD THE ALCOHOL TO HIM. THE TWO WERE CAUSING PROBLEMS OUTSIDE THE FRONT OF THE PREMISES IN MARKET STREET WHICH RESULTED IN THE MANAGER OF SCOOTER MOBILITY COMING OUT AND FILMIGN THEIR ACTIONS. HE CLAIMS THEY ARE THERE EVERYDAY CAUSING PROBLEMS AND BRACKNELL WINES ARE SELLING TO THEM AND NOT HELPING THE SITUATION. MALES REFUSED TO HAND ALCHOL OVER.

STAFF ONLY ONE MEMBER SOLD THE ALCOHOL TO THE TWO MALES WITNESSED BY OFFICER.

WENT INTO THE SHOP ASKED WHY HE SOLD IT TO THEM HE SAID THEY WERE OK THIS MORNINGII I SAID THEY WERE CLEARLY INTOXICATED NOW AND THAT WAS OBVIOUS TO ANY PERSONS.

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)
[REDACTED]	[REDACTED]			
[REDACTED]	[REDACTED]			
[REDACTED]		MEMBER OF STAFF IN THE SHOP WHO SOLD THE ALCOHOL		

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APP D (Annex H)



Trevor Hooper
Licensing Officer
Aylesbury/Chiltern & South Bucks

Aylesbury Police Station
Walton Grove
Wendover Road, Aylesbury
BUCKS, HP12 7LA

Tel: 01865854197
Fax:
trevor.hooper@thamesvalley.pnn.police.uk
www.thamesvalley.police.uk

27 November 2018

Dear Mr Lamba,

Bracknell Wines, Market Street, Bracknell, RG12 1JG.

Sir, My name is Trevor Hooper, I am the police licensing officer for the above area.

During Mr Dean's absence (Thames Valley Police licensing officer for Bracknell) I have been tasked to monitor the premises in his area.

It has come to my attention that on the 23rd November 2018 a member of your staff sold alcohol to two persons who were clearly intoxicated, these same two persons then caused problems outside the shop.

The member of staff was spoken to and his only answer was that the two persons were ok in the morning.

It is your responsibility as the premise licence holder and the DPS to ensure that the licensing objectives are met regardless of conditions which are consistent with the Operating Schedule.

I have listed these objectives as a reminder.

- prevention of crime and disorder
- promotion of public safety
- prevention of public nuisance
- protection of children from harm

It is clear from the officer's report that two of these objectives were not being met.

It should be pointed out that section 141 of the licensing Act 2003 makes it an offence to sell alcohol to a person who is drunk.

It has always been Thames Valley Police's desire to work with licensed premises to help them promote the licensing objectives.

I would suggest that you take this opportunity to review your staff training to ensure that they understand what is required in order to be compliant.

I note that you or your staff have been spoken to in the past with regards to selling alcohol to people who are intoxicated.

As stated above we wish to work with you, but should any further reports be received you risk not only a potential prosecution under the above mentioned section of the licensing Act but a potential review of the premises Licence.

If you need to speak with regards to the contents of this letter I am contactable on the above telephone number.

T I Hooper

Licensing Officer.



Andy Dean
Licensing Officer
High Wycombe

Police Station
Queen Victoria Road
High Wycombe
Bucks HP11 1BE

Tel: 01865 309275
Fax:
andy.dean@thamesvalley.pnn.police.uk
www.thamesvalley.police.uk

Mr P. S. Lamba
[REDACTED]

8th March 2019

RE:- Meeting at Bracknell Police Station 7th March

Dear Sir,

Firstly thank you very much for meeting with PC Caskey and myself yesterday to discuss some issues raised by the officer and others.

I initially went through checking that you had changed your details on the premises licence because of your new address. I also pointed out that your Personal Licence also needed to be updated by Hounslow Council with your new address. You agreed to get this done.

I then went on to talk about the reason for the meeting – issues with officers getting CCTV and the selling of alcoholic beverages to local street drinkers and the ongoing problems that it causes – you started defending yourself regarding CCTV which both PC Caskey and I accepted and that you would do so in any case.

I then asked PC Caskey to explain the problem that she and her colleagues were experiencing with regard to street drinkers – you interrupted her and so she had to ask you to wait until she had finished and then she would give you a chance to explain. She asked about the bench outside as to whether its presence attracted the street drinkers and if it would be better removed – you agreed.

The issues of the street drinkers were then explained in relation to urinating down the side of nearby shops, the rubbish and mess they left in the local gardens and in the immediate location after sitting drinking. You denied selling to these people which we accepted but PC Caskey indicated strongly that the problem was with your colleague and other staff – who need to be reminded of the legislation in relation to sales to intoxicated persons and that of proxy selling – you didn't fully understand Proxy selling and so PC Caskey explained with regard to using a scenario.

You talked about the street drinkers bad mouthing you calling you names that were racist –PC Casket indicated that this was unacceptable and you need to report it ot

the police which will strengthen their ability to place orders on these people to prevent this behaviour in the long term.

We then talked about single and multiple cans and it was decided at this stage to leave it as single cans. Also about price tagging goods – you at present have shelf tickets. I then pointed out that if you price tagged each can you would protect yourself somewhat as if cans were found in the areas the street drinkers congregated as it could easily be recognised that your cans weren't present and we would then concentrate on other premises.

PC Caskey then talked about B-BAC; what it is and how it could benefit both you and the community.

So moving forwards it was agreed you would do a number of things to tighten up your actions with regard to the Prevention of Crime and Disorder. These are;-

Become a member of B-BAC

Price tag all cans on the side (not top or bottom) with the shop name

Move the 'street drinkers' signs to be more visible

You also were going to ensure the premises licence and your personal licence were updated to show your new address.

In return PC Caskey and her team would visit your premises as part of their patrol plan to ensure that you weren't receiving these racist comments and that all was okay in your shop.

A copy of this letter is being retained on file for future reference.

Once again thank you for your time in meeting with us

Yours faithfully

Andy Dean



Andy Dean
Licensing Officer
High Wycombe

Police Station
Queen Victoria Road
High Wycombe
Bucks HP11 1BE

Tel: 01865 309275
Fax:
andy.dean@thamesvalley.pnn.police.uk
www.thamesvalley.police.uk

Mr P. S. Lamba
[Redacted]
[Redacted]
[Redacted]

13th June 2019

RE: Visit to premises 11th June 2019

Dear Mr Lamba,

If you can remember back to 7th March 2019 you came to Bracknell Police Station to discuss with PC Caskey and I issues that were arising at your premises Bracknell Wine. During that meeting you agreed to carry out voluntarily a number of actions to hopefully protect you from the allegations that your premises are selling alcohol to the local 'street drinkers' –this causing further ASB / crime and disorder in the nearby area.

These actions were;

Ensure all staff can use CCTV for playback purposes

Move the 'don't sell to street drinkers' sign to a more prominent position

Become a member of the B-BAC

Price tag all cans of beer, cider, lager with named tags on the sides of cans not top or bottom

Ensure that your Premises Licence and Licence Summary were updated to show your new address and place them correctly in the shop.

I along with the new Licensing Officer for the area visited your shop on Tuesday 11th June as I had heard that some things had not been carried out as agreed.

I noticed that you had in fact moved the sign – thank you

I was told by [Redacted] (who was working) that you had joined the B-BAC – thank you

However you had not price tagged each can of beer, lager or cider as agreed.

Upon asking [REDACTED] she informed me that she didn't know how to use the CCTV – it is imperative that staff can at least be able to playback for viewing CCTV in case of an incident. The fact that it might take 24 hours to download it we can manage.

Please arrange for these two matters to be actioned as failing to do so will make you liable for a Review of your licence where I will be asking for at least tighter conditions on the sale of alcohol in your premises.

Remember the reason for tagging is so that should officers seize alcohol from street drinkers they can prove that it doesn't come from you if it doesn't show your tag.

I further noticed that you had page 1 of your premises licence stuck up – this is wrong and your premises licence should be in a folder where it can be accessed by staff on demand from an Officer of a Relevant Authority or Police officer.

What should be clearly displayed are the pages for the Premises Licence SUMMARY –which couldn't be found.

I was pleased to see that the incident log / refusals log were being used and reasonably recently.

My colleague and I will be re-visiting at some time in the future and would like find that all issues have now been actioned.

A copy of this letter is being sent to the Licensing Authority for their information and a copy kept on file for future reference.

Yours sincerely

Andy Dean

(Annet K)

APPENDIX H

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2/1/19	1115	C7804, C8688	Station green		All three sitting on a bench drinking lager, reminded of PSPO.	
	3/1/19	1715 C8688 P429	High street		Both highly intoxicated and drinking from cans on the bench.	Incident resulted in officer safety issue and arrested of [redacted] who assaulted officers. [redacted] already removed from town once an hour prior to this and report of [redacted] urinating at side of wall of Bracknell Wines.
	5/1/19	1530 C7804	Jubilee Gardens		Drinking from a can of lager, finished off and threw can in bin on my arrival	No one else present
	6/1/19	1800 C7804	Princess Square		Sat against a lamppost asleep, had hit wooly had on the floor beside him with some loose change in it and an open can of special brew next to him. Told to leave area which he did.	no one else present
	11/1/19	1039 C7804	High Street		Sat on bench near to [redacted] with open can of Karpakle lager next to him, said he would leave town.	Was talking with unknown male.
	16/1/19	1223 C7804 C8688	Jubilee Gardens		Was laying on the ground. Bottle of Balentynes whiskey on the ground next to him. He was asleep and proved difficult to wake up, had marks on his head where he hit the ground and everytime we sat him up he collapsed again. Ambulance attended and took him to RBH for treatment. Male is front London and believed to have come to Bracknell for work.	Was first seen by us at around 1040, he was saying he couldn't get on a train as they would not accept his oyster card and to speak with police. He said he had no money or bank card. Was advised to call a friend but he said his battery was flat, we took him to the free charging point and plugged his phone in for him. C8688 asked why he was in Bracknell and he said to get work driving but they had no work for him, she then asked if he had been drinking and he said yes but now had a bottle of water. He was left there, later we checked the phone charging point and he had left, the water bottle he had was discarded there and C8688 smelt it and there was a smell of alcohol in it. We then found him in Jubilee Gardens passed out. About a quarter of a bottle of whiskey was poured out of a large bottle.
	21/1/19	1135 C7804 P7155	Jubilee Gardens		[redacted] saw officers approaching and finished off a can of lager. Left area	[redacted] While talking to [redacted]

					as he thinks [redacted] is [redacted] and [redacted] out to get him.	[redacted] arrived and sat with [redacted]	
	24/1/19	1734	C7804	Braccan Walk	[redacted]	[redacted] was sitting under the covered area by the fire exit for Sainsburys. He was asked to move away by Lexicon security as he was on Lexicon land and he refused. [redacted] from Lexicon security saw an open can hidden behind his rucksack and [redacted] handed it over when asked stating he didnt care as he had another 8 in his bag and he would just get someone to go and get him some more.	[redacted] was very hostile towards [redacted] from the Lexicon security team and repeatedly tried to get him to go to the rear fo the Legion building to fight. This has all be captured on body worn video. I advised Lexicon staff to get a map of lexicon land highlighting their land and to hand it to [redacted] as he says that the bail area is the extent of their land. He again had a hat on the floor in front of him with loose change in it, he says he is not begging as he is not asking for money.
	25/1/19	1832	C7804	Braccan Walk	[redacted]	[redacted] was sitting on the floor just past the covered area where he had been the previous evening, he appeared to be sleeping in a sitting position with his hat on the floor in front of him with loose change in it, there was an open can next to him. As I walked past I took the can and pour the contents away.	[redacted] woke briefly and saw me pouring the drink away but didn't say anything. I later saw him sitting outside the pizza shop on Market street by the kebab van, he was again asleep, I went into Bracknell wines and told them he was there and to call police should he try and buy alcohol.
*	2/2/19	1610	C7804	Jubilee Gardens	[redacted]	Both drinking cans of high strenght lager, finsheshed them on my arrival. Reminded of no drinking area.	Also present were [redacted]
*	3/2/19	1730	C7804	Braccan Walk by Jubilee Gardens	[redacted]	Open can of lager on the wall next to [redacted] bag. Was not witnessed drinking from it.	Was with [redacted]
	1/3/19	1910	C7804	High Street	[redacted]	Report from Lexicon that [redacted] was drinking in the town and refusing to hand of alcohol. He then sat on a bench and was getting into an altercation with a group of youths. Security requested to move the youths away to de-escalate the situation while awaiting police.	On arrival C7804 and P7155 found [redacted] Intoxicated, he had an almost full bottle of vodka in his bag (CCTV showed that he had finished one bottle already before opening this one) there were also two 2 litre bottles of fizzy drink which was suspect to contain alcohol. All liquids were poured away. [redacted] refused to calm down and was warned at least 4 times about swearing, he was then arrested for Breach of the peace and removed from the town where he was de-arrested. There was a large group of youths watching, mainly females who [redacted] was playing up to.
	2/3/19		Lexicon	Braccan Walk	[redacted]	[redacted] was seen drinking alcohol, can of lager taken from him.	[redacted] advised to not drink in town.

*	9/3/19	2114	Lexicon	High Street	██████████	██████████ was highly intoxicated in the town centre, he was stopped by security near to the old McDonalds and asked to leave town but refused to do so. Police were called and he was escorted out of the area.	Advice given by officers to no return that night.
*	10/3/19	1150	C7804	Jubilee Gardens	██████████	Sat alone in Jubilee Gardens, while talking to him he moved and knocked over his can of alcohol which he had hidden behind him.	He threw remainder away and voluntarily left the area.
*	11/3/19	1030	C7804	Jubilee Gardens	██████████	Sat in far end of the gardens, when he saw me walking past hid a can in a carrier bag	
	11/3/19	1100	C7804	McDonalds	██████████	Had half empty bottle of wine in her coat, took off her and told her to leave the store as she has ban in place.	Poured wine away. Advised to leave the area. Reported to Lexicon security this morning and they say she was caught trying to steal a bottle of wine in Waitrose, The bottle taken from her was from M&S, also Morrisons report her taking a bottle of wine and trying to hide in the toilets.
*	12/3/19	1015	C7804	Braccan Walk by Jubilee Gardens	██████████	Both stood in the covered walkway by one of the fire exits drinking. Had finished drinks on my arrival.	Reminded of PSPO area.
*	12/3/19	1027	C7804	Jubilee Gardens	██████████	All three finished off cans of lager when they saw me walking over.	Also present were ██████████ and ██████████ All left saying they were going to the Kerith centre café.
*	12/3/19	1130	C7804	Jubilee Gardens	██████████	All three drinking from cans.	Saw me and walked off before I got to them. ██████████ shouted out they were going to the Kerith.
*	12/3/19	1155	C7804	Jubilee Gardens	██████████	Drinking from can of lager.	Moved away from me and kept shouting. Told him I was going to take his lager and he walked off, ██████████ was with him, asked ██████████ to calm him down and keep him away from town.
	12/3/19	1529	C7804	Braccan Walk South	██████████	Intoxcated and swearing.	Removed from Town by police officer and Lexicon security.
*	12/3/19	1535	C7804	Jubilee Gardens	██████████	Drinking from cans in Jubilee Gardens. left as ██████████ was being removed from town.	Left as ██████████ was being removed from town.
*	12/3/19	1614	C7804	Times Square	██████████	Intoxicated at council offices.	Removed by officers and later arrested for breaching his bail for another offence.

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27/3/19	1145	C8688	Jubilee Gardens	[REDACTED]	[REDACTED] seen drinking from large bottle of vodka which she kept inside a sainsburys bag [REDACTED] had a can.	[REDACTED] was with them. All left on my request after engagement.
1/4/19	1720	C7804	Jubilee Gardens	[REDACTED]	[REDACTED] sat on bench next to open can of Karpaki lager; [REDACTED] and [REDACTED] drinking from a 2 litre bottle of cider.	All hid the alcohol on my arrival.
4/4/19	1420	C7804	Union Square	[REDACTED]	Both had open cans of Karpaki lager and were drinking from them	were talking to [REDACTED] and [REDACTED] Both walked off with [REDACTED] towards Jubilee Gardens, this was seen on CCTV so unable to intervene.
6/4/19	1845	C8688	Bus station underpass	[REDACTED]	Appeared to have been begging in underpass, stood by bin drinking can	Challenged but he believed he was outside the PSPO area as he could see the sign on the entrance to the underpass which he was standing just outside of. Advice given.
7/4/19	1430	C7804	Jubilee Gardens	[REDACTED]	[REDACTED] walking down from the direction of Atrium house, seen drinking from a can of alcohol, when he saw me he hid it in his carrier bag and walked off through the bus station underpass.	He was alone but [REDACTED] and one other male were seen walking through the bus station underpass towards the bus station.
8/4/19	1030	C7804	Jubilee Gardens	[REDACTED]	Can of open Karpaki lager by the bench he was sitting on with a carrier bag containing more cans behind him.	Didn't drink from can, was with [REDACTED] and [REDACTED]
8/4/19	1450	C7804	Jubilee Gardens	[REDACTED]	Opened can of lager and took a swig from it as he got to the entrance to Jubilee Gardens coming from the town.	Challenged him and he apologised and said he would be moving on straight away. Was with [REDACTED]
10/4/19	1453	C8688 and C7804	Station Green	[REDACTED]	Open can of lager in left jacket pocket - breach of CBO	[REDACTED] and [REDACTED] present but no drinking witnessed [REDACTED] put can in bin as we arrived. [REDACTED] walking away as we arrived.
10/4/19	1545	C8688, C7804 and PS Gresty	Market street	[REDACTED]	Open can of lager in left jacket pocket - breach of CBO	Arrested
17/4/19	0:00	C7804	Station green	[REDACTED]	Drinking can of lager	Advised to leave and complied
18/4/19	0:00	C8688	Bench at side of Peel Centre	[REDACTED]	Can of Karpakie	With [REDACTED] who was not drinking. Advice given re PSPO as he said he was out of the town.
24/4/19	0:00	C8688 and C7804	Steps to odeon cinema	[REDACTED]	Can of Karpakie	Advice given, can was empty and put in bin, another was unopened.

	9/5/19	0:00	C7804 and C8688	Game - High street		Can of 'K' cider	-seen walking through the Lexicon at approx 0915 with a can in his hand, not challenged and he left by the police station. Seen again going into Game at 1015 with a can in his hand. Stopped on his exit and can disposed of in bin.
			C7804 and C8688	Jubilee Gardens	Unknown	Can of fosters	Group of 3 eastern european men in JG, one drinking can from open multipack box contained within his shopping - advice given
*	2/6/19	1500	C7804	Jubilee Gardens		opened a can of K cider in front of officers.	Reminded of PSPO he apologised took a quick swig and put can in bin. He had just been in altercation with and blows were exchanged, also present were and
*	2/6/19	1500	C7804	Jubilee Gardens		Drinking can of lager	Finished off can.
*	3/6/19	1845	C8688	Bus station underpass to Jubilee Gardens		2 x cans of chilled Karpachi in black bag, 1 open.	Unattended as he moved away from them. Poured away.
*	5/6/19	1048	C7804	Jubilee Gardens		Hid can of alcohol in his pocket on my arrival	Advice given, Also present were
*	6/6/19	1402	C7840 P7155	Jubilee Gardens		Both had open cans of Karpachi lager in their hands as they walked out of park, -tried to hide his behind his back	
*	7/6/19	1500	C8688	Bracknell Wines Market street		Drinking can of Red stripe	Verbal warning given and directed to leave town with can. Email sent to licensing officer
*	23/6/19	1043	C8688	Bracknell Wines Market street		Drinking can of Karpachi	Finished can and put into grundon bin - email sent to licensing officer re Bracknell Wines street drinking
*	24/6/19	1404	C7804	Jubilee Gardens		Was seen on CCTV to be drinking from a can, on arrival there was an open can of lager in front of him which he moved and claimed belonged to the male next to him who then denied it was his.	Alcohol taken away and poured away. Present was and an unidentified male.
*	1/7/19		C7804	Jubilee Gardens	Unknown	Male finished a can as I approached, apologised and put the empty can into a bin.	Was sitting with and All three were later witnessed on CCTV drinking alcohol.
*	1/7/19		C7804	Jubilee Gardens		Seen on CCTV drinking in Jubilee Gardens.	

*	11/7/19	1850	C7804	Tanning salon bench, The Point	[redacted] and Polish male.	[redacted] sat on the bench next to an unknown Polish male there was an open can of lager on the bench next to the Polish male and an open can of lager on the floor in front of [redacted].	[redacted] claimed the lager belonged to a male called [redacted] who had just gone to get a kebab. I poured the alcohol away, Polish male put his can in his bag. The bench is directly in front of a PSPO warning sign [redacted] not seen to be holding the can.
*	19/7/19		Lexicon Security	Entrance to service yard E, The Ring	[redacted]	Seen by [redacted] of Lexicon Security to be drinking from a can of lager.	Advice given.



Licensed Premises Summary Report

BRACKNELL WINE

Unit 1 Market Street, Bracknell, RG12 1JG

Events dated between 01 June 2018 and 12 July 2019

PLEASE NOTE: The information below is OFFICIAL - SENSITIVE and should not be shared outside of Thames Valley Police without the express consent of the Licensing Team. The records in this summary are derived from a variety of sources. In some cases, multiple records may relate to the same incident and should not necessarily be counted individually. The report relates only to events which have been entered on Amandus at the time of the report being run and may not be a comprehensive list. All data entry is at the discretion of the Licensing Team.

Engagement: Visit by Police (Tier 1)

Date/Time: Wednesday 06 June 2018

reports of selling to street drinkers.
informed that not good practice to do so as it will get them in trouble

Incident: Licensing Checklist

Date/Time: Friday 08 June 2018 - 21:09

visited as part of an evening of visits, part b visible, warned re selling to drunks and ensure CCTV is available when requested

Premises Response: Positive

Incident: Intoxication

Date/Time: Saturday 30 June 2018 - 21:15

Intel Grading: B21

known street drinker (█) seen downing bottle of ACE cider during afternoon. Then seen o/s premises at above time very intoxicated again downing same. Only premises open was this premises and he was sat outside.

Premises Response: Unknown

Engagement: Visit by Police (Tier 1)

Date/Time: Tuesday 31 July 2018

spoke with █ (staff member) as DPS not present;- warned that CCTV when required was necessary and breaches have happened. Also street drinkers proxy sales are happening to be a bit more wary. Will pass the message on and I will write to the DPS re concerns and warning re future conduct

Incident: Other (specify in notes)

Date/Time: Friday 10 August 2018 - 20:20

Intel Grading: B21

joint TVP / BFC UAS op; sale refused

Premises Response: Positive

Operation: Test Purchase

Date/Time: Friday 10 August 2018

Pass
joint TVP / BFC UAS op; sale refused

Incident: Intoxication

Date/Time: Friday 23 November 2018 - 15:30

officer outside premises when known street drinkers enter in an intoxicated state. Exit shop carrying 2 x cans of K Cider. Spoken to and confirmed intoxicated.

Premises Response: Unknown



Licensed Premises Summary Report

BRACKNELL WINE

Unit 1 Market Street, Bracknell, RG12 1JG

Events dated between 01 June 2018 and 12 July 2019

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Incident: Intoxication

Date/Time: Thursday 03 January 2019 - 15:45

Inc Ref(s): 754 - 03/01/2019

Local shop keeper reports issues with street drinkers. PCSO attends & shop is frustrated with police re no action. Another trader shows photos of street drinkers buying alcohol from shop. Males become aggressive, Police called and report made

Premises Response: Negative

Engagement: Letter sent by Police (Tier 2)

Date/Time: Wednesday 06 February 2019

On going issues with selling to street drinkers (photographic evidence)

Meeting requested at 1300 hrs on Tuesday 19th February at Bracknell Police Station

Engagement: Telephone call from Police (Tier 2)

Date/Time: Tuesday 19 February 2019

DPS failed to attend

Rang DPS only to find he had moved address and not notified anyone - new letter sent to meet on 7th March @ 10.00 hrs

Engagement: Meeting requested by Police (Tier 2)

Date/Time: Thursday 07 March 2019

CCTV and street drinker sales

Licensee agreed to named price tag his cans, make signs more visible and join B-BAC (Bracknell - Business Against Crime)

Engagement: Letter sent by Police (Tier 2)

Date/Time: Friday 08 March 2019

Meeting at Bracknell police Station 7/3/19

Letter re discussions and actions moving forward

Engagement: Visit by Police

Date/Time: Tuesday 11 June 2019

In March 2019 at a Tier2 mtg the Licensee / DPS agreed some voluntary changes to protect himself from allegation of alcohol sales to street drinkers. Visit to see if actions put in place

Spoke with [REDACTED] (staff member) - she can't work CCTV, no cans have price tags on them. Also no summary on display, premises licence showing page 1 only. Has become member of B-BAC - letter to be sent chasing other actions

Engagement: Letter sent by Police

Date/Time: Thursday 13 June 2019

After visit when on 11/6 and finding no changes decided to warn licensee that he needs to comply

Letter sent - see premises correspondence folder



Licensed Premises Summary Report

BRACKNELL WINE

Unit 1 Market Street, Bracknell, RG12 1JG

Events dated between 01 June 2018 and 12 July 2019

PLEASE NOTE: The information below is OFFICIAL - SENSITIVE and should not be shared outside of Thames Valley Police without the express consent of the Licensing Team. The records in this summary are derived from a variety of sources. In some cases, multiple records may relate to the same incident and should not necessarily be counted individually. The report relates only to events which have been entered on Amandus at the time of the report being run and may not be a comprehensive list. All data entry is at the discretion of the Licensing Team.

Engagement: Visit by Police

Date/Time: Friday 21 June 2019

Joint BFC (L/O + Chair of Licensing & Environment) with TVP licensing visits

Still non compliant as agreed in Tier two meeting in March. - Consider Review application

Operation: Licensing Checks

Date/Time: Friday 21 June 2019

Not Applicable

Joint visit BFC / TVP - still voluntary changes not made consider Review application

Engagement: Visit by Police (Tier 2)

Date/Time: Thursday 11 July 2019

Follow up visit to check if any of the outstanding, agreed conditions have been implemented.

DPS has not trained staff member on CCTV, License summary is still not on display and no evidence that cans are being individually marked and the full License was not available still just the front page.

Amanda Ward

From: Heather Fleming
Sent: 10 September 2019 09:49
To: Amanda Ward
Subject: SS Food and Wine Ltd
Attachments: General fail letter.doc

Amanda,

Notes on supporting the Police's application:

Considering the application again, Trading Standards have concerns as to the running of the business (known as BB Wines, which is purportedly the same owner and staff as the current business SS Food and Wine Ltd).

Trading Standards have concerns over the objective of protecting children from harm not being met and therefore will support the Police's application on the grounds that we have undertaken a challenge 25 test purchase on 1st October 2018 (where they sold without ID to a 20 year old), a general mail merge letter was then sent on the 17.12.18 detailing this failure of their systems and providing advice on where to get further information to ensure the sale does happen again and outlining it is an offence to sell to under 18's. A second C25 test purchase was undertaken on 9th March 2019 which they also failed to require ID for a sale to a 21 year old. The store has a condition of C25 policy on its licence and these test purchases show that this policy is not being followed and there has been a potential breach of conditions.

Kind regards
Heather

Heather Fleming
Senior Trading Standards Officer

Public Protection Partnership

A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council.
01635 503467 | heather.fleming@westberks.gov.uk | <https://publicprotectionpartnership.org.uk>

Visit our new [Public Protection Partnership website](#)
for all your Environmental Health, Licensing and
Trading Standards enquiries and information.

DATE

Business name
Address
Address
Address

Dear Retailer,

Retailer Training – No ID, No Sale

The Public Protection Partnership Trading Standards team have undertaken test purchases of alcohol products across the Bracknell, West Berkshire and Wokingham areas. Your business was one of those locations tested.

The volunteer we sent in was of legal age to buy alcohol (20) but purposefully did not have any identification on them on the day. In this instance your business **failed** the test purchase and sold to our volunteer without checking any identification. You may have asked their age or date of birth, however any underage person trying to buy alcohol would likely lie about such things

We recommend businesses adopt a 'challenge 25' policy with staff trained on a 'no ID no sale' motto. Below are some helpful websites with further information in relation to this, I would suggest you read:

www.drinkaware.co.uk/alcohol-facts/alcohol-and-the-law/buying-alcohol

www.wsta.co.uk/challenge-25

www.businesscompanion.info/en/quick-guides/underage-sales/alcohol

www.challenge25.co.uk

We will be looking to send another volunteer out in the next 12 months to see if there is a decrease in sales. You will also be added to our intelligence list for underage test purchasing, if you sell to one of our underage volunteers it is a criminal offence and a fine or possible prosecution. If there was a sale this letter would be taken into consideration as a warning.

If you need further information please contact me on 01635 519930 or by email on tsadvice@westberks.gov.uk

Yours sincerely

Heather Fleming
Trading Standards Officer