



# Havering

L O N D O N   B O R O U G H

## **LICENSING SUB-COMMITTEE GRANGE EXPRESS- REVIEW**

### **AGENDA**

<b>10.30 am</b>	<b>Monday 6 November 2017</b>	<b>Council Chamber - Town Hall</b>
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Members 3: Quorum 2

#### **COUNCILLORS:**

Linda Trew (Chairman)  
Frederick Thompson (Vice-Chair)  
John Wood

**For information about the meeting please contact:  
Richard Cursons - 01708 432430  
[richard.cursons@onesource.co.uk](mailto:richard.cursons@onesource.co.uk)**

## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

## **AGENDA ITEMS**

### **1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive

### **2 DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any interest in an item at any time prior to the consideration of the matter.*

### **3 CHAIRMAN'S ANNOUNCEMENT**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### **4 REPORT OF THE CLERK (Pages 1 - 6)**

Procedure for the hearing – Licensing Act 2003

### **5 APPLICATION TO REVIEW A PREMISES LICENCE - GRANGE EXPRESS (Pages 7 - 52)**

### **6 LICENCE HOLDER'S SUBMISSION (Pages 53 - 66)**

**Andrew Beesley**  
**Head of Democratic Services**

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## LICENSING SUB-COMMITTEE

6 November 2017

## REPORT

Subject Heading:

Procedure for the Hearing  
Licensing Act 2003

Report Author and contact details:

Richard Cursons – Democratic Services  
Officer  
01708 432430  
[richard.cursons@onesource.co.uk](mailto:richard.cursons@onesource.co.uk)

### REPORT OF THE CLERK

#### PROCEDURE FOR THE HEARING: LICENSING ACT 2003 (REVIEW OF LICENCE)

This is a hearing to consider an application for a review of a licence under section 51 of the Licensing Act 2003. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

#### 1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A member of the Licensing Committee will be excluded from hearing an application where he or she:
  - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
  - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
  - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;

1.2.4 has a personal interest in the application.

## **2. Roles of other participants:**

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

## **3. Location and facilities:**

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

## **4. Notification of attendance:**

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

## **5. Procedural matters:**

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

### **Introduction of the application:**

The party requesting the review will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

**Documentary evidence:**

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

**Representations:**

- The Chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points on which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the party requesting the review of the licence
- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local Environmental Health Authority;
- the Local Weights and Measures Authority;

- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party whose premises is the subject of the licence review.

At the discretion of the Sub-Committee the above order may be varied.

### **Cross-Examination:**

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

### **Relevance:**

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

**The prevention of crime and disorder;**

**Public safety;**

**The prevention of public nuisance; and**

**The protection of children from harm.**

## **6. Failure of parties to attend the hearing:**

- 6.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

## **7. Adjournments and extension of time:**

7.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:

- Review of premises licences following closure orders made under the Licensing Act 2003 where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.
- Other reviews of premises licenses where the Sub-Committee must make a determination within 28 days of the end of the statutory consultation period.

## **8. Sub-Committee's determination of the hearing:**

8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.

8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.

8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

## **9. Power to exclude people from hearing:**

9.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:

- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
- that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

## **10. Recording of proceedings:**

10.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

## **11. Power to vary procedure:**

- 11.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

# LICENSING SUB-COMMITTEE

# REPORT

Date 06 November 2017

**Subject heading:**

Grange Express

5 Grange Road, Romford, RM3 7DU

Premises Licence Review Application

**Report author and contact details:**

Mr Kasey Conway, Licensing Officer

5<sup>th</sup> floor Mercury House

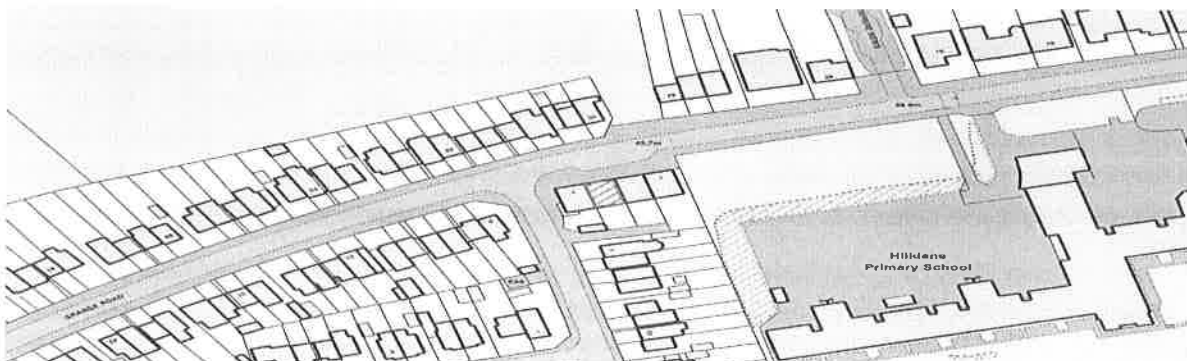
licensing@havering.gov.uk

01708 432555

This application to review a premises licence is made by Council Officer Sasha Taylor on behalf of Trading Standards under the Licensing Act 2003. The application was received by Havering's Licensing Authority on 21<sup>st</sup> September 2017.

## Premises' location

Grange Express is located in Harold Hill; it is therefore located in Havering's special policy area. The premises is situated approximately 229 metres south of the Junction where Straight Road meets Grange Road. Hilldene Primary school is approximately 200 metres away from Grange Express on Grange Road. The parade itself consists of 4 shops, 1 Grange Road which also has the sale of alcohol as a licensable activity. The other 2 shops are a florist and a cake shop. There are no other licenced premises on Grange Road. There are residential flats above the shop as well as houses directly opposite.



## **Details of the application**

Sasha Taylor's application is based upon the following grounds:

- The trader has made two sales of alcohol to underage volunteers on the 12/4/2017 and the 04/08/2017
- The premises has failed in its duty to protect children from harm
- The failure of the prevention of crime and disorder

## **Comments and observations on the application**

When determining an application for a premises licence review s.52(3) of the Act requires that the Licensing Authority must, having regard to the application and any relevant representations, take such of the steps mentioned in s.52(4) as it considers necessary for the promotion of the licensing objectives. These steps are:

- (a) to modify the conditions of the licence
- (b) to exclude a licensable activity from the scope of the licence
- (c) to remove the designated premises supervisor
- (d) to suspend the licence for a period not exceeding three months
- (e) to revoke the licence

## **Summary**

There were no representations against this application from interested persons.

There were 2 representations against this application from responsible authorities. They were from The Licensing Authority and The Met Police



# Havering

LONDON BOROUGH

## Part A

Premises licence number

12414

### Part 1 – Premises details

Postal address of premises

Grange Express  
5 Grange Road Romford RM3 7DU

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Saturday – 08:00 to 23:00  
Sunday – 10:00 to 22:30

The opening hours of the premises

Monday to Sunday – 06:00 to 00:00

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

Off supplies only

### Part 2

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

Ms Neelam Wanti Potiwal

Registered number of holder

Not applicable

1 of 4

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

**Ms Neelam Wanti Potiwal**

[REDACTED]

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

[REDACTED]

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**Mandatory conditions**

1. No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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**Annex 2 – conditions consistent with the operating schedule**

1. Staff at the premises shall be trained in respect of their legal and social responsibilities when selling alcohol. Staff shall also be trained in respect of the contents of the premises licence and the conditions contained therein.
2. Staff training shall be kept under constant review and shall be refreshed every three months.
3. A written record shall be maintained by the premises licence holder in respect of all training carried out and these records shall be produced for inspection by the Police and authorised officers of the Licensing Authority on request.
4. The premises shall be protected by an intruder alarm. When the premises is closed roller shutters shall protect the front of the premises.
5. CCTV shall be installed and maintained at the premises. A camera shall cover the entrance doors inside and outside the premises, the alcohol display and the serving counter. The camera at the entrance shall be capable of recording a clear 'head and shoulders' image of persons entering the premises. Recorded images shall be retained for 28 days and shall be made available to the Police or authorised officers of the Licensing Authority upon reasonable request.
6. Appropriate signs shall be displayed to make customers aware that CCTV is in operation at the premises and that CCTV images shall be released to the Police and Licensing Authority if requested.

2 of 4

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Annex 2 – conditions consistent with the operating schedule – contd.

7. Alcohol shall only be displayed on the shelves adjacent to the serving counter and furthest away from the entrance / exit of the premises.
8. No more than 20% of the products on display at the premises shall be alcohol.
9. Staff shall be trained in the contents of the fire risk assessment and health and safety risk assessment. Records shall be maintained of such training.
10. Signs and notices in respect of health and safety shall be displayed at the premises.
11. The premises licence holder shall ensure the area immediately in front of the premises is kept clean and tidy at all times when open to the public.
12. No deliveries shall be accepted between the hours of 08:00 and 21:00 on any given day. The only exception to this shall be the delivering of newspapers to the premises for onward sale to the public.
13. No rubbish from the premises shall be placed into outside refuse containers before 08:00 or after 21:00 on any given day.
14. Staff shall monitor the area immediately outside the premises and deter persons from gathering in that location.
15. Signage shall be displayed within the premises to inform customers that alcohol purchased at the premises must be consumed away from the premises.
16. The premises shall adopt 'Challenge 25' as its age verification policy and staff shall be trained in respect of this policy. Signage shall be displayed at the entrance to the premises, in the area where the alcohol is displayed and at the sales counter in respect of 'Challenge 25'.
17. The premises shall maintain a refusals log which shall record instances of where ID has been requested from customers purchasing age related products and the sale refused. The refusals log for the preceding 6 months shall be kept at the premises and produced for inspection by Police and authorised officers of the Licensing Authority.
18. Notices shall also be displayed at the premises in respect of the offence of buying alcohol on behalf of persons under the age of 18.
19. The only acceptable forms of ID shall be a passport, a photo style driving licence, a proof of age card which carries the 'PASS' logo in a hologram format, or military ID.

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Annex 3 – conditions attached after a hearing by the Licensing Authority

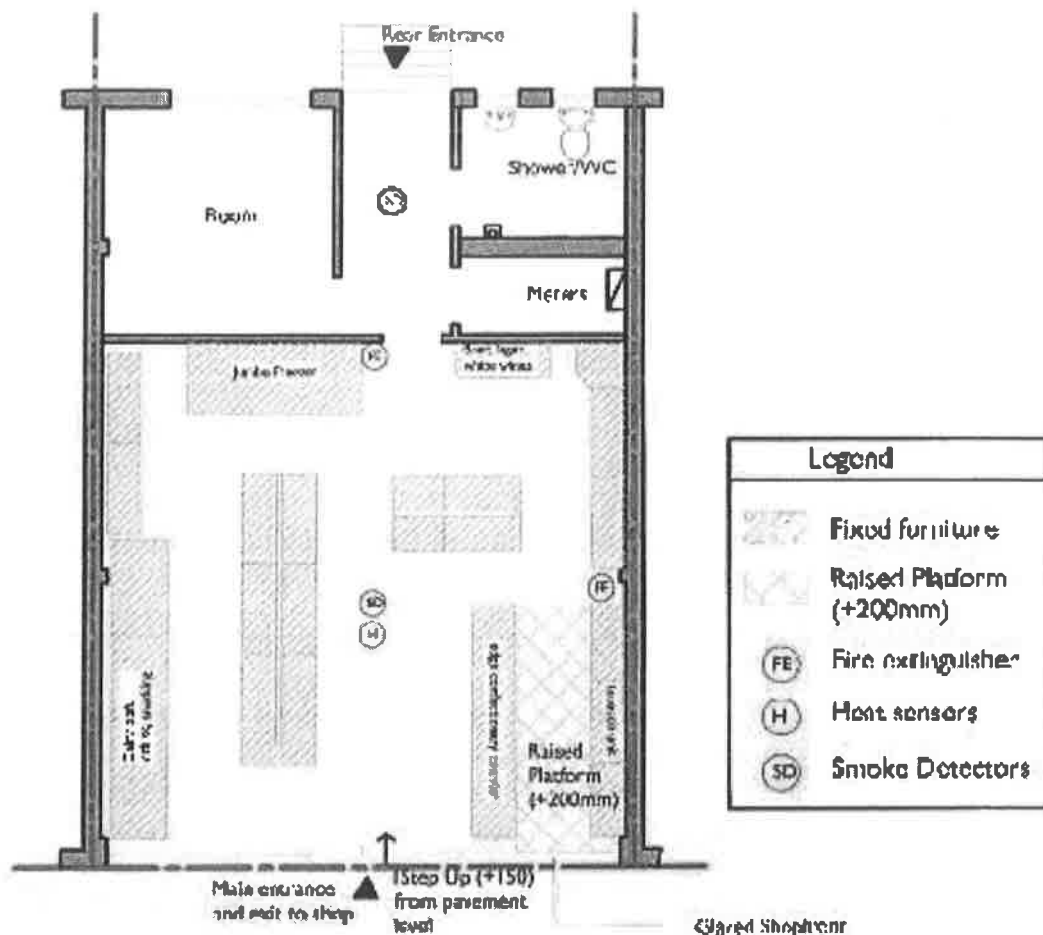
Not applicable

3 of 4

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#### Annex 4 – premises plans

Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:





## Part B

### Premises licence summary

Premises licence number

12414

### Premises details

Postal address of premises

Grange Express  
5 Grange Road Romford RM3 7DU

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Saturday – 08:00 to 23:00  
Sunday – 10:00 to 22:30

The opening hours of the premises

Monday to Sunday – 06:00 to 00:00

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

Off supplies only

Name, (registered) address of holder of premises licence

Ms Neelam Wanti Potiwal  
592 Eastern Avenue Ilford IG2 6PQ

Registered number of holder

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ms Neelam Wanti Potiwal

1 of 2

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State whether access to the premises by children is restricted or prohibited

Not applicable

2 of 2

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COPY



5 Grange Express



Scale: 1:1000  
Date: 20 October 2017  
Size: A4



London Borough of Havering  
Town Hall, Main Road, Romford, RM1 3BD  
Tel: 01708 434343

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**Havering**  
LONDON BOROUGH

**Application for the review of a premises licence 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/ Sasha Taylor**

**apply for the review of a premises licence under section 51 of the Licensing Act  
2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

**Postal address of premises or club premises, or if none, ordnance survey map reference or  
description**

**Grange Express 5 Grange Road**

**Post town Romford**

**Post code RM3 7DU**

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

**Ms Neelam Wanti Potiwal**

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

**12414**

## Part 2 - Applicant details

I am  
✓ Yes

Please tick

- 1) an interested party (please complete (A) or (B) below) ☐
- a) a person living in the vicinity of the premises ☐
- b) a body representing persons living in the vicinity of ☐
- c) a person involved in business in the vicinity of ☐
- d) a body representing persons involved in business the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A) below) ☐

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

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

Please tick ✓ ☐ yes

I am 18 years old or over ☐

Current postal  
address if  
different from  
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
Email (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address
Sasha Taylor Trading Standards Specialist Mercury House, Mercury Gardens Romford, Essex, RM1 3SL
Telephone number (if any) 01708 433479
Email (optional) sasha.taylor@haverling.gov.uk

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

**Please tick one or more boxes ✓**

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

**Please state the ground(s) for review (please read Guidance Note1)**

The London Borough of Havering Trading Standards Service is committed to preventing underage sales of alcohol within the Borough.

The trader has made two sales of alcohol to underage volunteers on 12th April 2017 and 4<sup>th</sup> August 2017. We believe that two failures within a short period of time demonstrates that the premises has failed in its duty to protect children from harm.

Please provide as much information as possible to support the application (please read guidance note 2)

This review relates to Grange Express situated at 5 Grange Road, Harold Hill, Essex. The shop is a small independent business situated in a row of shops next to a primary school in a largely residential area of Harold Hill. The designated premises supervisor (DPS) and premises licence holder is Ms Neelam Wanti Potiwal.

The premise is licenced to sell alcohol between the hours of 08:00 to 23:00 Monday to Friday and 10:00 to 22:30 on Sundays. Ms Potiwal has had the licence since January 2013. This Service feels a licence review is necessary as there have been two sales of alcohol to children within in four months. Both sales were made by the Mother of the DPS, Jessbir Kaur.

On 20th February 2017, the Trading Standards Service received intelligence from the Police that someone had been seen in a vehicle outside Grange Express handing over cigarettes to someone from the shop which were suspected to be illicit cigarettes.

On 23rd March 2017, Senior Trading Standards Officer Michelle Hammond and Trading Standards Officers Ann Bowes visited the shop to inspect the premises for illicit cigarettes and carry out a full inspection. On this day the DPS was not available as she was working in a large supermarket chain and only her mother, Ms Kaur, was present in the shop. No illicit tobacco was found. However during the visit it was noted that there was no refusal book available, no tobacco notice displayed and Ms Kaur did not know how to operate the CCTV system. As a result of these concerns the premises was put on the list to be visited on the next underage test purchasing exercise.

On 12th April 2017, Grange Express was visited as part of an underage sale test purchase operation. At approximately 13:35 hrs a 17 year old female volunteer entered the premises and was sold a bottle of Smirnoff Ice Vodka (4% alcohol Volume). The sale was made by Jessbir Kaur, the mother of the DPS. Ms Kaur did not request any identification or challenge the volunteer as to their age. 5 premises were visited during the operation and Grange Express was the only premises to sell to the underage volunteer. Ms Kaur she said she thought the volunteer looked 21 and received a fixed penalty notice in relation to the sale.

During the visit it was noted that the refusal book contained only blank sheets and there were no training records present. There was a challenge 25 poster displayed in the shop, however Ms Kaur's comments regarding the volunteer looking 21 would indicate that she either failed to understand or chose to ignore that a challenge 25 scheme was in operation.

The premises were sent a failure letter following the sale. A copy is produced in Appendix A.

As a result of the failed test purchase the premises licence holder was written to and invited to attend a meeting to discuss the failure. On 19th May 2017, Neelan Potiwal attended our offices at Mercury House, Romford. The meeting was led by Senior Trading Standards Officer Michelle Hammond. Also present was Trading Standards Officer Lee Slaney, and Licensing PC Belinda Goodwin. At this meeting the following matters were discussed:

**1.The role of the Designated Premises Supervisor.** Ms Potiwal did not know the four licensing objectives

**2.The sale of alcohol to the underage volunteer.** We spoke to the DPS about the sale of the alcohol to the volunteer and explained to her that when the Police and Trading standards re-entered the shop the seller of the alcohol Ms Jessbir Kaur said she thought the volunteer looked 20; PC Goodwin explained to the DPS that there was clearly a misunderstanding of what challenge 25 actually means as the seller did not ask the volunteer for any identification if she thought she looked under 20 and not 25.

**3.Staffing in the shop.** There are three staff members, Ms Potiwal, her mother and father. Ms Potiwal has a job within a large supermarket chain which and works 11 ½ hours per week, outside of the other employment. She works three days a week at Grange Express and said she is available at all other times. It was suggested that if other staff were personal licence holders and she kept a log of the hours she spent at the shop it would give confidence that she was adequately in control of the sale of alcohol and other age restricted products.

**4.Training of staff.** Ms Potiwal said she trained her mother and father every 6 months. However, there were no written records of training. She brought with her to the meeting a source of training which she uses within her other employment. This is a breach of the licence as it states training should be every 3 months.

**5.Refusal books/systems in place.** Ms Potiwal said that her refusal book was stolen during a robbery at the premises about a year ago and she had introduced a loose leaf log on 24th April 2017 which was 12 days after the sale to the volunteer. Only one member of staff had filled in this book. This was the same member of staff who sold the alcohol to the volunteer and the DPS had made no entries. The DPS said her father does not fill out the refusal book but your mother would do it on his behalf.

**6.CCTV.** Concerns were expressed that the DPS's mother and father did not know how to operate the CCTV system. However, the DPS stated that she does not feel that they need to know how to operate the CCTV system. It was explained to the DPS by PC Goodwin the importance of the CCTV system being accessible to the police if there were to be an incident at the premises. The DPS said that she would have an easier accessible CCTV system installed.

**7.Local issues to store.** Ms Potiwal expressed concerns regarding youths hanging around the store and a neighbouring business selling alcohol to underage or intoxicated people. Ms Potiwal explained that she had engaged with the local people by carrying out charity work and working with the local MP.

The following actions were agreed at the meeting:		
<b>Action</b>		<b>Person</b>
<b>Completed by</b>	<b>Date completed by</b>	
Provide challenge 25 pack (given at meeting)	19/5/17	Michelle Hammond
Sign up to challenge 25	14 days	Neelan Potiwal
Give written authorisation to all staff	1 day	Neelan Potiwal
Give training every 3 months and keep records (including CCTV)	7 days	Neelan Potiwal
Consider getting staff to hold a personal licence	14 days	Neelan Potiwal
Keep an incident log of issues in area	14 days	Neelan Potiwal
Keep a record of shifts, which staff are working at which times	14 days	Neelan Potiwal
<p>Following the meeting the trader was written to summarising the agreed action plan. A copy is produced in Appendix B.</p> <p>On 22nd May 2017, Ms Potiwal signed up to our challenge 25 code of practice. By signing this a trader is agreeing to comply with the London Borough of Havering's Challenge 25 Code of Practice for the supply of age restricted products. Within the pack there are posters that the trader can display within the shop area, advice on the current age restrictions for various products and information on how to prevent underage sales. A copy of the returned form is produced in Appendix C.</p> <p>On 26th June 2017, Michelle Hammond revisited the premises. The reason for this visit was to establish whether the agreed actions from the meeting on 19th May had been completed. When the officer arrived at Grange Express Mr Brem Singh Potinwal, the father of the DPS, was the only person present in the shop. During the visit the officer checked the refusal book. This had not been used for one month. The DPS was not present and she was working at her other employment. No training records were available and no-one had applied for a personal licence. The CCTV mouse was broken and had been broken since last week. Mr Potinwal said that he works in the shop alone and does not fill out the refusal book; he tells his wife or daughter to fill it out. Michelle Hammond asked the DPS to contact her to discuss the visit. To date the DPS has never made contact with the officer. A copy of the visit sheet is produced as Appendix D</p> <p>On 11th July 2017 the venue was revisited as part of an underage test purchase exercise. During the operation a 16 year old female volunteer was used. A male was working at the shop and refused the volunteer the sale of alcohol. When the volunteer approached the till he asked for her age and she replied 16. He informed her he could not sell to her. However it was noted that he failed to ask for Identification which is preferable to simply challenging for an age. Following the pass a letter was sent to the trader confirming the refusal. A copy is produced in Appendix E.</p>		

On 4th August 2017 the shop was again revisited as part of an underage sale operation. At approximately 14:05 hrs a 16 year old female volunteer entered the premises and was sold a bottle of 500ml Koppenberg cider with an alcohol content of 4%. The seller did not ask the volunteer their age or for any identification.

Following the sale Senior Trading Standards Officer Josile Munro, Trading Standards Officer Joy Afoke and Licensing Police Officer Oisin Daly returned to the shop to discuss the sale. When the officers introduced themselves a male came from out from the back of the shop shouting and complaining about the officers being there. The individual was quite agitated and the Police Officer had to intervene. The seller was identified as Ms Jessbir Kaur who had previously sold alcohol on 12th April 2017. The police did not feel it was appropriate to issue her with a second fixed penalty notice and this incident is being considered for legal action.

The premises were sent a failure letter following the sale. A copy is produced in Appendix F.

The trading standards service is concerned that there has been alcohol sold to two children on two occasions within only a few months. This is despite the attempt to engage with the trader during the meeting on 19th May 2017 and the visit on 26<sup>th</sup> June 2017. The DPS does not seem to have day to day control of running the business and is often away from the premises in other employment. The failings at the venue give the Trading Standards Service significant concerns as to their commitment to preventing underage sales and responsible alcohol retailing.

The sale of alcohol to minors puts them at significant risks. These risks include:

Alcohol poisoning, accidents and injuries, appearance and side effects, brain development and education, mental Health, use with other substances, vulnerability and liver damage. Source, drinkaware website, 'Know the risks of drinking alcohol underage'.

The trader appears to be unwilling or unable to successfully operate a Challenge 25 scheme despite numerous attempts by the Trading Standards Service to offer this valuable tool to the retailer. They have continued to operate without operating a refusal register even after the first underage sale and despite it being quite clear that this is an important part of their diligence.

There is a clear breach of the following conditions:

Annex 2:

Condition 2. Staff training shall be under constant review and shall be refreshed every three months. This is not being adhered to.

Condition 3 We have not seen any written training records for any staff

Condition 17 The refusal log is not being maintained. The person that makes the refusal should be the one writing in the refusal book it is not acceptable for the father to instruct someone else to write his refusal in the book. A refusal book is a way of the DPS checking her staff are asking for identification and making refusals of age restricted products.

The trading standards service has serious concerns regarding the operation of this venue and the attitude of the staff to the important licensing objective of protection of children from harm. The sale of alcohol to a minor is a criminal offence and gives cause for concern in relation to crime and disorder. The fact this has occurred twice is evidence that the operator is either unwilling or unable to change their manner of operation. The service has lost confidence in the management of this venue and believe that the failures are sufficiently serious that revocation of the licence should be considered. The premise has a relatively small volume of alcohol for sale and the business should be able to operate without selling alcohol.

If the committee do not feel this is appropriate then we would suggest that robust conditions are required to prevent further underage sales at the venue and that the licence should be suspended whilst the systems and procedures are brought up to standard.



Please tick ✓ yes

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

☐

When do you want the premises licence to start?

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

☐



Mr Paul Jones  
Havering Licensing Authority  
Mercury House  
Mercury Gardens  
Romford  
Essex  
RM1 3SL

**KD - Havering Borough  
KD - Romford Police Station**

Romford Police Station  
19 Main Road  
Romford  
RM1 3BJ  
Telephone: 01708-779171  
Facsimile:  
Email:  
Oisin.Daly@met.pnn.police.uk  
www.met.police.uk  
22nd September 2017

Dear Mr Jones,

**Police Representation to the Application for a review of a Premises Licence at Grange Rd Express, Grange Rd, RM3 7DU.**

The trading standards application for a review of the premises licence at Grange Rd Express primarily focuses on the sale of alcohol to children. Police echo these concerns given two sales in a short period of time.

Police also have concerns with inadequate CCTV and the fabrication of refusal logs to give the impression that staff are conducting age verification checks.

Police also have concerns regarding the management and their ability to uphold the licensing objectives, adhere to their licence conditions and manage a responsible business.

**The Prevention of Crime and Disorder**

**Poor management standards**

On the 04<sup>th</sup> August 2017 I assisted trading standards with a test purchase operation. I entered the shop following the failure of a test purchase along with trading standards colleagues. The female behind the counter was receptive when spoken to and aware of the situation. From a room at the rear of the shop a male exited, when he was informed that the shop had failed the test purchase he was instantly irate. He began to swear at trading standards officials, I told him to mind his language and he responded "they are breaking the f\*\*\*\*\*g law" in a loud voice towards trading standards officials. He continued to shout until he was calmed down by the female behind the counter. A short while later he returned to the front of the shop and began swearing loudly again. I told him to get out of the shop, as I walked him out I believed I could smell alcohol from his breath, when I questioned him he denied having consumed alcohol and said that it must have been what he had had for lunch. Outside I spoke to him and told him clearly that if did not calm down and stop

swearing I would arrest him for public order offences. He remained outside for the majority of the remainder of the visit.

The male in question is the husband of the server and is also employed at the premises, he is the father of the DPS.

### CCTV

Once inside the shop I assisted trading standards in conducting an inspection of the premises. The female behind the counter was unsure how to operate the CCTV, I used a remote mouse which was behind the counter to view CCTV contained on the system.

The CCTV itself was not compliant with the conditions on the licence, it was only recording for four days and not 28 as the licence stipulates.

Failures in a fully operating CCTV system have been highlighted before at the venue and have caused investigations to collapse. Excerpts from crime reports are detailed below and show a common theme.

CRIS: 5408492/16 21/05/2016, Report of commercial burglary at premises, alleged total value £30,000

Initial entry from crime report:

This was a report of a burglary to an off-licence discovered by the owner of the shop at approximately 10:09 on 21st May 2016. Mr Prem Potiwal and Ms Neelam Potiwal were opening their business, Grange Express Ltd, on 5 Grange Road, Romford when they discovered that they had been burgled. They had left the property locked up and shuttered. There is no alarm at the property. On entering the shop they saw that their display stand of cigarettes was empty and a cupboard underneath the stand had also been emptied of cigarettes. Money which they had kept in bags underneath the till was also missing.

Ms Potiwal estimated that the cigarettes in the display stand had an approximate value of £20,000 and the cigarettes in the cupboard below at approximately £8000. £2700 in cash was also stolen.

The cigarettes display stand and the underneath cupboard were not locked. The money was not in any locked facility

Officers attend venue two days after the burglary on behalf on detectives:

On 23/05/2016 at 09:30 hours officers from Heaton NPT returned to venue to complete CCTV enquires.

A USB memory card was taken to venue so that master copy of the CCTV could be seized and exhibited. The venues CCTV evidence has been DELETED.

Officers spoke to VIW1 and VIW2 who stated that they had authorised a local 11 year old boy by the name of "Travillion" to examine their CCTV. Travillion lives his nan somewhere on Grange Road and spent approximately 3 hours attempting to view the CCTV of the burglary. Apparently he is a "cadet" and asked if he could examine the evidence which they allowed.

All CCTV evidence from 10:00 hours on 22nd May 2016 has now been deleted and removed from the hard drive.

They were unable to show the CCTV of "Travillion" using their CCTV or give times of when he entered or left the premises.

The owners were questioned as to why they would allow an 11 year old child to use there CCTV system to examine and view vital CCTV evidence of a potential £30000 pound burglary within their premises and they could NOT provide an explanation.

It was pointed out to the owners that the venue is a licenced premises and CCTV MUST be recording and stored for a period longer than 24 hours.

5414643/16 30/08/2016, Report of shoplifting at venue.

Informant called police to report an IC3 male who had entered store and left with around £10.00 worth of stock without making any attempt to pay for these items. Officers attended and viewed the CCTV which showed good quality CCTV of suspect leaving the store with the items in his hands without making any attempt to pay. CCTV 2045 to 2048hrs.

Unfortunately at the time of reporting the male who downloads CCTV is in hospital. This is for an unknown duration. A cad cannot be created to retrieve CCTV and the viw has been told to contact police on 101 with the cad number and arrange an appointment for collection- please close this crime report until viw has contacted police with CCTV. This could be any time in the future with no date given

5409333/17 – 08/06/2017 Allegation of public order offences at venue.

The DPS called police and stated:

We have had a very aggressive male making threats towards my mum and says he will hit my mother, damage the shop and threatens to bomb the shop.

They do not know who he is and what he is capable of doing.

This was at 18:50hrs no one else was in the shop at the time.

We do not know his name and where he lives. We have him on CCTV description male - white male possibly mixed Muslim appearance, English speaking he is not eastern European and spoke a language one time that we have never heard him talk before."

This was recorded as a crime on the 08<sup>th</sup> June and an investigation commenced, however, on the 15<sup>th</sup> June the investigating officer stated on the crime report that there was no CCTV:

I telephoned Neelam. She is annoyed because she paid an expert £50 to download the CCTV and he accidentally deleted it. She said it cannot be retrieved. The Suspect has not returned since, and nor have they seen him. They do not know his name nor where he lives. I gave advice to call police if he returns, and explained that without anything to identify him or CCTV this crime will be closed.

### **Refusal log**

There was a refusal log at the premises and there were a number of entries recorded.

I found an entry from a couple of days before our visit and proceeded to view the corresponding CCTV footage. I searched half an hour before and after the time recorded in the refusal log, it was clear from CCTV there was no attempted sale at the time indicated on the log.

During the hours footage I watched there was only one customer in the shop.

Once the DPS arrived at the shop she informed me that it was her mother whose writing it was on the record and that she must have made a mistake when recording the time. Due to the limited CCTV available at the time it was not possible to cross reference any further records.

### **The Protection of Children From Harm**

As detailed in the trading standards report the venue has failed two test purchases in a relatively short period, the police have serious concerns about the management at the venue having the ability and want to run a responsible business.

In conclusion, the venue have failed two test purchases in spite of extensive education and training at a cost to the taxpayer, breached licence conditions repeatedly, been obstructive and abusive to trading standards officers and falsified records to give an impression of compliance.

The licence already has numerous conditions attached which should have acted a support for the management, however, they have failed to uphold the licensing objectives.

Bearing this in mind the police would also ask that the sub-committee give serious consideration to revocation of the licence.

If I can be of any further assistance please feel free to contact me

Yours sincerely,  
Oisin Daly  
PC 2364EA  
Licensing officer  
Havering

### **Licensing Act 2003 – responsible authority representation**

This representation is made by a responsible authority for the London Borough of Havering concerning a premises licence application for the premises as detailed below.

**Applicant:** Mrs S Taylor, Havering Trading Standards Service  
**Premises:** Grange Express 5 Grange Road Romford RM3 7DU

---

**Name:** Paul Jones  
**Organisation:** London Borough of Havering Licensing Authority  
**Address:** c/o Town Hall Main Road Romford RM1 3BD  
**Email:** paul.jones@haverling.gov.uk  
**Telephone no.:** 01708 432692

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#### **Representation summary:**

This representation is made in support of the application detailed above.

#### **Policy considerations**

##### **Licensing Policy 1**

In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:

- whether the premises is located in an area of cumulative impact;
- the type of premises and their cumulative impact on the area and the mix of premises in the area;
- the location of the premises and the character of the area;
- the views of the responsible authorities;
- the views of other persons;
- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.

##### **Licensing Policy 3**

The Licensing Authority has adopted a special policy relating to cumulative impact in relation to

- Harold Hill

This policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications specifically for off sales only that are likely to add to the existing cumulative impact will be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative

impact and not impact adversely on the promotion of the licensing objectives.

### **Licensing Policy 8**

When assessing the applicant's or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities
- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the licensing policy and their responsibilities under the Licensing Act 2003
- Is able to run their business lawfully and in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements

Where there is a history of non-compliance associated with the premises applicants will need to establish evidence of improvement in management standards and procedures.

### **Licensing Policy 10**

The Licensing Authority expects licensees to operate to the highest standards of management and to cooperate with responsible authorities to prevent:

- The sale of alcohol to underage children
- Drunkenness on premises
- Irresponsible drinks promotions

Where the Licensing Authority receives representations from responsible authorities that the management of a premises is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or anti-social behaviour the Licensing Authority will consider reviewing the licences to impose additional restrictions and controls to prevent or minimise the impact.

### **Licensing Policy 19**

The Licensing Authority will require consideration of measures to protect children from harm to be reflected in the operating schedule where applicants identify the need, having regard to their type of premises or licensable activities. Applicants for premises licences and club premises certificates authorising the admission of children without accompanying responsible adults will be required to submit a safeguarding children protection policy detailing the steps to be taken to ensure that children in their charge will be protected from harm when on licensed premises or engaged in activities relating to the licence.

### **Licensing Policy 20**

The Licensing Authority is committed to tackling the illegal sale of alcohol to children, including proxy sales when adults buy alcohol for children. Premises within 400 metres of schools or colleges should consider licence conditions to control the products offered for sale and on display in windows. It expects licensees to implement measures to Challenge 25 standard to reduce the likelihood of underage sales from their premises and will take appropriate action, including review of licenses, where sales persist.

### **Licensing Policy 25**

The Licensing Authority will apply the full range of powers available to it when a review of

a premise licence becomes necessary, including:

- Restricting hours of operation
- Removing licensable activities from the premises licence
- Imposing additional conditions
- Requiring the removal of a designated premises supervisor
- Suspending a licence
- Revoking a licence

### **Representation**

This representation is made in support of the application to review this premises licence made by Havering's Trading Standards department. The review application is based upon two under-age alcohol test purchase exercise failures made within 4 months of each other.

As a result of the review application being submitted a general licensing inspection was undertaken, conducted with the premises licence holder and designated premises supervisor (DPS) Miss Neelam Potiwal. The details of this inspection follow.

Licensing Policy 3 detailed above refers to the Harold Hill cumulative impact zone. The policy creates a rebuttable presumption that applications for new premises licences and certain variation applications will generally be refused unless it can be demonstrated that the operation of the premises will not add to cumulative impact or impact adversely on the promotion of the licensing objectives. Clearly this licence already exists but we should be alive to the fact that this premises lies within the Harold Hill cumulative impact zone and is the type of premises, i.e. an off-licensed premises, to which this policy specifically relates. We may therefore reasonably question whether this premises is adding to the cumulative impact of the current number of off-licensed premises in Harold Hill and adversely impacting upon the promotion of the licensing objectives in this area.

### **Complaint and inspection history (if applicable)**

The submission of a premises licence review application requires that the processing licensing officer installs a suitably worded notice at the premises. I undertook this task and encountered Miss Potiwal's father at the site. He was managing the premises alone at the time of my unannounced arrival. The attached statement details this encounter. I found Mr Potiwal to be aggressive while his use of foul language demonstrated little restraint. His behaviour suggested that he is less than suitable with regard to assuming the inherent responsibilities further to the demands of supplying alcohol to the public.

I arranged to meet Miss Potiwal at the premises at a later date and I conducted a full licensing inspection with Miss Potiwal, the premises licence holder and DPS. What emerged from this inspection was that Miss Potiwal has employment elsewhere so appears not to be in *day to day control* of the premises as required when one assumes the role of DPS. Instead it appears that the business is run predominantly by Miss Potiwal's parents. Mr Potiwal's temperament might appear to be at odds with the rigours of alcohol supply while Mrs Potiwal was the staff member who made both under-age alcohol sales during the Trading Standards' test purchase exercises.

Miss Potiwal confirmed that her mother has difficulty in assessing customers' ages so Miss Potiwal has voluntarily imposed a *Challenge 50* age verification policy when the standard age verification policy across the country is Challenge 25. The result of this is that anyone seeking to purchase alcohol who appears to Mrs Potiwal to be less than 50 years of age is required to be challenged to provide identification proving that they are over the age of 18.

While this might appear to be erring significantly on the side of caution we might reasonably question whether Mrs Potiwal is suitably equipped to sell alcohol given that the *Challenge 50* age verification policy gives a margin of error of an additional 32 years over and above the legal age limit of 18. The Licensing Authority might reasonably expect staff members engaged in the sale of alcohol to be able to assess a potential customer's age with a greater degree of accuracy than a 32 year buffer might imply. The fact that a *Challenge 50* policy has been imposed by Miss Potiwal suggests that there is little confidence in Mrs Potiwal's ability to appropriately restrict alcohol supplies if it is felt that Mrs Potiwal is unable to tell whether a 50 year old may conceivably be under-age.

The outcome of the licensing inspection was that the licence conditions were broadly in compliance; however, during a period when Ms Potiwal was on the shop floor and I was alone in the rear room of the premises I noticed a large machete located here (please see attached photograph). The machete was not fastened to the wall as if it was a decorative item; instead it was placed in an upright position, handle uppermost, its blade loosely retained behind the skirting board immediately adjacent to the room's entrance, apparently affording quick and easy access to it without an individual having to step into this rear room. The presence and location of this weapon naturally gave me some cause for concern given Mr Potiwal's apparently volatile nature of which I had recent experience and his apparent status as shop manager.

### **Summary**

While the outcome of my licensing inspection did not reveal major compliance failures further to the premises licence's conditions what is incontrovertible is that two under-age alcohol test purchase failures occurred at this premises within a short space of time. The apparent response of the premises' management, i.e. Mr Potiwal, was one of hostility rather than one of co-operation. The premises licence holder and DPS is employed elsewhere so appears not to have a day-to-day involvement at the premises where staff members may be monitored, controlled and supported. It is therefore difficult to determine the actual operating mechanism of this premises as it might appear that Miss Potiwal's name appears on the licence while the premises is actually being managed by her parents.

Of Miss Potiwal's parents, one made the two under-age alcohol sales and is now required to regulate alcohol sales via a *Challenge 50* age verification scheme. The other parent has demonstrated a hostile approach to local authority officers. Additionally, a machete is located on the premises which is a serious cause for concern in itself.

Based upon these issues it is difficult for this licensing authority to retain confidence that the licensing objectives are being suitably promoted at this premises. That being the case we might reasonably assess whether we can conclude that this premises is having an adverse impact upon the promotion of the licensing objectives and is therefore contributing to cumulative impact in Harold Hill.

### **Other documents attached**

- Licensing Officer witness statement
- Photograph of machete

**Signed** *Paul Jones*

**Dated** 18<sup>th</sup> October 2017



# Havering

LONDON BOROUGH

## STATEMENT OF WITNESS

(Criminal Procedure Rules r27.1(1);  
Criminal Justice Act 1967, s.9, Magistrates' Court Act 1980, s.5B)

Statement of (name of witness)...Paul Jones.....

Age if under 18 (if over 18 insert "over 18") ...Over 18.....

Occupation of witness ...Licensing Officer.....

This statement, consisting of two pages each signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything I know to be false or do not believe to be true.

Dated.....25<sup>th</sup> September 2017.....

Signed..........

I am a Licensing Officer for the London Borough of Havering. I have been employed in this role since September 2005. My duties include monitoring premises for compliance with the Licensing Act 2003 (*the Act*) and processing various applications made under the provisions of the Act. Further to this latter duty I received on 21<sup>st</sup> September 2017 an application to review the premises licence numbered 12414 for *Grange Express* located at 5 Grange Road Romford RM3 7DU. The application was submitted by Havering's Trading Standards Service. One of the requirements further to such an application requires the licensing authority to install a suitably worded notice for public display at the premises the day following the application's submission. Therefore at approximately 10:45 on 22<sup>nd</sup> September 2017 I arrived at *Grange Express* with a copy of the notice. Standing in the doorway of the shop was an elderly man who was smoking a cigarette. He moved to allow my access. There was no other person visible on site. I asked him if I might speak to the premises licence holder, Ms Neelam Potiwal. I was advised that she was not there. I identified myself to the man and explained the purpose of my visit. I asked his permission to install the public notice in the shop window. He agreed to this. I got his further permission to go behind the counter whereupon I taped the notice to the inside of the window, next to the premises licence already displayed there. As I was installing the notice he passed me a phone and made an upward gesture with his chin which I interpreted to mean that he would like me to speak to whomsoever was on the other end of the proffered phone. I identified myself to the other person and

Signed ..........

asked to whom I was speaking. "Neelam," the voice said. "I own the shop." I explained the reason for my presence. Ms Potiwal said she would be at the shop in ten minutes. I agreed to wait. Ms Potiwal advised me that the elderly man with whom I had been interacting was her father. Having installed the notice I left the counter area. Ms Potiwal's father had been standing in the shop while I spoke to his daughter. He had been smoking for the duration of the call. I reminded him that it was a criminal offence to smoke in an enclosed premises such as this. He stepped out of the shop onto the pavement. I followed him outside and waited for Ms Potiwal in front of the notice I had just installed. Ms Potiwal's father came over and read the notice. "Will they close the shop?" he queried. I advised that the convenience store could not be closed by a premises licence review; however, the premises licence was at risk. "It's a f\*\*\*ing sh\*t thing they did," he said. "It's against the f\*\*\*ing law to send children to buy alcohol. All over the world it's against the law." I began to explain that it was most certainly not against the law as s.149(2) of the Act makes specific provision for under-aged persons to purchase alcohol during test purchase initiatives. As I spoke the man interrupted me: "It's against the f\*\*\*ing law," he said. "Children can't have a f\*\*\*ing job so how can they be used to buy f\*\*\*ing alcohol? It's against the f\*\*\*ing law." I decided not to pursue the discussion regarding the legal legitimacy of the two recently failed under-age alcohol test purchases at the premises. A short while later premises licence holder and designated premises supervisor Ms Neelam Potiwal arrived. I identified myself to her, explained the purpose of my visit and the procedural aspects of the review application. I talked her through the blue notice. As I was explaining to Ms Potiwal that the review application had been submitted by Havering's Trading Standards Service in response to the two failed test purchases her father said, "F\*\*\* them. F\*\*\* them all. I'll shut the f\*\*\*ing shop." Ms Potiwal asked her father to be quiet. I advised Ms Potiwal to seek independent legal advice further to the review application. Having explained the review process to Ms Potiwal and having successfully installed the public notice I left the premises.



NOTE: Wherever possible statements should be on foolscap paper. If statements are typed double spacing should be used. Once side only of the paper should be used; a space should be left at the top of the first page for headings to be entered by the clerk of the court [justices' chief executive to the court]; and each page should have a wide margin on the left.

*Formerly form 13, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 70 of the Magistrates' Courts Rules 1981, Section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Act 1980.*

Signed ...







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 5 – Signatures** (please read Guidance Note 2)

**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 ..... Date 21/09/17

Capacity Tradin (London) specialist

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read Guidance Note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e mail your e mail address (optional)</b>	
<u>Sara.taylor@haverimgov.uk</u>	

**Guidance Notes**

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.

**All correspondence to be sent to :**

Licensing Section  
Environmental Health Service  
London Borough Of Havering, Town Hall  
Main Road Romford RM1 3BD

Tel 01708 432777

## London Borough of Havering Responsible Authorities

Metropolitan Police The Licensing Office Romford Police Station 19 Main Road Romford, Essex RM1 3BJ	Fire Safety Regulation North East Area 2 London Fire Brigade 169 Union Street, London SE1 0LL
Licensing, Public Protection, London Borough Of Havering, Town Hall Main Road Romford RM1 3BD	Health & Safety Section Environmental Health Service London Borough Of Havering, Town Hall Main Road Romford RM1 3BD
Public Health Environmental Health Service London Borough Of Havering, Town Hall Main Road Romford RM1 3BD	Trading Standards Service London Borough Of Havering, Town Hall Main Road Romford RM1 3BD
Planning Control & Enforcement London Borough Of Havering, Town Hall Main Road Romford RM1 3BD	Children & Families Service London Borough Of Havering, Town Hall Main Road Romford RM1 3BD
Public Health (Alcohol Lead) London Borough Of Havering, Town Hall Main Road Romford RM1 3BD	Alcohol Licensing Team, Luna House, 40 Weesley Road, Croydon, CR9 2BY



Ms Neelan Wanti Potiwal  
T/A Grange Express  
592 Eastern Avenue  
Ilford  
Essex  
IG2 6PQ

**Public Protection**  
London Borough of Havering  
Town Hall  
Main Road  
Romford  
RM1 3BD

t 01708 432777  
e [trading\\_standards@haverling.gov.uk](mailto:trading_standards@haverling.gov.uk)  
text relay 18001 01708 432777

Date 21 July 2018

Dear Madam

[www.haverling.gov.uk](http://www.haverling.gov.uk)

**Licensing Act 2003**  
**Supply of Alcohol to Minor**  
**Grange Express, 5 Grange Road, Harold Hill, Romford, Essex RM3 7DU**

You will recall that on 12<sup>th</sup> April 2017, officers from this Service visited the above shop of which you are the Designated Premise Supervisor. This was part of an underage alcohol test purchasing exercise. During the visit a member of your staff, Ms Jessbir Kaur, sold alcohol to a person under the age of eighteen, this sale was witnessed by an officer from Trading Standard.

Section 146 of the above act makes it an offence to sell alcohol to someone under the age of 18.

*The maximum penalty for selling alcohol to a person under 18 is a fine of £5000.*

If you sell to under 18's 'persistently', that is twice in any 3-month period, the maximum penalty is £20,000. Alternatively, an offer to accept closure for alcohol sales of a minimum of 48 hours up to a maximum of 14 days may be made in lieu of prosecution.

The Courts may suspend or revoke personal licences. Fixed Penalty notices can be issued by the police to persons who sell alcohol to under 18's and those who buy for under 18s.

I would therefore strongly advise you to ensure staff are fully trained and whoever may be operating the cash till requests identification from young customers before completing any sales. This should immediately confirm a person's age and help establish whether or not a sale should be refused.

On this occasion this Service does not intend pursuing any further criminal action however the information I have offered will be retained on file and any future infringements will be considered in light of this correspondence.



**This warning is for the criminal offence only and this service may, if it is considered appropriate, apply for review of personal and/or premises licences which may result in removal of a DPS, additional licence conditions, and/or a suspension of licence for up to 3 months. If considered appropriate, licences can be revoked.**

This Service continually carries out underage sales surveys that enlist the help of children under the prescribed ages. As your venue has now FAILED it is very likely that your premises will be inspected in the future.

Staff training is an important and effective way to help uphold the licensing objectives and prevent underage sales. There is an online course approved by the Chartered Trading Standards Institute £15+vat per person, and can obviously been completed at the convenience of the student

Please visit [www.tradesimple.org.uk](http://www.tradesimple.org.uk) for further details.

If you do have any queries regarding the above please contact me on the above telephone number.

Yours faithfully



Michelle Hammond  
Senior Trading Standards Officer





Ms Neelan Wanti Potiwal  
T/A Grange Express  
592 Eastern Avenue  
Ilford  
Essex  
IG2 6PQ

**Public Protection**  
London Borough of Havering  
Town Hall  
Main Road  
Romford  
RM1 3BD

t 01708 43277  
e trading.standards@haverling.gov.uk  
text relay 18001 01708 432777

Date 25<sup>th</sup> May 2017

Dear Madam

[www.haverling.gov.uk](http://www.haverling.gov.uk)

**Licensing Act 2003**  
**Supply of Alcohol to Minor**  
**Grange Express, 5 Grange Road, Harold Hill, Romford, Essex RM3 7DU**

Thank you for attending the meeting on 19<sup>th</sup> May 2017 which was held due to the sale of alcohol to an underage volunteer on 12<sup>th</sup> April 2017. As part of this meeting we discussed your licencing conditions and your companies' policy and procedures.

**Present at the meeting were**

Name	Position	Organisation
Michelle Hammond	Senior Trading Standards Officer	Trading Standards
Lee Slaney	Trading Standards Officer	Trading Standards
PC Belinda Goodwin	Licencing Officer	Metropolitan Police
Neelan Potiwal	DPS	Grange Express

The following issues were discussed at the meeting:

**1. Role of the DPS**

- a. You were unable to identify the four licensing objectives

**2. Sale of Alcohol to underage Volunteer**

- a. I explained that I had selected your store for an underage sale survey after my visit on 23<sup>rd</sup> March 2017 when there was no refusal book and the member of staff (your mother) could not work the CCTV.



- b. After the sale when the Police and Trading Standards re entered the shop and explained that the sale had taken place. The seller of the alcohol, Ms Jessbir Kaur (your mother) said she thought the volunteer looked 20; however PC Goodwin asked therefore why age/id was not asked for as the shop displays challenge 25 signs.

### **3. Staffing in Shop**

- a. You said that there are 3 members of staff including yourself, the other two member of staff are your mother and father, there was not shift log.
- b. You stated that have a job within Tesco organisation which is for 11½ hours per week and outside of your shops operating hours. You work full 3 days per week in your shop and are available at all other times.
- c. I did express concerns over you working at another organisation and no other member of staff having a personal licence.
- d. It was suggested that if your other staff were personal licence holders and you keep a shift log including a record of the hours you spend at the shop it would give confidence that you are adequately in control of the sale of alcohol and other age restricted products.

### **4. Training of Staff**

- a. You said that you train staff every 6 months; there are no written records of this training.
- b. You brought along a source of training which you use within your employment with Tesco.
- c. It was noted that on your licence training should be every 3 months and records should be kept.

### **5. Refusal Books/Systems in place**

- a. You explained that your refusal book was stolen during a robbery of your business premises approximately a year ago. You had introduced a loose leaf refusal log on 24 April 2017 which was 12 days after the sale to the volunteer. Only one member of staff had filled in this book. This was the same member of staff who sold the alcohol to the volunteer and you had made no entries. The third member of staff, which is your father you explained would not fill the book out, your mother would do on his behalf.

### **6. CCTV**

- a. I expressed concerns that your mother could not operate the CCTV system during my visit on 23<sup>rd</sup> March 2017.
- b. You did not feel that your mother or father needed access.



- c. PC Goodwin explained the importance of the CCTV being accessible to police.
- d. You said that you would have an easier accessible CCTV system installed.

#### 7. Local Issues to store

- a. You expressed concerns regarding youths and a neighbouring business selling alcohol to underage or intoxicated people.
- b. You also had concerns on youths hanging round the store.
- c. During the meeting you explained how you had engaged with the local people by carrying out charity work with Wish line and working with the local MP
- d. You felt this had helped reduce violence and crime but not had effect on underage sales.

#### The following actions were agreed at the meeting

Action	Person completed by	Date completed by
Provide Challenge 25 pack (given at end of meeting)	Michelle Hammond	19/5/17
Sign up to Challenge 25	Neelan Potiwal	14 days
Give written authorisation to all staff	Neelan Potiwal	1 day
Give training every 3 months and keep records (including CCTV)	Neelan Potiwal	7 days
Consider getting staff to hold personal licence	Neelan Potiwal	14 days
Keep an incident log of issues in area	Neelan Potiwal	14 days
Keep a record of shifts, which staff are working at which times	Neelan Potiwal	14 days

If you wish to discuss the contents of this letter please do not hesitate to contact me.

Yours faithfully

*M Hammond*

Michelle Hammond  
Senior Trading Standards Officer





**Havering**  
LONDON BOROUGH

APP C  
106

**Public Protection**  
Trading Standards  
Town Hall, Main Road  
Romford  
RM1 3BD  
Hau  
Telephone: 01708 432777  
Fax: 01708 432554  
email: trading.standards@haverling.gov.uk

Date:

### CHALLENGE 25 CODE OF PRACTICE

Trading Name: Grange express Ltd.

Address: 5 Grange Road.  
Harold Hill  
Romford  
RM3 7DU

Telephone Number: 07957437506

Owner/Manager: Meelan Pothuwal

I/we agree to comply with the London Borough of Havering's Challenge 25 Code of Practice for the supply of age restricted products. I/we understand that approval notices can be withdrawn by the Local Authority for any breach and that ownership of the notices rest with the London Borough of Havering.

Signed: [Signature]

Name Printed: Meelan Pothuwal

Date: 22/5/17

THANKYOU FOR COMPLETING THIS FORM

19743



Trading Standards

Town Hall

Main Road

Romford

RM1 3BD

Telephone

Fax

Email: trading.standards@havering.gov.uk

No: TS/ 5930

01708 43 4356

01708 432554

## INSPECTION REPORT

Trading Name: GRANGE EXPRESSAddress: 5 Grange Road Harold Hill RM3 7DMDate & Time of Inspection 26.6.2017 Type of Premises: OFF LICENCESeen / Interviewed: BREM SINGH POTWAL Licence Cat:

This report only covers the areas inspected at the time of visit. It does not necessarily signify compliance with any matter arising under any areas/legislation mentioned below. Comments should not be assumed to apply to any matters other than those specified. Further advice regarding this inspection may be given by letter.

### AREAS OF INSPECTION INDICATED BELOW

Consumer  
SafetyFair  
TradingWeights &  
Measures

Licensing



Other



### INSPECTION POINTS/COMMENTS (Including details of samples)

Refusal book signed not been used for one month  
DPS not present - working at tesco not available.  
no training records available.

no personal licences applied for  
CCTV - mouse is broken cant show now it works - been  
broken since last week.  
works alone in shop - does not fill out refusal book tells wife  
and daughter if refuses sale.

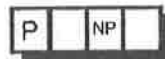
Leaflets



Information Pack



Other

Inspection  
Type

COPY OF letter 25 May 2017 left

Officers Signature M Hammond

Name: M HAMMONDS

01708  
Tel: 434356Received by: pyDate: 26-6-2017Corrective action to be taken (date) contact me to discuss visit.



Grange Express  
5 Grange Road  
Romford  
RM3 7DU

**Public Protection**  
London Borough of Havering  
Town Hall  
Main Road  
Romford  
RM1 3BD

t 01708 434 423  
e [trading.standards@havering.gov.uk](mailto:trading.standards@havering.gov.uk)  
text relay 18001 01708 432777

Date: 12<sup>th</sup> July 2017

My Reference MAU018981

[www.havering.gov.uk](http://www.havering.gov.uk)

Dear Sir/Madam

**Retailer of Age Restricted Products**  
**Notification of Test Purchase Result - PASS**

This service recently conducted a compliance check on your business by means of a test purchase exercise. I am pleased to advise you that the young person's attempt to access an age restricted product was refused.

This letter provides details of the test purchase exercise, which I hope will be of value to your business in reinforcing to your staff the importance of understanding the legal requirements of challenging customers for proof of age in line with your procedures:

<b>Premises</b>	GRANGE EXPRESS 5 GRANGE ROAD ROMFORD RM3 7DU
<b>Exercise conducted</b>	5 <sup>TH</sup> JULY 2017 TIME: approx 3:50pm
<b>Reason for the exercise</b>	<i>To check compliance with regulations affecting the sale of alcohol to persons under the age of 18.</i>
<b>Age restricted product/ service</b>	Alcohol

<b>Test purchaser</b>	Female aged 15
<b>Sales staff involved</b>	<i>Man behind the counter at approx 3.50pm</i>
<b>Proof of age</b>	<i>Asked</i>
<b>Response to questions on age</b>	Sale refused.

Should you require any advice or information on complying with the law on age restricted products and services please contact Joy Afoke at the above email address.

Yours faithfully



**Mrs Joy Afoke**  
**Trading Standards Officer**



**Public Protection  
Trading Standards**

London Borough of Havering  
Town Hall  
Main Road  
Romford  
RM1 3BD

Ms Neelan Wanti Potiwal  
T/A Grange Express  
592 Eastern Avenue  
Ilford  
Essex  
IG2 6PQ

t 01708 433428  
e ann.bowes@havering.gov.uk  
text relay 18001 01708 433428  
Date: 9<sup>th</sup> August 2017

[www.havering.gov.uk](http://www.havering.gov.uk)

**Licencing Act 2003  
Notification of Test Purchase Result – Fail**

This service has recently conducted a compliance check on your business by means of a test purchase exercise. I have to advise you that the young person's attempt to access an age restricted product successful.

This letter provides details of the test purchase exercise, which I hope will be of value to your business in reinforcing to your staff the importance of understanding the legal requirements and of challenging customers for proof of age in line with your procedures:

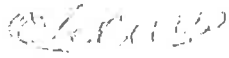
<b>Premises</b>	Grange Express, 5 Grange Road, Harold Hill
<b>Exercise conducted</b>	Thursday 3 <sup>rd</sup> August 2017 at approximately 14:05
<b>Reason for the exercise</b>	Previous sale has been made
<b>Age restricted product/ service</b>	alcohol
<b>Test purchaser</b>	16 years
<b>Sales staff involved</b>	Male
<b>Proof of age</b>	The gentleman behind the counter did not ask the volunteer for any identification.
<b>Response to questions on age</b>	The gentleman behind the counter did not ask the volunteer her age.

Clean • Safe • Proud

apply ▼ pay ▼ report  
[www.havering.gov.uk](http://www.havering.gov.uk)

Should you have any queries about this matter please do not hesitate to contact me on the details above.

Yours sincerely



Ann Bowes

Trading Standards Officer

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apply ▼ pay ▼ report ▼  
[www.havering.gov.uk](http://www.havering.gov.uk)





SPECIAL OFFER  
PIANT M...  
CAPITAL  
£5.99 per  
2 FEB 10

Preserved  
to drink? stop!  
Get help  
Drink now!

Drinking is  
harmful to  
you &  
others!

PLEASE  
DO NOT  
ENTER  
THIS SECTION  
WITHOUT I.D

pressured  
to drink? stop!  
Get help  
Speak to us!

Drinking is  
harmful to  
you &  
others!



2.99

8  
FOR  
\$7

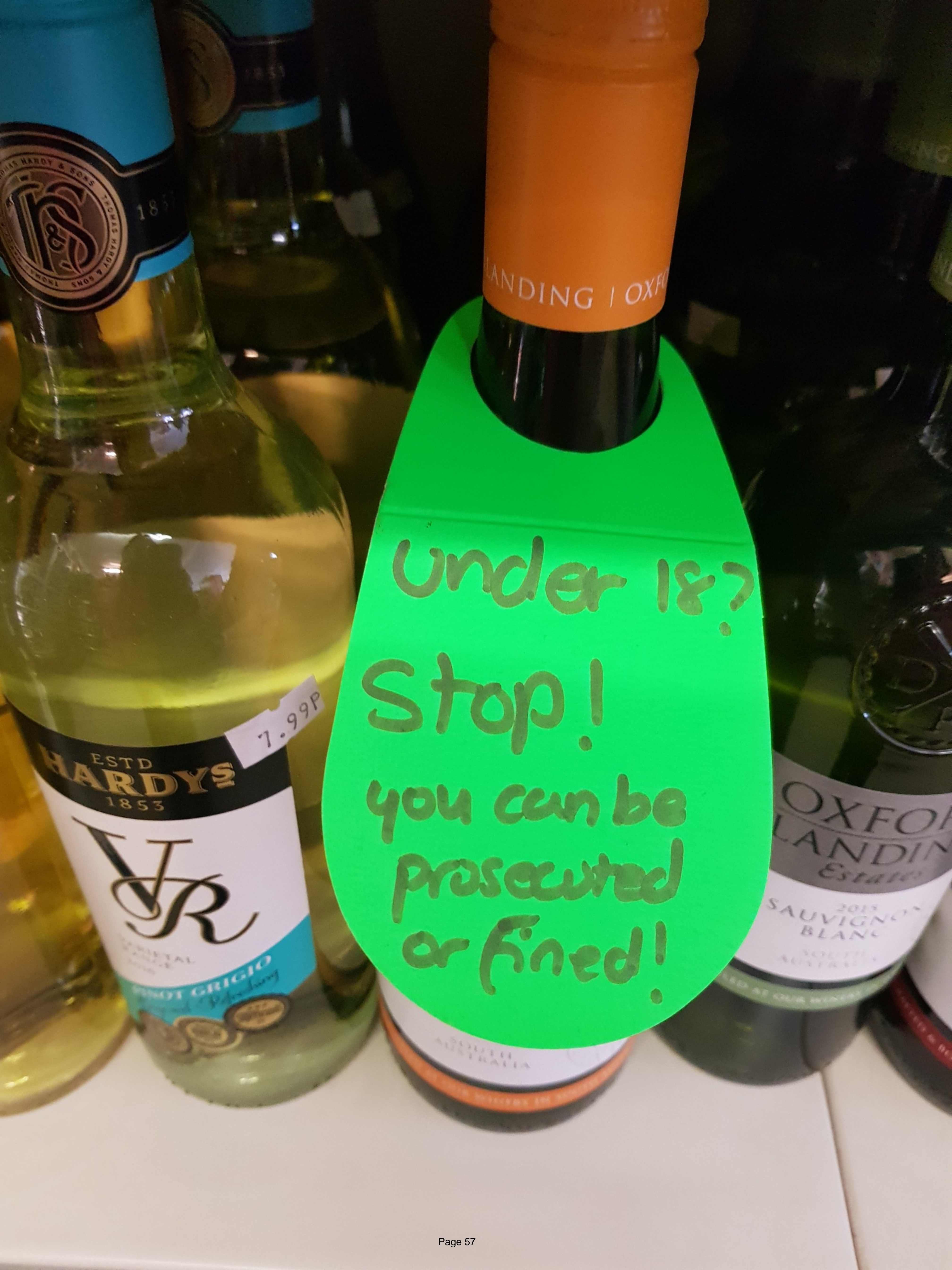
HOLSTEIN

DRINKING  
Problem?  
— — —  
Speak to Nedon  
for ways to  
help

STIRAZ  
CALIFORNIA  
13.5% vol.  
13.5% alc./vol.  
WINE/PRODUCT OF U.S.A. • VIN/PRODUIT DES É.U. • RED WINE

Under 18?  
it is illegal to  
Drink under  
18 ! stop!

21 OUT OF DATES  
TER £ 1.



Under 18?  
Stop!  
you can be  
prosecuted  
or fined!

IT-CN 5680

Felt

Drink  
Driving Kills  
940 people  
a year in  
GB.

SOFT & FRUITY  
RED WINE

7.99

ESTD  
**HARDYS**  
1853

**VR**

VARIETAL  
RANGE  
2016

ROSÉ  
Fresh and Vibrant

Drinking  
issue - you can  
get help from  
your GP

Drinking  
kills yours  
organs over  
years!  
Live along  
LIFE

.99



BARREFOOT.





it's illegal to  
buy alcohol  
for persons  
under 18!

9.99

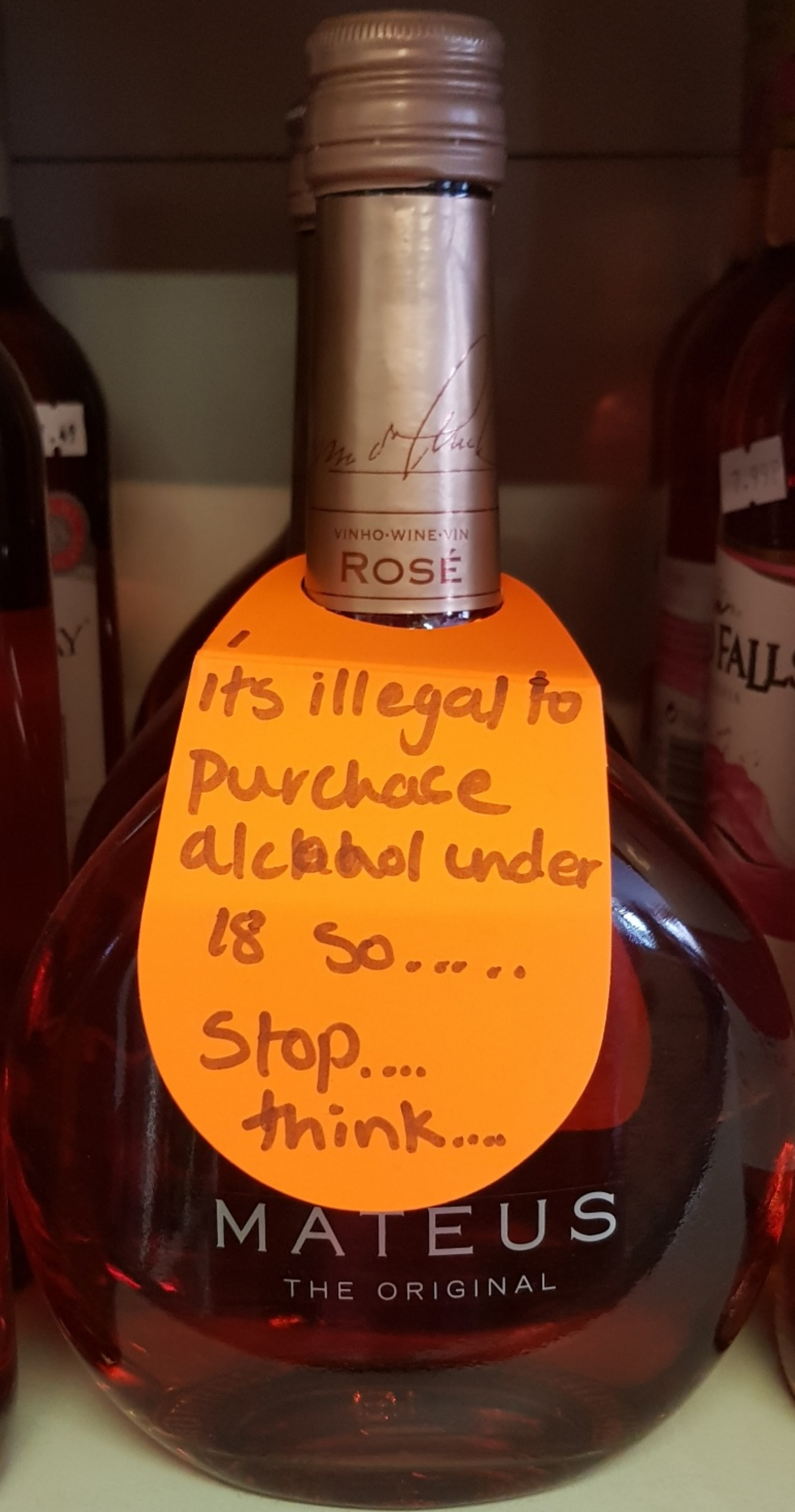
ITALIA  
**DINO**  
*Prosecco*  
DENOMINAZIONE DI ORIGINE CONTROLLATA  
BRUT

EDIZIONE N°9

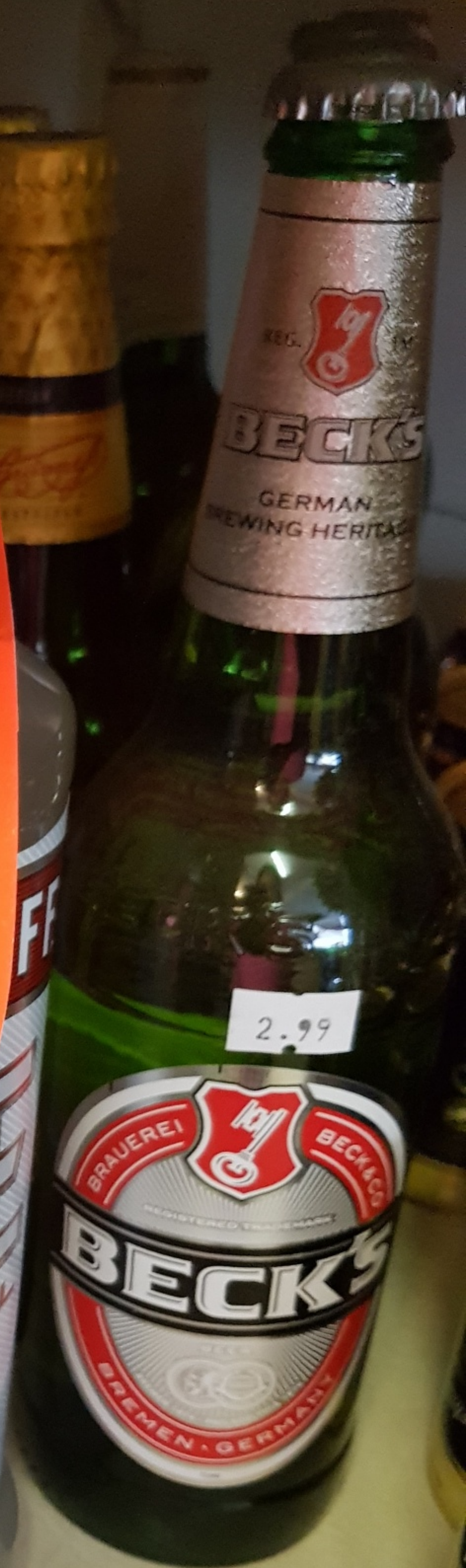
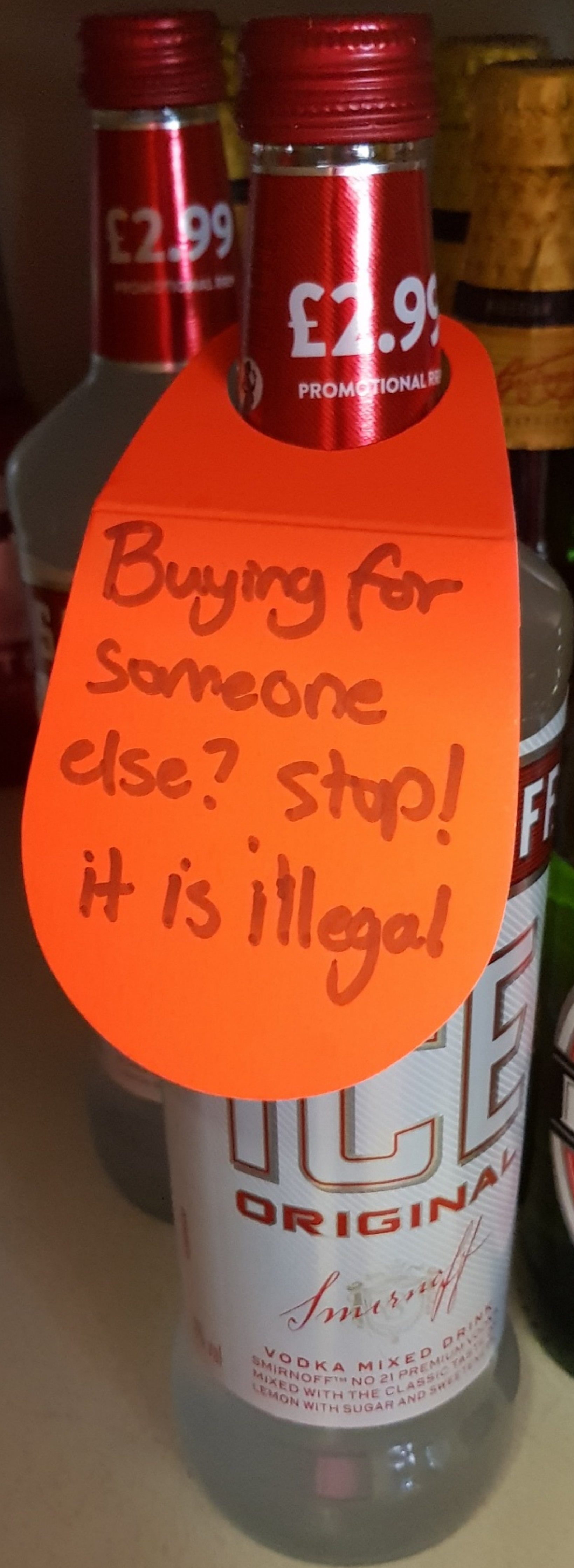
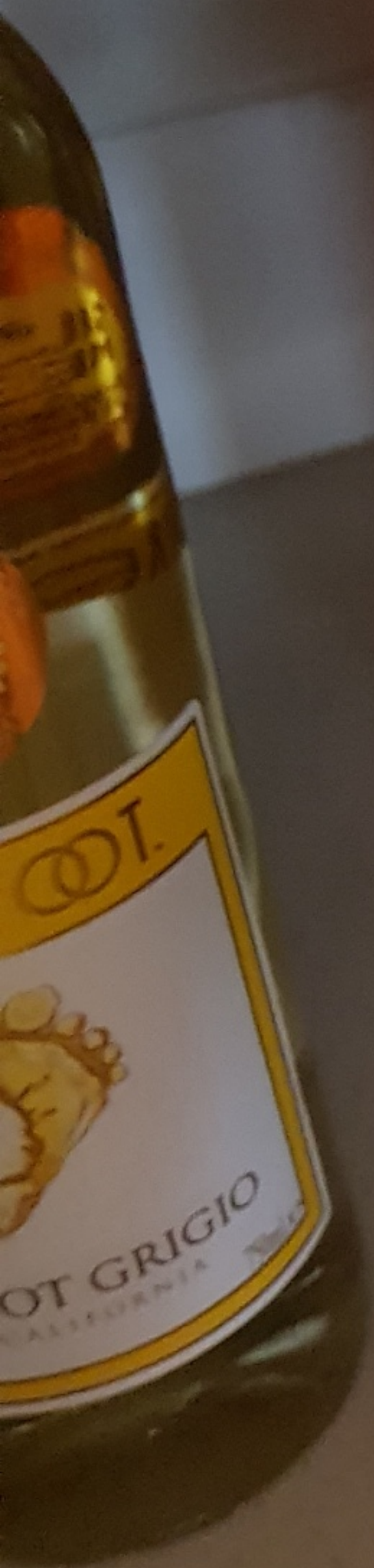
CASA ROSCOLI  
**PROSECCO**  
FRIZZANTE  
PRODUCT OF ITALY

CASA ROSCOLI  
**PROSECCO**  
FRIZZANTE  
PRODUCT OF ITALY

9.99



Buying for  
someone  
else? stop!  
it is illegal



SEMILLON CHARDONNAY

VINTAGE 2013

Named after Jacob's Creek,  
site of Johann Gramp's first vineyard

SOUTH EASTERN AUSTRALIA

WINEMAKERS SINCE 1847

Gramp & Sons

VINEYARD SELECTION

Lion's Gate Sauvignon Blanc Semillon is made  
from grapes grown in the sun drenched  
vineyards of South Africa's Western Cape.  
A fresh, fruity wine with aromas of guava and  
peaches with a hint of grassiness on  
a well-balanced palate.

2014

SAUVIGNON BLANC  
SEMILLON

WINE OF ORIGIN WESTERN CAPE  
SOUTH AFRICA

RESERVA

Casillero  
del  
Diablo

CHARDONNAY / 2013  
CHILE

CONCHA Y TORO

7.99

SPARKLING APERITIVO  
WITH THE DELIGHTFUL AROMAS OF  
LAVENDER, MINT AND CUCUMBER

PERISECC

Cucumber

Bored?

Want a drink?

Stop! It's  
harmful

7.99P

KUMALA

ROSÉ

ESTD  
HARDY  
1853

VR

VARIETAL  
RANGE  
2016

ROSÉ  
Fresh and Vibrant

Black  
Tower

ISLA NEGRA

Merlot  
2014 CHILE

SILVER  
POINT



Drinking  
Isn't Fun or  
Cool!





NO I.D - NO SALE

Under 18? you won't get more friends by drinking

NO I.D - NO SALE SIMPLE!



its illegal to purchase alcohol under 18 so.... stop... think...

Drink Driving kills 940 people a year in GB.

Drinking issue - you can get help from your GP

SPECIAL OFFER PINOT MELOI CAPITAL £5.99 per 2 FEB 10

Drinking problem? speak to someone for help

NO I.D - NO SALE

Under 18? Stop! you can be prosecuted or fined!

Under 18? you could get into a lot of trouble!



Under 18? It is illegal to drink under 18! stop!

Drinking problem? speak to someone for help