



LICENSING SUB-COMMITTEE GIDEA PARK GROCERIES - REVIEW

AGENDA

10.30 am	Friday 4 January 2013	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Pam Light
Linda Van den Hende

**For information about the meeting please contact:
James Goodwin - 01708 432432
james.goodwin@haverling.gov.uk**

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF PECUNIARY INTERESTS

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

Members may still disclose any pecuniary 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)

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 40)

Review of the Premises Licence for Gidea Park Groceries, 628 Upper Brentwood Road, Gidea Park, RM2 6HS.

**Ian Buckmaster
Committee Administration & Member Support
Manager**



LICENSING SUB-COMMITTEE 4 January 2013

REPORT

Subject Heading:

Procedure for the Hearing
Licensing Act 2003

Report Author and contact details:

James Goodwin – Committee Officer
01708 432432
James.goodwin@havering.gov.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. Representation validation meeting:

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the review application or any representation.
- 3.2 During this representation validation meeting, no decision will have been made or discussion held regarding the substantive merits of the review application or representations.

4. Location and facilities:

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

5. Notification of attendance:

- 5.1 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.

6. Procedural matters:

- 6.1 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.

- 6.2 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.**

7. Failure of parties to attend the hearing:

- 7.1 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.

8. Adjournments and extension of time:

- 8.1 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:

- Applications for conversion of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being rejected;
- Applications for conversion of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being rejected;
- Applications made by holders of justices' licences for personal licences must be determined within 3 months of the application first being received. In default of a decision not being made within this period the application will be treated as being granted;
- 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.

9. Sub-Committee's determination of the hearing:

- 9.1 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.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 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.

10. Power to exclude people from hearing:

- 10.1 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.

11. Recording of proceedings:

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

12. Power to vary procedure:

- 12.1 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

- Section 1 - Licensing Officer's report
- Appendix 1 - Copy of the Application
- Appendix 2 - Map of the Local Area
- Appendix 3 - Representations from Responsible Authorities

Licensing Sub-Committee

Section 1 - Licensing Officers Report



LICENSING SUB-COMMITTEE

REPORT

4 January 2013

Subject Heading:

Report Author and contact details:

- Review of the Premises Licence for Gidea Park Groceries, 628 Upper Brentwood Road, RM2 6HS
Paul Campbell – Licensing Officer
01708 432777
licensing@havering.gov.uk

This application for a review of the premises licence is made by Keith Bush Specialist Trading Standards Officer under section 51 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 15th November 2012.

Geographical description of the area and description of the building

The premises are a single unit terrace convenience store situated in a row of four shops all with single story flats above.

The premises are on the north side of Upper Brentwood Road at the junction with Farnes Drive about 30 metres west of Main Road. The surrounding area to the premises are mainly residential properties.

A map of the area is attached to assist the committee.

The application to review the premises licence is made by Trading Standards following an under age sale of alcohol made during a test purchase operation. Trading Standards also found that there was a lack of systems in place at the premises to prevent underage sales.

The shop holds a Premises Licence to supply alcohol for off supply only (a copy of the licence is attached to my report) this licence was obtained in 2005 by being grandfathered from the Licensing Act 1964.

There have been no variation applications made to this licence, including Temporary Event Notices for the premises.

Mr Mehmet Solak is the Premises Licence holder and is also the Designated Premises Supervisor (DPS) at the premises.

Mr Solak's Personal Licence was also grandfathered forward in 2005 from the old act.

In 2005 at the time of transition from the 1964 Act to the Licensing Act 2003 persons who held a Justices Licence for selling alcohol were permitted to apply for and be issued a Personal Licence under the new act without the person holding a recognised qualification.

Any person who applies for a Personal Licence today has to hold the correct qualification before it is issued.

I have no knowledge if Mr Solak has undertaken any formal training to obtain a qualification relating to the supply of alcohol or duties of a DPS.

Comments and observations on the application

The applicant acted in accordance with regulations and served a copy of the notice on the licence holder. I attended the premises on 16th November and spoke to Mr Solak he allowed me to place the notice advertising the review on his shop window. The notice was also placed on the London Borough of Havering website and public notice board situated near the Town Hall.

Summary

There were no representations against this application from interested parties.

There was one representation against this application from responsible authorities.

Details of representations

Valid representations may only address the following licensing objectives:

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

Responsible Authorities' representations

The Metropolitan Police support the application for review and outline the minimum conditions they think would help prevent any future underage sales, if the premises are to continue to supply alcohol.

There were no representations from the following responsible authorities:

- Public Health
- The London Fire and Emergency Planning Authority
- The Health & Safety Enforcing Authority
- The Trading Standards Service
- Planning Control & Enforcement
- Children & Families Service
- The Licensing Authority
- Health Service



LONDON BOROUGH OF HAVERING

Premises licence number

002110

Part 1 - Premises details

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

**Gidea Park Groceries
628 Upper Brentwood Road
Romford RM2 6HS
Tel: 01708 743 898**

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale of Alcohol

The times the licence authorises the carrying out of licensable activities

**Monday 08.00 to 23.00
Tuesday 08.00 to 23.00
Wednesday 08.00 to 23.00
Thursday 08.00 to 23.00
Friday 08.00 to 23.00
Saturday 08.00 to 23.00
Sunday 10.00 to 22.30

Good Friday 10.00 to 22.30
Christmas 12.00 to 15.00 and 19.00 to 22.30**

1 of 6



Signed

Graham Hopkins, Licensing Officer

The opening hours of the premises

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

Off Sales Only

Part 2

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

**Mehmet Solak
628A Upper Brentwood Road
Gidea Park
Romford RM2 6HS
Tel: 07834068150**

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

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

**Mehmet Solak
628A Upper Brentwood Road
Gidea Park
Romford RM2 6HS
Tel: 07834068150**

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

London Borough of Havering - 2114

2 of 6

Mandatory Conditions

(1) No supply of alcohol may be made under the premises licence –

a. At the 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 their 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.



Signed
Graham Hopkins, Licensing Officer

Undertakings on Justices' Licence

Assurance given that owner/licensee(s) would only use the area marked red on the plan for sale or display of intoxicating liquor save if prior application is made for amendment of this restriction.

Embedded Conditions

Alcohol shall not be sold or supplied except during permitted hours.

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied.

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

Risk to other individuals – from potentially violent or dangerous applicant, including if they have committed a violent crime in the past, or if they're mental health is likely to be incompatible with shared accommodation

Risk to individual – of public protection because of their characteristics for reasons – will depend on

Annex 3 – Conditions Attached after a Hearing by the Licensing Authority

5 of 6



Signed

Graham Hopkins, Licensing Officer

Plans held by Licensing section London Borough of Havering



LONDON BOROUGH OF HAVERING

**Part B
Premises licence summary**

Premises licence number

002110

Premises details

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

**Gidea Park Groceries
628 Upper Brentwood Road
Romford RM2 6HS
01708 743 898**

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale of Alcohol

The times the licence authorises the carrying out of licensable activities

**Monday 08.00 to 23.00
Tuesday 08.00 to 23.00
Wednesday 08.00 to 23.00
Thursday 08.00 to 23.00
Friday 08.00 to 23.00
Saturday 08.00 to 23.00
Sunday 10.00 to 22.30**

**Good Friday 10.00 to 22.30
Christmas 12.00 to 15.00 and 19.00 to 22.30**

1 of 2



Signed
Graham Hopkins, Licensing Officer

The opening hours of the premises

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

Off Sales Only

Name, (registered) address of holder of premises licence

**Mehmet Solak
628A Upper Brentwood Road
Gidea Park
Romford RM2 6HS
Tel: 07834068150**

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

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

Mehmet Solak

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

2 of 2

Licensing Sub-Committee

Appendix 1 - Copy of the Application

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 Keith Bush, Specialist Trading Standards Officer

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 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, if none, ordnance survey map reference or description <p style="text-align: center;">Gidea Park Groceries 628 Upper Brentwood Road Gidea Park</p>	
Post town Romford	Post code (if known) RM2 6HS

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

Number of premises licence or club premises certificate (if known) 002110

Part 2 - Applicant details

I am

Please tick yes

- 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 the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in 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)

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Keith Bush, Specialist Trading Standards Officer London Borough of Havering Trading Standards Service 5 th Floor, Mercury House Mercury Gardens Romford Essex RM1 3SL
Telephone number (if any) 01708 433425
E-mail address (optional) keith.bush@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"/> |

<p>Please state the ground(s) for review (please read guidance note 1)</p> <p>The London Borough of Havering Trading Standards Service is committed to preventing underage sales of alcohol within the Borough.</p> <p>Gidea Park Groceries, 628 Upper Brentwood Road, Gidea Park, Romford has recently made an underage sale of alcohol in April 2012. The venue seemed to have a lack of systems and procedures in place to prevent underage sales.</p> <p>We believe that the lack of systems and controls in conjunction with the recent underage sale failure demonstrates that the premises has failed in its duty to protect children from harm.</p>
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Please provide as much information as possible to support the application
(please read guidance note 2)

Gidea Park Groceries is an off licence/grocers at 628 Upper Brentwood Road Gidea Park, Romford. The premise licence holder and designated premises supervisor (DPS) is a Mehmet Solak.

On 4th April 2012 at approximately 16:55 the premises were visited as part of an underage test purchase exercise. Two female volunteers were used, one aged 16 and one 17. The volunteers were sold a 75cl bottle of Stowell white wine (alc 12.5%vol). The sale was made by a Mr Barish Yildiz. Mr Yildiz failed to challenge the volunteers for their age or request any identification. Mr Yildiz was issued with a fixed penalty notice.

A refusal log was found on site but the last entries were dated 18/1/11 and 18/4/11, indicating that either the document was not being used or no sales had been refused since April 2011. The till prompt system was checked at the time of the sale and was found that it did not operate for the Stowell wine.

At interview the DPS, Mr Solak, was unable to produce any training records for his staff and relies on verbal training. He admitted he had not used a refusal log for over a year. He claims to operate till prompts but admitted they were not working with all alcoholic drinks, only some. Mr Solak had a drinkaware challenge 25 poster in the window but no other supporting paperwork to show he was actively operating the scheme.

It has been noted that the current licence has no conditions attached to it relating to underage sales. A visit was made to the premises on 27th June 2012 by myself and Senior Fair Trading Officer Sasha Taylor to discuss the matter with Mr Solak. It was suggested that conditions be added as we had concerns that he had insufficient systems and controls at his venue to effectively prevent underage sales.

This visit was followed up by a letter suggesting how Mr Solak could forward the matter and alleviate our concerns. A copy is attached marked KB/1. To date no response has been received.

Despite attempting to get the trader to implement better systems and controls at his venue to prevent underage sales the licensee has failed to take this advice on board. In light of the recent failure at the venue we would consider that additional conditions are necessary and proportionate to prevent further sales in the future.

We would therefore suggest that the following conditions, would address our concerns in relation to underage sales:

All staff shall be suitably trained for their job function for the premises. Documented refresher training shall be given every 6 months. This must be made available to a relevant responsible authority when called upon.

CDGPG3 A proof of age scheme such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification card such as a driving licence or passport.

CDGPG4 Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale advising customers that they may be asked to produce evidence of their age.

CDGPG12 All occasions when persons have been refused service shall be recorded in writing and kept at the premises for a period of twelve months.

CDGPG13 Prominent clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

Electronic till prompts will be operated at the venue and this will trigger when any alcoholic beverage is scanned.

We would also welcome any other conditions the committee feel are appropriate.



Havering
LONDON BOROUGH

Public Protection Manager

Housing & Public Protection

London Borough of Havering
5th Floor, Mercury House
Mercury Gardens
Romford RM1 3SL

Memhet Solak
Gidea Park Groceries
628 Upper Brentwood Road
Gidea Park
RM2 6HS

Telephone: 01708 433425
Fax: 01708 432554
email: sasha.taylor@havering.gov.uk
Textphone: 01708 433175
Date 18th July 2012

Dear Mr Solak,

Licensing Act 2003
Premise Licence number 002110
Sale of alcohol to a minor

I write with reference to our visit to your premise on 27th June 2012 where we discussed your current systems in place to prevent the sale of alcohol to persons underage.

As you are aware on the 4th April 2012 one of your members of staff, Barish Yildiz, sold alcohol, namely a bottle of Stowell white wine 12.5% vol, to a 16 and 17 year old person during a test purchase exercise. Under the above Act, it is a criminal offence to sell alcohol to a person under 18. A previous under age sale was made by a member of your staff on 16th February 2007. On both occasions it was noted that there were no till prompts in operation, the refusal log was not being maintained and there were no training records.

We are concerned by the failures at your venue and the lack of conditions on your current licence regarding the prevention of underage sales. We believe that additional systems should be adopted to ensure that future sales are prevented. We would therefore request that you apply to vary your licence to add the following conditions:

1. Training should be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon.
2. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.
3. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking to purchase alcohol. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
4. All occasions when persons have been refused service shall be recorded in writing and kept at the premises for six months.
5. Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

6. A Proof of age scheme, such as challenge 25, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification card, such as a driving licence or passport.

7. All tills should have prompts on them to remind staff to ask for identification.

By adopting these recommendations you will be positively addressing the trading standards concerns with regard to the failures and the protection of children from harm at your venue. This, in turn, will allow the service to support you with more confidence and can hopefully resolve the matter without the need of a licence review.

I would request that you confirm your position within the next 21 days. I would state If no response is received from you that the service may consider whether a licence review is necessary and we may instigate one without further communication with you.

The contents of this letter are important and it may be prudent to seek advice from a solicitor or licensing agent if you are unsure as to its contents.

If you or your representative have any queries concerning this letter please do not hesitate to contact me on the above number.

Yours sincerely


Sasha Taylor
Senior Fair Trading Officer

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

N/A

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, 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 (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

14/11/12

Capacity

SPECIALIST TRAINING STANDARDS OFFICER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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 Sub-Committee

Appendix 2 - Map of local area

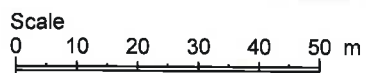


Gidea Park Groceries

Map Reference: TQ5390SW



Scale @ A4 1:1250
Date: 14/12/2012



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

© Crown copyright and database rights 2012 Ordnance Survey
100024327

Google

Address 577 Upper Brentwood Road

Address is approximate





Havering
LONDON BOROUGH

Representations from
Responsible Authorities



**METROPOLITAN
POLICE**

Working together for a safer London

**Licensing Authority
London borough of Havering
Mercury House, Mercury Gardens
Romford
RM1 3SL**

PC 118 KD David Fern

Romford Police Station
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Date: 19th November 2012

Dear Sir/madam,

Police wish to make representation in support of the review of the premises licence Gidea Park Groceries, 628 Upper Brentwood Road, Gidea Park RM2

The applicant clearly has not demonstrated steps in order to protect children from harm in his premises or taken a reasonable response in the responsible sale of alcohol. Children who obtain alcohol often go on to commit crime and or create disorder within our streets.

The borough of Havering was rated third out of thirty-three boroughs of London for alcohol fuelled violence, it is vital that retailers play a responsible part in selling alcohol and protecting children from harm.

Police feel that the conditions recommended by Keith Bush are appropriate and the police would further recommend the following conditions to be attached to the licence.

The CCTV requirement, this will assist in preventing crime and disorder and also assist in the investigation of any similar offences being reported to the police in the future. Proxy sale notices and clear window policies are essential and ensures adults are not buying alcohol for children, who often ask others outside, once they have been denied themselves. Single bottles and small bottles are often all children can afford and by eliminating the sale/risk this can further assist in preventing children from harm, along with the knock on effect of crime and or disorder.

The operator of this venue appears to have failed in protecting children from harm and police feel these conditions are appropriate in order to promote the licensing act.

CD16 A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the Operational Requirement shall have coverage appropriate to the risk.

CD18 To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.

CD19 The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

CD21 A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

CDGPG13 Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

- The front window of the store must be kept clear from any promotional posters or anything similar, staff are required to monitor outside the store to prevent any proximity sales. Warnings should be given to adults about the offence of buying alcohol for those under 18 if suspected.
- A personal licence holder will be on duty at times during licensable activity.
- The premises shall not stock any cans/bottles of lager, cider, beer or spirit based mixers unless they are in packs of four or more.
- No bottles of wine or spirits less than 70cl shall be sold from the premises.

If I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office.

Yours sincerely

PC David Fern
Metropolitan Police - Havering
Licensing Officer