



NOTICE OF MEETING

LICENSING SUB-COMMITTEE

WEDNESDAY, 25 APRIL 2018 AT 2.00 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Joanne Wildsmith, Democratic Services Tel: 9283 4057

Email: Democratic@Portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Committee Members Councillors Lee Mason (Chair), Hannah Hockaday (Vice Chair), Dave Ashmore, Jennie Brent, David Fuller, Colin Galloway, Paul Godier, Scott Payter-Harris, Ian Lyon, Leo Madden, Stephen Morgan MP, Gemma New, Steve Pitt, David Tompkins and Gerald Vernon-Jackson.

The panel today consists of: Councillors Lee Mason, Gemma New and Steve Pitt

The reserve member is Councillor Dave Ashmore

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Licensing Sub Committee meetings are digitally recorded.

A G E N D A

- 1 Appointment of Chair**
- 2 Declaration of Members' Interests**
- 3 Licensing Act 2003 - Review Application - Seven Days, 37 Osborne Road, Southsea PO5 3LR (Pages 3 - 250)**

The purpose of the Licensing Officer's report is for the committee to consider and determine a review application pursuant to section 52 of the Licensing Act 2003 ("the Act") and in respect of the following premises:

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

The committee is requested to determine the review application.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Agenda Item 3

REPORT TO: LICENSING SUB-COMMITTEE 25th April 2018
REPORT BY: LICENSING MANAGER
REPORT AUTHOR: DEREK STONE

Licensing Act 2003 - Review Application - Seven Days, 37 Osborne Road, Southsea, PO5 3LR

1. PURPOSE OF REPORT

The purpose of this report is for the committee to consider and determine a review application pursuant to section 52 of the Licensing Act 2003 ("the Act") and in respect of the following premises:

Seven Days, 37 Osborne Road, Southsea, PO5 3LR.

The holder of the authorisation is recorded as Miss Indrani Alekhya Midde.

2. THE REVIEW APPLICANT

The application and grounds for the review are attached as **Appendix A** and has been submitted by Tracey Greaves Trading Standard Officer for Portsmouth City Council and relates to the licensing objective:

- Protection of children from harm

This follows two failed test purchases at the venue where alcohol sales have been made to persons under the age of eighteen and repeated breaches of the premises licence conditions.

3. BACKGROUND INFORMATION

In accordance with the Act and prescribed regulations, public notice of the review application was given both at the premises and also at the Civic Offices. In addition, a notice of the review application was posted on the council website and also served on the responsible authorities.

A copy of the current authorisation is attached as **Appendix B**

Ms Midde became the owner and premises licence holder of 37 Osborne Road, Southsea in July 2015. The premises were trading as Osborne Wines by Mr Bipin Lodhia prior to this transfer. On the 14th January 2015, a licensing sub-committee hearing was held following a review instigated by the police due to failures at these premises with regard to breaches of the premises licence conditions and the premises licence holder and DPS failing to engage with the police.

Attached at Appendix C is the Sub-Committee bundle for this review and the decision notice. This is included with this current review to allow members to see why certain conditions were placed on the premises licence which have been breached by Ms Midde. I must stress however that Ms Midde had no association with the premises when the licence was held by Mr Lodhia. In August 2015 Ms Midde became the

designated premises supervisor for the venue. The premises name changed to Seven Days late December 2016. On the 6th April 2017 the DPS was changed to Simon Bennett

Officer note: Your reporting officer is waiting to interview Ms Midde in relation to breaches of the premises licence conditions on the 8th and 9th March 2018.

4. REPRESENTATIONS BY RESPONSIBLE AUTHORITIES AND OTHER PERSONS

As a result of the review being submitted, further representations have been received from PC Rackham on behalf of the Chief Officer of Police on the grounds of the prevention of crime and disorder and the protection of children from harm. Mr Rob Anderson-Weaver on behalf of the Director for Public Health makes a representation on the same grounds as the police. Nickii Humphreys Licensing Manager has submitted a representation on the grounds of the prevention of crime and disorder and for the protection of children from harm. In her representation she has detailed the engagement that responsible authorities have had with this venue and the repeated failures to comply with the premises licence conditions. One representation has been received from a local resident Mr Lyon-Wilson in support of how the premises operate.

These representations are attached at **Appendix D**.

5. POLICY AND STATUTORY CONSIDERATIONS

When determining the review application, the committee must have regard to:

- Promotion of the licensing objectives which are;
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- The Licensing Act 2003;
- The adopted Statement of Licensing Policy;
- Judgements of the High Court, (your legal adviser will give you guidance should this become necessary);
- The current statutory guidance issued by the Home Secretary in accordance with section 182 of the Act; and
- The representations, including supporting information, presented by all the parties.

The Statutory Guidance provides advice in relation to the consideration of review applications. In particular, members should have regard to the following advice:

Paragraph 11.1 - "The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the

community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate."

Paragraph 11.2 - *"At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives."*

Paragraph 11.10 - *"Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation."*

Paragraph 11.16 - *"The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives."*

In reaching a decision upon a review application, the guidance offers assistance to the licensing authority as follows:

Paragraph 11.17 - *"The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder."*

Paragraph 11.18 - *"However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker."*

Paragraph 11.19 - *"Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:*

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;*
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);*
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;*

- *suspend the licence for a period not exceeding three months;*
- *revoke the licence."*

Paragraph 11.20 - *"In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review."*

Paragraph 11.21 - *"For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual."*

Paragraph 11.22 - *"Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives."*

Paragraph 11.23 - *"Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again."*

However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence."

A copy of the Statement of Licensing Policy, current statutory guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

6. APPEALS

An appeal against any punitive sanctions may be made within 21 days of the authorisation holder being notified of the licensing authority's decision to a Magistrates' court. An appeal may be made by:

- The applicant for the review;

- the holder of the premises licence or club premises authorisation; or
- any other person who made relevant representations in relation to the application.

The decision of the committee, following the review hearing, will not have effect until the end of the period allowed for appeal, or until any submitted appeal is disposed of.

7. APPENDICES

- A.** Copy of the redacted review application together with supporting documents
- B.** Copy of the current authorisation
- C.** Copy of review hearing papers held on 14th January 2015, Decision Notice and proposed police conditions
- D.** Copy of representations from Police, Public Health and Licensing Authority together with supporting representation from local resident
- E.** Email exchange from Booker re alcohol supplied to premises
- F.** Statement and pictures from Ms Midde to committee

THE COMMITTEE IS REQUESTED TO DETERMINE THE REVIEW APPLICATION



For Licensing Manager
And on behalf of Head of Service

This page is intentionally left blank



Portsmouth
CITY COUNCIL



Reference No

181020671LAREV11

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 or typed in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

(Insert name of applicant)

Tracey GREAVES

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).

Postal address of premises or, if none, ordnance survey map reference or description			
Seven Days (Premier), 37 Osborne Road			
Post town	Southsea	Post code	PO5 3LR

Name of premises licence holder or club holding club premises certificate (if known)
Miss Indrani Alekhya MIDDE

Number of premises licence or club premises certificate (if known)
17/02292/LAPRMV

I am		Please tick <input checked="" type="checkbox"/> yes
1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)		
2) a responsible authority (please complete (C) below)		X
3) a member of the club to which this application relates (please complete (A) below)		

(A) INDIVIDUAL APPLICANTS (fill in as applicable)									
Please tick <input checked="" type="checkbox"/> yes									
Mr		Mrs		Miss		Ms		Other title (for example, Rev)	
Surname					First names				
I am 18 years old or over								(Please tick <input checked="" type="checkbox"/> yes)	
Current postal address if different from premises address									
Post town					Post code				
Daytime contact telephone number									
Email address									
Post Town					Post Code				

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

Email address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Tracey GREAVES - Trading Standards Officer (Alcohol & Tobacco Harm Reduction)
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Telephone number (if any) 023 9243 7977

E-mail address (optional) tracey.greaves@portsmouthcc.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

2) public safety

3) the prevention of public nuisance

4) the protection of children from harm

☒**Please state the ground(s) for review (please read guidance note 2)**

Trading Standards is submitting this application for a review of the Premises Licence currently held by Sevendays, 37 Osborne Road, Southsea on the following grounds:

Protection of Children from Harm

This due to serious and reoccurring breaches of the premises licence mandatory conditions and conditions attached after a hearing by the licensing authority and following two juvenile Test Purchase failures which call in to question the ability of the premises management to support the

Protection of Children from Harm licensing objective.

Failed juvenile test purchase (alcohol) operation carried out by Trading Standards on 14th July 2017 served a 16 year old and 29th September 2017 served a 15 year old.

Seven Days have failed to adhere to conditions on its Premises Licence, Mandatory conditions Annex 1- 02, 03(2). Also, to conditions as stated below as in Annex 3 - Conditions attached after a hearing by the licensing authority Annex 3 - 01, 03, 04, 05, 06, 11, 12, 14 & 19

Annex 1 - Mandatory conditions

02 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

03(2) The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy

Annex 3 - conditions attached after a hearing by the licensing authority

01 The recording equipment will be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

01 An additional recording CCTV camera shall be sited at the front of the store to cover the area immediately outside the venue.

01 All operators will receive training from the installer when equipment is installed and this training will be cascaded down to new members of staff.

01 An operators manual will be available to assist in replaying and exporting data

01 There shall be a member of staff present at all times who shall be able to work the CCTV system and provided a copy of footage to Police, on request, immediately.

03 The licence holder must ensure that all staff selling alcohol have received adequate training, which must incorporate a process of assessment and refresher training to a recognised national standard on the law with regard to age restricted sales and that this has been properly documented and training records kept. No staff member shall sell alcohol until they have completed this training and it has been documented and signed for by the staff member. Training records must be kept on the premises and must be produced immediately on request by Police or an authorised officer.

04 any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification a proof of age. Acceptable ID shall be a valid Passport with hologram, valid UK photo card Driving Licence, PASS approved ID, military ID with date of birth.

05 The venue shall operate a refusal log. This shall be in paper or digital copy and shall be made available to Police or Licensing authority immediately on request. The DPS shall ensure that the refusals log is checked and signed on a weekly basis

06 No beers, ciders or lager over 6.5% ABV shall be sold by retail, excluding premium products as agreed, in writing, in advance by the Police Licensing Unit

11 The Premises will operate a Challenge 25 Policy

12 The DPS shall provide a written authorisation for staff members who sell alcohol which must be signed for by the staff member and the DPS. No staff member shall sell alcohol until both DPS and staff member have signed the authorisation.

14 A personal licence holder shall be present on the premises at all times that the premises is open and alcohol available for sale.

19 After 22:00 hours, seven days a week, two members of staff will be on duty until closure.

Please provide as much information as possible to support the application (please read

Sevendays is an off licence situated in Osborne Road, Southsea. It currently has a Premises Licence with licensable activity authorised 07:00 - 02:00 Monday to Sunday.

The holder of the Premises Licence is Miss Indrani Alekhya MIDDE who is also the Designated Premises Supervisor (DPS).

A Mr V [REDACTED] aka VJ, VeeJay, Vijay has stated to Portsmouth City Council officers that he was in charge of Seven Days.

14th July 2017 - On Friday 14th July 2017 Trading Standards carried out a Test Purchase Operation. Seven Days was visited. A female test purchase volunteer of 16 years 7 months and 3 days old was sent into the premises. The young volunteer was sold alcohol (500ml bottle of Old Mout Cider) by a member of staff Mr Z [REDACTED] at the premises and as such the member of staff committed an offence under S146 of the Licensing Act 2003, the sale of alcohol to an individual aged under 18. This was observed by a plain clothed Police Constable. The member of staff made no challenge to the test purchase volunteer, only confirming what the cost of the alcohol was. The member of staff was issued with a £90.00 Fixed Penalty Notice. Copy witness statement PC Jason PEARCE available at **Exhibit JP1** in the Trading Standards bundle. Also, breached Premises Licence conditions attached after a hearing by the licensing authority Annex 3 - 14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale. Documents not available on visit. Breach Annex 3 - 05 - The venue shall operate a refusals log. Annex 3-12 breach - No staff member shall sell alcohol until both DPS and staff member have signed the authorisation.

There was no contact following the test purchase failure from the Premises Licence Holder and DPS Miss MIDDE to Police Licensing Team, Portsmouth City Councils Licensing Section and no engagement with Trading Standards to offer any explanation for the test purchase failure, how the test purchase failure was to be addressed and what measures would put in place to prevent any further sales to those individuals aged under 18.

29th September 2017 - On Friday 29th September 2017 Trading Standards performed a further Test Purchase Operation. A different test purchase operative was used. This volunteer was a male of 15 years 2 months and 8 days old. The test purchase operative was served alcohol (4 cans Carling Black Fruits Cider) by a member of staff Mr U [REDACTED] at the premises. Again an offence was committed under S146 of the Licensing Act 2003 - the sale of alcohol to an individual aged under 18. There was no challenge from the staff member in fact the seller had earphones in his ears for the whole transaction. The sale was observed by a Public Health Project Officer. Copy witness statement of Mr Rob ANDERSON-WEAVER (RAW) available in the Trading Standards bundle as **Exhibit RAW1**.

Also, there was no personal licence holder on the premises so breaching Premises Licence condition attached after a hearing by the licensing authority Annex 3 -14 - A personal licence holder shall be present on the premises at all times that the premises is open and alcohol available for sale.

On the 29th of September 2017 after the sale I went into the store with PC Jason PEARCE. The staff member that made the sale Mr U [REDACTED] was a little vague as to when he had started working there as to whether it had been a week or a week and a half.

U [REDACTED] said that he had thought the test purchase operative was 19 or 20, which was when the Challenge 25 poster was pointed out. Breach of Premises Licence condition

attached after licensing hearing Annexe 3 - 04 in that any person appearing to be under the age of 25 who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age and Annex 3 - 11 - The premises will operate a Challenge 25 policy (management may claim they are 'operating' by display of poster but as staff unaware of Challenge 25 clearly not adhering to).

Initially, when the seller U [REDACTED] was asked about training records or training received he said he hadn't received any but the other staff member present a Mr R [REDACTED] said there had been some training on checking and asking for ID cards. No training records could be produced which is a breach of Premises Licence Annex 3 - 03 - Training records must be kept on the premises and must be produced immediately on request by Police or an authorised officer.

When asked if the manager was available we were told that VJ was at the cash and carry. They were asked if they had a contact telephone number for VJ but they said they had no way of contacting him. VJ comes into the shop R [REDACTED] said.

We asked for the refusal register and when that was presented by R [REDACTED] he said he had refused some alcohol sales and made entries in the register. When asked how long he had worked there he said he had worked there since last week. I noted the refusals log had not been signed off on a weekly basis, this was a breach of Premises Licence condition Annexe 3 - 05 - The DPS shall ensure that the refusals log is checked and signed on a weekly basis.

I asked about the DPS Miss MIDDE as to when she was last in the premises. Again the replies were vague, that she had been there that week. I asked them for a specific day she had been there and when and if they had met her and we could look possibly take a look at the CCTV to verify a day. But we were then told that she had gone on holiday the day R [REDACTED] had started work. When asked how they could contact Miss MIDDE they both said they had no telephone or email details for her. Annex 3-12 breach - No staff member shall sell alcohol until both DPS and staff member have signed the authorisation.

Both staff were asked if they could work the CCTV, but they said neither of them could. Breach of Premises Licence condition Annex 3 - 01 - There shall be a staff member present at all times who shall be able to work the CCTV system and provide a copy of footage to Police, on request, immediately. Also that - All operators will receive training from the installer when equipment is installed and this training will be cascaded down to new members of staff and this condition also states that, An operator's manual will be available to assist in replaying data. No manual was available. Copy witness statement of PC Jason PEARCE available at **Exhibit JP1** in the Trading Standards bundle

There was no contact following the second test purchase failure from the Premises Licence Holder and DPS Miss MIDDE or any manager at Seven Days to the Police Licensing Team, Portsmouth City Councils Licensing Section and again no engagement with Trading Standards to offer any explanation for the test purchase failure, how the test purchase failure was to be addressed and what measures would put in place to prevent any further sales to those individuals aged under 18 or any communication about the breaches of the licence conditions.

History

13th December 2016 - Trading Standards raised breaches of the Premises Licence with the DPS and Premises Licence Holder Miss MIDDE during a Licensed Premises inspection because there was no full Premises Licence available on site (or any certified copy with a list of mandatory conditions) - this is a legal requirement of 2003 Licensing Act, section 57 - duty to keep and produce a licence.

Also, there was no Premises Licence Summary on display (or any certified copy) - this is a legal requirement of 2003 Licensing Act, section 57 duty to keep and produce a licence.

Miss MIDDE said she had been busy, but had both at home and they had only re-opened one month ago. I advised her that as a matter of urgency she needed to bring them to the premises.

Seven Days sells tobacco products but no statutory sign was displayed - this is a legal requirement. A warning notice must be displayed in a prominent position, which is clearly visible to anyone purchasing cigarettes. It must be not less than A3 size, stating: 'IT IS ILLEGAL TO SELL TOBACCO PRODUCTS TO ANYONE UNDER THE AGE OF 18'

I supplied a statutory tobacco sign to Miss MIDDE to prevent further offences being committed.

I asked to see the refusals register. An entry had been made for 19th November 2016 for a tobacco refusal but there were no alcohol refusal entries. Ms MIDDE said they had some till slips they used as refusals. I advised her to check the refusal register on a weekly basis and even if there had been no refusals in a week this could be written in as such, with dates, to keep the refusal log up to date. Breach of Premises Licence condition Annex 3 - 05 - The venue shall operate a refusals log... The DPS shall ensure that the refusals log is checked and signed on a weekly basis.

I asked to see the training records of the staff. Miss MIDDE said she employed 4 staff but that she didn't have the training records. I said she needed to ensure her staff received training and that she kept a record of this. Breach of Premises Licence condition Annex 3 -03 - The licence holder must ensure that all staff selling alcohol have received adequate training, which must incorporate a process of assessment and refresher training to a recognised national standard on the law with regard to age restricted sales and that this has been properly documented and training records kept. No member of staff shall sell alcohol until they have completed this training and it has been documented and signed for by the staff member. Training records must be kept on the premises and must be produced immediately on request by Police or an authorised officer.

I showed Miss MIDDE sample documents that the Licensing Police or authorised officers of Portsmouth City Council would expect to see when making visits and inspections. I provided Miss MIDDE with an Authorisation for the sale and supply of alcohol document, an Age verification policy document and a Staff member declaration document. I explained how to fill these in and who needed to sign them. I produce sample blank documents as **Exhibit TG1** in the Trading Standards bundle. There was a breach of Premises Licence condition Annex 3 - 12 - The DPS shall provide a written authorisation for staff member who sell alcohol which must be signed for by the staff member and the DPS. No staff member shall sell alcohol until both DPS and staff member have signed the authorisation.

I left Miss MIDDE with the top copy of the Licensed Premises Inspection Summary sheet listing the matters that needed attention and rectification. This was an action plan for her business Seven Days. I pointed out my name and telephone number should she need to contact me with questions or concerns. A copy of this summary sheet can be seen at **Exhibit TG2** in the Trading Standards bundle.

As these matters were breaching the conditions of the Premises Licence I forwarded my findings to Portsmouth City Councils Licensing Section to consider. A copy of this witness statement dated 2nd February 2017 can be seen at **Exhibit TG3** in the Trading Standards bundle.

9th October 2017 - I made a visit to carry out a Licensed Premises Inspection. I asked Mr Z [REDACTED]

████ who the manager was. He told me VJ. I asked about the Premises Licence Holder and DPS Miss MIDDE. He said she was on holiday and he had no contact number for her. I asked when she had gone on holiday. Z██ said he couldn't remember. I asked about the last time she was in the premises. Z██ said he had never seen Miss MIDDE that he had started working there 2 months ago and VJ was in charge.

Z██ was the only person in the store and he is not a Personal Licence holder so breaching Premises Licence condition Annex 3 -14 - A personal licence holder shall be present on the premises at all times that the premises is open and alcohol available for sale.

Seven Days was non-compliant in that there was no full Premises Licence available on site (or any certified copy with a list of mandatory conditions) which is a legal requirement of 2003 Licensing Act, section 57 - duty to keep and produce a licence. (Miss MIDDE had failed to make Premises Licence available and to nominate in writing a person who works at the premises to be in custody/control).

There was no refusal log breaching Annex 3 - 05 - The venue shall operate a refusal log..... shall be made available immediately. The DPS shall ensure that the refusal log is checked and signed on a weekly basis.

There were no training records thus breaching Annex 3 - 03 - Training records must be kept on the premises and must be produced immediately on request by Police or an authorised officer.

I asked Z██ if he could work the CCTV, he said he couldn't work it, that only VJ knows. There was no manual for the CCTV. This breached condition Annex 3 -01 - All operators will receive training from the installer when equipment is installed and this training will be cascaded down to new members of staff. An operators manual will be available to assist... There shall be a staff member present at all times who shall be able to work the CCTV system...

I left the top sheet of the inspection summary as an action plan for Seven Days with Z██ asking him to pass this to the management. I said that the ticks should all be Yes and there were Nos which needed attention and that VJ would likely to want to contact me to return and make re-checks so I pointed out my direct dial telephone number at the bottom of the summary. I produce a copy of this summary sheet at **Exhibit TG4** in the Trading Standards bundle.

No one at Seven Days contacted Trading Standards following the visit on 09/10/2017.

6th November 2017 - I telephoned the contact number for the Premises Licence holder, Miss MIDDE, printed on the Premises Licence but this number was now dead. I rang two other mobile numbers for Miss MIDDE but these were also dead. I rang a number given to me as the store number at my last visit by Z██ this however connected me to a different business.

7th November 2017 - I hand delivered a letter to Miss MIDDEs home address as stated on the Premises Licence. One of the employees at Seven Days answered the door at the property. It was R██ he said Miss MIDDE was not there. I asked if she still lived there or had moved out. He confirmed he wasn't her partner, he was not living with her but she would be back. He said what he could say was she is not in Portsmouth. I asked if Miss MIDDE was in the UK. R██ said yes, but just not in Portsmouth. I left the envelope with R██. I produce a copy of this letter as **Exhibit TG5** in the Trading Standards bundle. This letter set out the nature of the last 3 visits to the store and the concerns over non-compliance that needed to be addressed.

7th November 2017 - I hand delivered a letter to the Seven Days shop meeting U██. I asked if he was alone in the shop. He said VJ had gone to buy some stock. I asked about the DPS, Miss MIDDE. He said she had gone away on holiday. I asked if he knew why VJ had not contacted Trading Standards back after the test purchase failure when he, U██ had sold alcohol to a 15 year old. U██ said he didn't tell him of the failure. I asked that management be told that

Trading Standards had visited and reconfirmed that my contact number was on an action plan/inspection summary sheet I had left before. I showed him a copy of the summary sheet. I said all the Portsmouth City Council Licensing Section contact details were on the bottom of the Premises Licence Summary and pointed to the document. I told U [REDACTED] that I would be coming back with a Police Officer regarding the issue of a fine to him following the sale to underage person and asked if he usually worked at this time. I gave U [REDACTED] another copy of the letter for Miss MIDDE. A copy of this letter is produced as **Exhibit TG6** in the Trading Standards bundle. As U [REDACTED] was alone in the shop and was not a Personal Licence Holder breach of condition Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale.

7th November 2017 - made two telephone calls to VJs mobile telephone, rang and rang but no reply.

7th November 2017 - VJ returned the calls. I asked who was running Seven Days. VJ said he was running it as Miss MIDDE was in India now, she was ill and had been in India for about a month. I asked if VJ was a personal licence holder. VJ said yes he was and got 100/100 on the test. I asked if any other staff were personal licence holders. He confirmed no, they were not. I asked VJ if he was aware that a month ago the male working in the shop right now had failed a juvenile test purchase. VJ said yes, he was. I asked why there had been no contact back about this to Trading Standards, Police Licensing or to Portsmouth City Councils Licensing Service. At this point the line went dead. Shortly after a text message was received from VJ 'Sorry, I'm run out of credit', shortly after that another text message was received from VJ. 'Your phone is switched off now, can you please let me know what is the best time to contact you. Thank u'.

8th November 2017 - Telephone call received from VJ. I requested a meeting at the Seven Days store that day at 15.00. VJ said he could not make this time and wanted to meet at 19.00. I arranged to meet VJ the next day at 08.30 at Seven Days.

9th November 2017 - Visit to Seven Days by Trading Standards Officer Tracey GREAVES (TG) with Public Health Project Officer Rob ANDERSON-WEAVER (RAW). Mr V [REDACTED] (VJ) was present, the DPS Miss MIDDE was not. VJ said he was in charge and showed an exam certificate dated March 2016. VJ said he knew what a DPS and a Premises Licence holder was and their role. He said he impressed upon staff to ask for ID and that the sale was not important.

It was stated that Miss MIDDE was the DPS, she was uncontactable (by PCC staff) and that although he may hold a personal licence he was not always in the store and there had been test purchase failures. VJ said they would not have happened had he been there.

We advised VJ that the store was operating illegally when no personal licence holder was on site. VJ said there used to be as Miss MIDDE was the only person working there at one time.

We asked about documentation that could not be produced on previous visits. VJ brought a folder up from under the sales counter and said everything was there. I told VJ that 3 different members of staff on visits could not show us any documentation.

I asked about the action summary sheet that was left. VJ said that Z [REDACTED] had just left it in the file. VJ said when he found it he had to ring Z [REDACTED] to ask what it was about. I asked why was there no call back to Trading Standards at that point. VJ said well there was a lot written on here. RAW said and at the bottom there was a 'phone number and email for Trading Standards.

When asked VJ confirmed he lived locally at [REDACTED] I asked where R [REDACTED] and Miss MIDDE

lived? VJ said Southsea and that they were his 2 cousins. I asked how long Miss MIDDE had been away. VJ said on and off now 4 weeks away.

I asked VJ if he had been the person to employ and train R [REDACTED] and U [REDACTED]. He confirmed he was. I said at the test purchase failure and subsequent visit no one could produce any training records. VJ handed over paperwork and said that he reminds them and that he had seen the seller had earphones in and was not concentrating. RAW queried the writing on the forms, as RAW was confused as to why they were all in the same handwriting, including an age verification record for Miss MIDDE dated 31/07/2015. VJ said he was at the premises then and he had showed the same documents to PC Pete Rackham and Rob. RAW disputed that as he and PC Rackham had dealt with Miss MIDDE in 2016, he had notes regarding the visit and the particular documents now shown were not available to view in 2016.

I asked how many people currently worked at Seven Days. VJ invited me to look at the till log in he said certain people had left and so R [REDACTED] and U [REDACTED] sign in as the previous employees. I could not see that Miss MIDDE had a log in on the till. We established that 4 individuals currently work at Seven Days. VJ said when the store first opened Miss MIDDE was the only person working 2 - 11pm. VJ said but when they reopened then there were 4 working there.

We raised concerns that in a year, since November 2016, there were only 20 refusals in the refusal log and only 6 for alcohol and asked if this was realistic. VJ said yes. RAW stated that this frightened him. VJ said the store was quiet and had low footfall. RAW said that he didn't quite believe that as the premises was open after the pubs closed and for summer trade and he had witnessed during summer music festivals to which some 120,000 people attended that the customers were queued out the door and that when he now looked at the refusal log for August there were no refusals recorded. It was also apparent that VJ made the majority of refusals and there was none recorded by Miss MIDDE since November 2016.

Staff declarations regarding the stores age verification policy were shown to us.

Mr V [REDACTED] (VJ) signed with a date of 31/07/2015

Mr Z [REDACTED] signed with a date of 05/07/2017. He then sold to a 16 year old on 14/07/2017.

Mr U [REDACTED] signed with a date of 16/09/2017 but then sold to a 15 year old on 29/09/2017.

Mr R [REDACTED] signed with a date of 23/09/2017.

The refusal log had not been signed off on a weekly basis by the DPS (Miss MIDDE not in UK and not ensured the refusal log signed on a weekly basis) thus breaching Premises Licence condition Annex 3- 05. Staff declarations are not training records so breaching Premises Licence condition Annex 3 - 03. Breach of 3 - 12 written authorisations signed by staff and DPS absent.

RAW asked VJ where he sat in the business. VJ said he felt it was his shop. RAW said that VJ had obviously been running the shop but he was not the responsible person it was Miss MIDDE as the DPS and Premises Licence holder and she was not speaking to Portsmouth City Council officers.

VJ was told that as he has told us he is the only Personal Licence holder at Seven Days it was fine now that he was on the premises but the minute he walked out the door, as he couldn't be and wasn't there all the time, then licence conditions were being breached. The premises would not be compliant then, so what would he do and how would he achieve compliancy? VJ was told that Miss MIDDE has a stand in as him, but her business was being ruined and could have the licence revoked, why was she not stepping in? She should be contacting officers saying 'How do I keep my business?'

VJ was asked if this was his only job. He said no, he was a software engineer, so he can work from the premises and he could remind staff to check ID and text them. RAW said 'What from the back office?' VJ said no when I am not here. I asked VJ how he trained staff. VJ said he talked to them, keeps reminding them. I asked how often VJ was in the store. He said he was in the store every day and when he wasn't he sends a text to remind them.

RAW asked to think back to when Miss MIDDE first took the shop and the conditions. VJ said she didn't realise they were there. RAW said What? Miss MIDDE a Personal Licence holder too, who had taken the Personal Licence course for a better understanding of licensing, how did she not clock all the conditions? VJ said No not at all, she took the no 6.9% (This was referring to the Reducing the Strength condition: No beers, ciders or lager over 6.5% ABV shall be sold by retail, excluding premium products as agree, in writing, in advance by Police Licensing Unit). RAW said the place was full of over 6.5% on a visit he had made with the Police, and that Miss MIDDE had to be told to remove it. VJ said that he had ordered that.

I asked to view the CCTV. VJ then said that all staff could work it. I said all three other staff said they couldn't, why would they say that? VJ said they were frightened. RAW said That didn't add up, why be frightened of a responsible authority who ask you to do something you can do but you lie say you can't do it, to the detriment of the shop. Likewise with the enquiry about contact details three staff said Miss MIDDE was on holiday, out of Portsmouth, had never met her and didn't have any contact details for her and 2 said they had no contact details for you too, despite living at the same address.

We asked to view a certain date and time on CCTV and VJ obliged. However, when viewing it was noted that there was no view covering the area immediately outside the venue. This breached condition Annex 3 - 01 - An additional recording CCTV camera shall be sited at the front of the store to cover the area immediately outside the venue.

The recording system was located to the rear of the sales area on the top shelf where alcohol is sold. This too breached condition Annex 3 - 01 - The recording equipment will be stored and operated in a secure environment with limited access to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

I asked to see the manual for the CCTV system. VJ looked around and then said it's not there. I told him that the premises needed to have one. VJ said when he bought the system it didn't have one. I told him that he needed to write one out, just bullet points of how to operate 1, 2, 3 etc. VJ said do you mean a word document. I said yes, written or typed but there needs to be a manual as it's a condition of Seven Days licence not having one breached condition attached after a hearing by the licensing authority Annex 3 - 01 - An operators manual will be available..

VJ said all the staff know how to work this. RAW asked Then why would staff obstruct and say they don't know how to work it?

RAW said there had been two test purchase failures and previous intervention. I asked VJ if he had actually read the Premises Licence in full.

VJ said give me a chance, give me three weeks.

RAW asked what the difference would be in three weeks. VJ said he would send all staff on for a Personal Licence, he said Z████ wouldn't work there, he could sack him. I stated that apart from himself, two of the three staff had failed a test purchase, it wasn't just Mr N████ if you sack two of your three staff you still have new staff to train to know what to do and to get an understanding of the role and be confident to challenge. RAW said when the staff failed the test purchase they failed to engage with us and then with you. They were both inept. They lied to us or blocked the truth, as you are saying they had all contact numbers, had all the necessary documents and

records here and had knowledge of how to work the CCTV. VJ said he would send them on Personal Licence courses, then he wouldn't have to remind them, it would give them more control. RAW said he had concerns, as VJ could outlay £180 each, the staff either won't pass or if they do as they have failed a test purchase and been obstructive the Police can object, if appropriate to do so and refer it to a licensing hearing. The staff may do a Personal Licence course but may not have the ability.

VJ said I'll get the DPS changed to me, get all Personal Licence holders and sort the CCTV in one week.

RAW said you can do that, but then this is all made your responsibility along with the poor engagement and communication, the lack of seeking support and to 'phone the people with knowledge and understanding. We have tried to help the store previously. We want contact from Miss MIDDE, we need to speak to her, as nice and as helpful as you are and taking the responsibility placed at your door, she is supposed to be the responsible person.

As we were about to leave the store Miss MIDDE rang VJs mobile. I spoke with her.

Miss MIDDE wanted to know what the problem was and what to do. I asked if she knew about the test purchase failures and non-compliance. She said yes and that she rings every other day and discusses what to do or not to do on the 'phone. I asked why she had not been in touch after the test purchase failures. Miss MIDDE said well when she said she knew, she knew after, as Z█ didn't tell them.

I asked who had trained the staff. Miss MIDDE said she had. I asked when that was. Miss MIDDE said well it was VJ who trained them.

I asked Miss MIDDE how long she had been in India. She said three weeks, half a month, she thought. I asked if she was sure and when was the last time she was in the store. Miss MIDDE said last time I met you. I said that was last December, when did you go to India, please be truthful. Miss MIDDE said possibly 6 weeks in India, she can't remember. I asked what date she flew to India and if it was in her diary. Miss MIDDE replied, why would it be. I said I just wanted to establish the last time you were in the shop. Miss MIDDE said she left the last week of September, we could check the CCTV.

Miss MIDDE asked what she could do. I said well to update you, the store is breaching its licence conditions, no training documents were produced on previous visits, no refusal register, selling alcohol without a Personal Licence holder on premises. Miss MIDDE asked when this was. She said that VJ was in the store, he is there in the evenings. I told her various times, evenings, early evening, daytime, am. I said there has been no refresher training after a test purchase failure. I told her that she really needed to come back and step up to the plate regarding her responsibilities.

Miss MIDDE said we can get more Personal Licence holders and Z█ I speak English but Z█ is not understanding, you tell him there is the log book and he doesn't understand. I said well it's not just Z█ 2 of your 3 staff sold to underage people, to me they are equally at fault regarding making challenges, refusals, no understanding of licensing objectives regarding selling alcohol and CCTV operation

Miss MIDDE asked to be given another chance. She said I'm sick, not neglecting, I'm trying my best.

I said but you have had visits before from the Police, Licensing Officers and Trading Standards and you only address issues when picked up and now it's the same situation yet again. I said that

actually I was glad she identified the English language as a barrier, she needed her staff to be able to converse easily and be happy and confident to make challenges.

Miss MIDDE said she could sort it out in a couple of weeks. She said this time I'll treat it seriously, give me time. She said the problem is negligent people that they don't treat the shop like their own. I said They wouldn't because it's your shop. They have to understand the importance of...

Miss MIDDE interjected saying I'll make sure, just excuse me this once.

I said we can't excuse two failed test purchases and further breaches of the Premises Licence. Miss MIDDE said it's just because I'm sick and not there. I handed the phone back to VJ.

I then asked VJ what measures he had put in place in the absence of Miss MIDDE after the failed test purchases. VJ said he had retrained the staff. I pointed out there were no documents regarding this refresher training. RAW reminded VJ that documents are proof of due diligence.

We pointed out that small Vodka Shots were by the Kinder Eggs/confectionary on the till/serving counter top and advised that this was not supporting the licensing objective Protection of Children from Harm if displaying small bottles of bright liquid beside childrens sweets. We further checked the refusal log and there were a number of refusals for the Vodka shots so it appeared they were appealing to those looking under 25 without ID. VJ removed the Vodka shots to behind the sales counter so they were now unavailable for self-selection.

There were grinders behind the till VJ was told not illegal to sell but would a responsible retailer wish to stock such a product that is used for grinding up cannabis. VJ said that some people had asked for them but they didn't sell any so they could be returned. Copy witness statement of Rob ANDERSON-WEAVER produced as **Exhibit RAW1** in the Trading Standards bundle.

9th November 2017 - VJ telephoned me asking for my email address. He said he would text his email details so I could provide them. Text duly received.

9th November 2017 - I sent email to VJ via [REDACTED]@gmail.com an email which is the contact for Seven Days confirming my contact details, those of Portsmouth City Council Licensing Section and Police Licensing. Copy email produced as **Exhibit TG7** in the Trading Standards bundle.

9th November 2017 - Email received from VJ stating that by the end of today he would make sure things in place:- 1) Requesting Debbi for change of DPS 2) Placing a Printed CCTV easy to use Manual 3) Running one more re-training session and documented. 4) Reducing Z [REDACTED] working hours to one day as he didn't even phone me when you are in store to check the trading standards. 5) Maintaining refusal log more effectively 6) I have looked for a personal licence training availability for U [REDACTED] R [REDACTED] and the nearest date is 20th November 2017, I will book the exam and make sure it's done on this 20th and after the test, they will receive the test results within 3 days which I will update you through the email. 7) I am trying to find the CCTV company (I have ordered previously from Amazon but for some reason, that seller is not available now) to order a few more cameras to install outside of the premises and at the same time to be compatible with the existing CCTV system. I produce a copy of this response email as **Exhibit TG7** in the Trading Standards bundle.

9th November 2017 - Email request from Miss MIDDE wanting DPS vary forms to be sent from Licensing Service. Licensing forwarded the application 10th November advising fee was £23 and both the licence and summary required back for amendment. Copy email produced as **Exhibit TG8** in the Trading Standards bundle.

10th November 2017 - Email response to Licensing Service by Miss MIDDE that form would be completed and would send licence, summary back also. Copy email produced also as **Exhibit TG8** in the Trading Standards bundle.

10th November 2017 - I telephoned VJ asking if U [REDACTED] would be at the premises on Monday 13th November as myself and a Police Officer would visit as U [REDACTED] was to receive a £90.00 fine for the sale of alcohol to an individual aged under 18.

13th November 2017 - Visit by myself and PC Jason PEARCE. U [REDACTED] issued £90.00 fine. There was no Personal Licence holder present on the premises when alcohol was available for sale. Breaching licence condition Annex 3 - 14. PC PEARCE raised concerns over the location of the CCTV recording equipment The CCTV was located at the rear of the store on top of an alcohol display cabinet in an area accessible to the general public so breaching Premises Licence condition Annex 3 - 01 - The recording equipment will be stored and operated in a secure environment with limited access. Copy witness statement of PC Jason PEARCE produced as **Exhibit JP1** in the Trading Standards bundle.

14th November 2017 - I emailed VJ asking to see the training documents and any training policy Seven Days had in place. I also wanted to see the materials that had been used to train staff. I said I could go along to the store the next day to view the documents and materials if VJ let me know when was convenient. Copy email produced as **Exhibit TG9** in the Trading Standards bundle.

14th November 2017 - VJ responded that he thought I had seen all the training logs on the last visit. That I was welcome to see the training logs, materials etc. VJ said he would be at the store 8am - 8.45 am so we could catch up in this slot. VJ said he had retrained U [REDACTED] and R [REDACTED] more than twice so far from U [REDACTED] test purchase failure. Copy response email also produced as **Exhibit TG9** in the Trading Standards bundle.

15th November 2017 - I emailed VJ to say that I had viewed Staff Declaration documents and the Age Verification form in the store file. I said what I was hoping to see were the test papers for the assessment the staff have undertaken, or view the online assessment if completed in that format. I wanted to know if the Seven Days training package was from Premier or something that Miss MIDDE and himself had purchased from a licensed trade training company or devised themselves. I said I wanted to see what questions were included in the assessment, the staff answers, final marking and pass mark. I said I unfortunately could not make 08.00 - 0845 at the store so asked if VJ could perhaps email me during this time. I said that although VJ had said he had re-trained R [REDACTED] and U [REDACTED] more than twice since U [REDACTED] test purchase failure on 29th September, VJ had not shown any documentation regarding these refresher training sessions on the visit 9th November and that I had raised this asking what measures had been put in place after the test purchase failures. Z [REDACTED] had failed too on 14th July. I said I had only seen staff declarations I believed dated 23/09 and 16/09 respectively. Copy email produced as **Exhibit TG10** in the Trading Standards bundle.

15th November 2017 - VJ emailed three times with various documents later in the day downloaded from Drinkaware/British Beer Pub Association/National Pubwatch, Innpacked, Better Retailing, Worcestershire Regulatory Services as PDF and on my request Word copies. VJ also explained about the Seven Days training procedure and steps he took with staff, outlining briefing of the law, consequences, uses PCCs Off Licence Surgery presentation. VJ said that Premier had not provided any training package aside from some posters but that Miss MIDDE had assisted him in preparing the training policy and that as he had explained on my visit he had retrained them but had not registered it so he had done another full refreshment one more time. VJ asked for some

ProxyWatch cards to display at the till point. VJ said that within 3 weeks time he would make sure 100% all things would be in place:-

- 1) Requested Debbie vary of DPS which will be filled and follow the procedure to achieve.
- 2) Place order 4 extra CCTV cameras and 2 will be installed outside the premises.
- 3) Confirm that Personal Licence test for U [REDACTED] booked now.

VJ requested ProxyWatch cards for the till point. Copy email(s) responses also produced as **Exhibit TG10** in the Trading Standards bundle.

15th November 2017 - telephone conversation with VJ regarding Seven Days training policy which VJ confirmed was Worcestershire Regulatory Services issue which Seven Days were adopting and that he particularly liked the STAR scheme (**Stop, Think, Ask, Refuse**).

22nd November 2017 - Visit made to hand deliver Proxy Watch cards as requested. U [REDACTED] was alone in the shop he was not a Personal Licence Holder (although he had been booked for APLH Level 2 Award for Personal Licence Holders (UK) training on 20th November 2017) breach of condition Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale.

27th November 2017 - Trading Standards visited Seven Days for tobacco inspection. The only member of staff present was Z [REDACTED] and as he is not a Personal Licence Holder was a breach of condition Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale.

27th November 2017 - Email from VJ regarding the inspection (tobacco) wanting to know if I needed to speak to him regarding it. He expressed a concern that Seven Days in the last 12 months had had multiple council visits more than any other shop on the road. He said he was aware they had failed a test purchase. He thought that an inspection would give the wrong indication to the community as the same inspection had not taken place at the other 2 shops in the road. VJ said he was a responsible retailer and wanted to provide full cooperation to Trading Standards, the Licensing Authority, the Police and any other authorised body. He said they were committed to fair trading and he had expressed his concerns about selling goods to the under-aged and selling high strength to people, he said selling high strength was still an issue on Osborne Road as it's not completely removed. He said as per request he had provided a list of the training policy and other documents and please kindly list suggestions. VJ said from his side he was doing what he had promised. VJ said he was sending U [REDACTED] to the personal exam and a few days ago R [REDACTED] exam was also booked and finally they had received extra CCTV equipment which would be installed in coming few days. Copy email produced as **Exhibit TG11** in the Trading Standards bundle.

27th November 2017 - Telephone call from VJ confirmed that I did not need to speak to him about the tobacco inspection and that an inspection had not been carried out in the other 2 stores in the road as intelligence had not been received regarding those stores.

12th January 2018 - RAW passed the store on a Friday at 22:09 whilst on Night Time Economy work and noted there was only one member of staff on the shop floor. As RAW had a scheduled visit he moved on and planned to return. At 22:56 RAW returned to Seven Days to purchase some confectionery, whilst making his purchase RAW asked if the male sales assistant was on his own in the store and what time he was working until. The male replied that he was on his own and until 2am. This is a breach of the Premises Licence conditions attached after a hearing by the licensing authority Annex 3 - 19 - After 22:00 hours, seven days a week, two members of staff will be on duty until closure. Also breach of condition Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale. Copy witness statement of Rob ANDERSON-WEAVER produced as **Exhibit RAW 1** in the Trading

8th February 2018 - I visited Seven Days to carry out routine inspection on E-cigarettes and E-Liquids for a Department of Health project. At the time only one member of staff was present he gave his details as Mr D [REDACTED] I recognised him from previous visits as Mr U [REDACTED]. Following the inspection I asked if VJ was about. U [REDACTED] replied that VJ was not and he also confirmed that he was the only person in the shop. I asked that an E-cigarette be voluntarily removed from sale (because it did not bear the required health warning, delivery by dose, no instructions or diagrams on use) and for him to advise VJ. I asked if Miss MIDDE had been in the store recently and he said she was away. I asked about his Personal Licence but he said he didn't have one. I said you went for the training though didn't you? I asked if he had failed the course and U [REDACTED] said he had. I asked when he was due to retake the course and he replied someday soon. Breach of condition Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale.

9th February 2018 - RAW whilst on Night Time Economy visits on a Friday evening in the Palmerston Road area passed Seven Days at 21:50 and saw a male working in the store on his own. RAW returned at 22:00 and saw VJ in the store, he asked if he was on his own and he stated that U [REDACTED] had just popped out to get his lunch. RAW noticed that Tatra Mocne 7% cans of Polish beer were on sale this is in breach of the Premises Licence condition added after a hearing by the licensing authority Annex 3 - 06 No beer, ciders or lager over 6.5% ABV shall be sold by retail, excluding premium products as agreed, in writing, in advance by the Police Licensing Unit. This is a breach of the Premises Licence conditions attached after a hearing by the licensing authority Annex 3 - 19 - After 22:00 hours, seven days a week, two members of staff will be on duty until closure. Also breach of the Premises Licence conditions attached after a hearing by the licensing authority Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale. Copy witness statement of Rob ANDERSON-WEAVER produced as **Exhibit RAW 1** in the Trading Standards bundle.

12th February 2018 - RAW visited to Seven Days and made an adult test purchase for alcohol. He purchased 1 can of 7% Tatra Mocne beer for £1.30 at 12:57. RAW was served by U [REDACTED] (who it was clarified on 28/02/2018 was signed in as J [REDACTED] on the till). Breach of the Premises Licence condition added after a hearing by the licensing authority Annex 3 - 06 No beer, ciders or lager of 6.5% ABV shall be sold by retail, excluding premium products as agreed, in writing, in advance by the Police. Also breach of the Premises Licence conditions attached after a hearing by the licensing authority Annex 3 -14 - A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale. Copy witness statement of Rob ANDERSON-WEAVER produced as **Exhibit RAW 1** in the Trading Standards bundle. A photocopy of the Tatra Mocne Polish Beer can and sales receipt produced as **Exhibit TG12** in the Trading Standards bundle. Annex 3-12 breach - No staff member shall sell alcohol until both DPS and staff member have signed the authorisation.

20th February 2018 - I visited the store to check that the E-cigarette was no longer on sale. speaking with R [REDACTED] I asked if VJ was around but he was not. I asked if there were any new members of staff working at weekends. He said he didn't think so, just 4 that work there, he worked the evenings and Z [REDACTED] only now and then since a month ago. I said that I had seen the new CCTV camera externally and he pointed out 2 screens within the shop. I asked if he had his Personal Licence on him, he shrugged, I said the Personal Licence card. He didn't seem to know what I was talking about, so I said after your Personal Licence course, the card you apply for, the credit card sized one you carry on your person. R [REDACTED] said he had a certificate, so I asked to see that. He showed me BIIAB L2 certificate dated 29/11/2017. Breach of the Premises Licence conditions attached after a hearing by the licensing authority Annex 3 -14 - A personal licence

holder shall be present on the premises all times that the premises is open and alcohol available for sale.

26th February 2018 - I contacted PCC Licensing Section speaking to Senior Licensing Officer Debra ROBSON to enquire if Mr R [REDACTED] had applied for a Personal Licence. It was confirmed that no one of that name held a Personal Licence with Portsmouth City Council. I asked if Mr V [REDACTED] (VJ) had a Personal Licence, this too was negative. I asked if the variation form to change the DPS at Seven Days from Miss MIDDE to Mr V [REDACTED] (VJ) had ever been completed and returned, this too was negative.

27th February 2018 - I telephoned and emailed VJ wanting to make an appointment to visit Seven Days. Copy email produced as **Exhibit TG13** in the Trading Standards bundle.

27th February 2018 - Email received from VJ wanted to know reason for appointment as bit worried and can be prepared if needed & suggested 8am. Copy email produced as **Exhibit TG14** in the Trading Standards bundle.

27th February 2018 - I emailed to VJ to confirm meeting at 08.00 and said wanted to check due diligence, CCTV, refusal register and had a few questions Copy email produced as **Exhibit TG15** in the Trading Standards bundle.

28th February 2018 - I met VJ at Seven Days at 08.10am. I asked to view the CCTV for 12/01/2018, 09/02/2018 and 12/02/2018.

I asked VJ about the location of the CCTV and if the staff member U [REDACTED] had relayed a message from a Police Constable from 13/11/2017 who had raised concerns again about the CCTV as it was not in a secure area, but in the sales area of the shop on top of a unit displaying alcohol. VJ said he didn't know. I said it was a condition of the Premises Licence (Annex 03 - 01 condition attached after hearing by licensing authority). VJ said the back store was very small and confirmed that where it was located now used to be a separate room but a separating wall had been taken out. I said where it was it was allowed it to be accessible to the public to tamper with.

VJ set up the CCTV screen to view. I pointed out that the times staff members were exiting the store leaving only one member of staff after 22:00 and that this was a breach of a Premises Licence condition (Annex 3 - 19 condition attached after hearing by licensing authority).

I also raised that the sale of the Tatra Mocne Polish Beer of 7% which was a breach of a Premises Licence condition (Annex 3 - 06 condition attached after a hearing by the licensing authority). VJ asked if the purchaser was RAW as he thought he recognised him from the CCTV footage. VJ confirmed that U [REDACTED] was logged on the till as J [REDACTED] for the sale. I asked VJ why the premises had stocked this beer when the premises had a condition on the licence not to sell beers, ciders or lager over 6.5%. He said it had come in with offers with stock.

I asked about the Personal Licences for R [REDACTED] and U [REDACTED] and that R [REDACTED] didn't seem to know what I was talking about when I asked to see his card, R [REDACTED] had showed me his course certificate only. VJ said U [REDACTED] had failed the course but that no, he had not yet booked him on another yet. I asked if any application for a Personal Licence had been made to Portsmouth Licensing Section for R [REDACTED] VJ said this had not been applied for. I asked if there were any other staff working there yet or temporary staff. VJ said not yet and that later this week an A [REDACTED] could be starting work. VJ confirmed A [REDACTED] did not hold a Personal Licence either. I asked to see VJ's Personal Licence as he too on a previous visit said he had one but had only shown a certificate from the course. VJ said he didn't have a Personal Licence he had taken the BIIAB course in Fareham and got 40/40 but had not applied to Fareham or Portsmouth for a Personal Licence. I informed VJ that this was a big problem as this was another breach of the Premises Licence as a Personal Licence holder

has to be on the premises at all times when it is open and selling alcohol (Annex 3 - 14).

I asked him if he remembered the very lengthy visit when all the conditions had been discussed before and at that time he had asked for 3 weeks to get 100% of things in place such as the DPS transfer and staff training. He said he remembered the visit as it was for 3 hours. I asked about Miss MIDDE when she had last been in the shop and if she had returned from India. VJ said she had. I said I wanted to meet her. VJ said she had been back and gone again, back to India for an operation. I said I was very disappointed that she had not contacted me on her return to UK because on the 'phone to her I had said she needed to return and step up to the plate regarding her responsibilities to the business, yet when she was in UK she made no contact. VJ asked for another week to put everything in place.

28th February 2018 - Made enquiry with Licensing Section regarding Seven Days premises plan, no notification of alteration. Copy Premises Plan produced as **Exhibit TG16** in the Trading Standards bundle.

28th February 2018 - email to Trading Standards inbox from Miss MIDDE wanting to book for Preventing Underage Sales Training (PUAS) for staff [REDACTED] U [REDACTED] and A [REDACTED] wanted to know the availability date and process to book the training. Copy email produced as **Exhibit TG17**

28th February 2018 - Email received from Miss MIDDE (MR MR Osborne Wines trade email address) about my visit. Miss MIDDE states that the Tatra Mocne was 'on a direct delivery that product came and after seeing the details of the delivery he (meaning VJ) immediately informed U [REDACTED] to remove the product but U [REDACTED] instead of completely removing from shelf he put the product at the back of the shelf (not intended to sell) where customers won't see to buy it - this is mistake which we always careful on what we put on the shelf but won't happen in any time'. However, when RAW first observed the Tatra Mocne for sale 09/02/2018 it was displayed at the front of a fridge shelf and VJ was the sole member of staff on duty. When RAW made the test purchase 3 days later on 12/02/2018 the Tatra Mocne on was still on the shop floor in a fridge behind Carlsberg cans. The Tatra Mocne was able to be scanned through the till system. Miss MIDDE also said that she would make sure with 0% error from 10pm sharp there would be 2 people on site with 1 a Personal Licence holder. She said she realised that R [REDACTED] and VJ passed the exam with certificates but didn't get a card and so she would apply to Scotland disclosure certificate and do the necessary to get the cards. Miss MIDDE said she had been looking for a Personal Licence training place for U [REDACTED] where R [REDACTED] went, she said she was surprised he didn't pass so was going to send U [REDACTED] to R [REDACTED] trainer for the exam and would inform us about the exam date.

Miss MIDDE asked for 3 weeks to sort Personal Licence cards and U [REDACTED] exam and his card which would be faster as she had already applied to Scotland for disclosure. She apologised for the above and would make sure they are in place immediately. Copy email available as **Exhibit TG18** in the Trading Standards bundle.

28th February 2018 - Email received from VJ to say that he had spoken to Miss MIDDE and she was not happy because he does the ordering and when he placed an order for Tatra 5.5% yellow for the first time in the shop, the supplier didn't have the ordered item in stock so replaced with some other item of the same brand. They got the product on the shelf but when U [REDACTED] sent the delivery details to VJ and he saw the different Tatra he immediately sent a text message to U [REDACTED] to remove it and put it at the back of the store to return. Instead of putting the Tatra in the back of the store U [REDACTED] put the item in the back of the shelf, without displaying to customer, but Rob bought the item from the back of the shelf. VJ said they have never sold this beer brand in the last 3 years which he can show in the till reports. VJ said he was getting really worried, his head had become numb and right now he was actually shivering. VJ asked I provide one last final

chance to correct today's findings within a month. He said if he didn't correct it within a month then he wouldn't ask for any other chance and he does believe I would have some confidence in him sorting the things identified. Copy email produced as **Exhibit TG19** in the Trading Standards bundle.

1st March 2018 - Miss MIDDE telephoned from India (UK 08.41) very poor line. She wanted discussion about my visit yesterday and her email. I said I was struggling to hear her and suggested she email and questions as the line was so poor. She asked when I was available to talk I said at 10am UK time so agreed that time for call back. No call back on 1st.

2nd March 2018 - Miss MIDDE telephoned from India (UK 10.00) She wanted to know what all the issues were. I told her 2 failed test purchases and on inspections and visits non-compliance with licence conditions and on RAWs Night Time Economy visits witnessed lone working and 7% Polish beer on sale. Miss MIDDE said she didn't understand why RAW had bought a can that was pushed to the back. I told her the product was on the shop floor, for sale and available for self-selection. I said that the Tatra had been spotted on a Friday and RAW had returned and was able to purchase it 3 days later. I said that the item had rung up through the EPOS system on the till. Miss MIDDE asked to be given time, she asked for a few weeks. She said she keeps calling she keeps talking to them, she asked to be given a week. I said you cannot just go at your own speed where the Premises Licence conditions are concerned you have to comply with them to sell alcohol. At this point (UK 10.11) the call was disconnected.

2nd March 2018 - Miss MIDDE telephoned again (UK 10.15) said she had run out of top up will ring again in 2 minutes.

2nd March 2018 - Miss MIDDE telephoned (UK 10.35) she explained that Tatra had been on the EPOS system all pre-loaded and updated from Booker. She said that it will have K-Cider on it but they don't sell. I said OK but when RAW first saw the Tatra VJ was the one in the store, VJ is saying U [REDACTED] didn't remove but VJ was there and he didn't remove from sale, he could have put in stock room, or behind the counter but he left it on sale. Miss MIDDE said yes, but he doesn't know, like me, when I had some Jacks I didn't know until told, then I removed. I said yes, but you should know, read your Premises Licence, know what your conditions are and know what to work to.

Miss MIDDE said but I am doing everything step by step, like the CCTV. We are human, mistakes happen, if they repeatedly happen then... I interrupted her stating, but they are repeatedly happening since 2016.

I asked who was in charge her or VJ. Miss MIDDE said both, she checks every day, she does everything possible. She said she does everything I say, she just needs time. I told her no, they had had lots of time and that I was preparing a review application for a hearing and that I had it on my desk right now.

Miss MIDDE asked for more time, she said next time you can say I've told you, then you can take action. I said no sorry, I have it on my desk, have been working on it and it will be submitted. Miss MIDDE said she had put money into this business and that I was not giving her a chance, she said her situation wasn't hopeless, that she was doing it, that it would all be done in the next few weeks and if not done then she will say go for it. She said the Tatra was just a mistake, she said this was only the second mistake in 3 years.

I explained that a review application would be submitted and this was not just the second mistake, that there had been visits from the Police, Licensing and Trading Standards all since December 2016, all visits found non-compliance and the store had failed 2 test purchases. I said she had

staff that don't hold Personal Licences and that was her choice, she could have had employees that held Personal Licences already, she had made the decision to employ them and then get Personal Licences, but then they haven't.

Miss MIDDE said but they are half way there, they have been on courses, you can't stop me now when I am on my way, I am acting on what you are saying. I said that the application for review would be submitted and then be served on responsible authorities, such as Police, Fire, they may submit a representation, she would get a copy. I said that a hearing date would be set by the Licensing Committee and she would be invited to attend.

Miss MIDDE said 'Do I have to?' Is this really necessary, it's not hopeless. If things don't happen then I say go for it. You didn't go to this extent last time. I said no you are right, but there is only so much advice and guidance to do the right thing that can be given. This is my job, I work for Regulatory Services, at some point you give us nowhere else to go but enforcement action.

Miss MIDDE said you are there to help me, you have to give people a chance. I am keeping in touch, I email you. I said VJ told me that you had returned to UK but you didn't make contact, I was disappointed at that. Miss MIDDE said I emailed you about training. I said you emailed last November about training (of U[REDACTED]) and then you've emailed this week. All a little, too late. Your employees are not Personal Licence holders, you sent some on courses in November, one failed, you have had December, January and February to re-book, but you have not done that.

Miss MIDDE said you're not giving me a chance. I've got £[REDACTED] in the business. I am sat here shivering. You can't always get a course, I want U[REDACTED] to go to a different trainer.

I said sorry but I can only advise you that the review application will be submitted, others may make representations, you will receive copies, a hearing will be arranged, I will tell the Committee of findings, you will get your chance to explain, the Committee will make a decision.

Miss MIDDE said I needed to give her a chance to do what she was doing, then go for it. I said she could still do that but I had nothing to add, the application would be submitted, we would go for it now. OK. Miss MIDDE said she wasn't OK but she was saying OK as she can't say anything else.

2nd March 2018 - Telephone call received from VJ (11.30) asking how I was, I said OK and you? VJ said he wasn't well. I said I could understand that. VJ said he wanted to explain. I said he could but it would not affect decision to submit application. VJ said he was trying hard to put in place and that his only mistake was the Personal Licence holders. He said he got 40/40 in his exam and R[REDACTED] got 36/40. VJ said you have seen the documents and that we are running as per the Licence. VJ said he was knowledgeable. He said it was his fault that he had not done the disclaimers but he would do them within 14 days and apply for the Personal Licences. He said he can show in the sale reports that they don't sell Tatra, he said he can show sales through one year, all the sale categories and nothing over 6.5%. He said this one is my fault, that he could show me a text to U[REDACTED] too. He said there was a gap at the back so the Tatra was put to the back, not to sell. VJ said we don't sell, we only have 1 brand at 6.2%.

I said but you have sold it. VJ said it was just a mistake, we didn't intend to, it was put forward in the fridge to sell, U[REDACTED] opened the case of single cans, he should have taken it out. Rob looked for it at the back. If you can find 6.5% now, I'll say I'm doing wrong. I said it isn't just that, there are multiple breaches, the Premises Licence states after 10pm seven days a week 2 members of staff will be working, there was the 7% Polish beer sale, no Personal Licence holders, even removing the wall you need to have told Licensing and a variation needed, you are selling beer and wine in an area which is marked as a store room.

I asked who is in charge you, Miss MIDDE or both. VJ said he was as she is not here. He said the wall was always part of the shop they just cut it off. Call disconnected.

2nd March 2018 - VJ sent text ran out of credit when OK to ring (11.42). I replied, now.

2nd March 2018 - VJ telephoned (11.50) he said the wall was not changing the lay out, the wall was not a brick wall. I said as far as Licensing concerned it is changing layout. I said Miss MIDDE provided a plan, I believed it would have been her, when the ATM was installed but that plan says that area is a store room and had no beer or wine sales display. I advised VJ to contact Debra ROBSON. VJ said he had dealt with her before she is the Senior Licencing Officer. I said that's right, lady blonde hair, all the contact details are on the Full Premises Licence and Licence Summary.

VJ said he was the accountable person for running the store, that he knew 2003 Licensing law. I said OK but as well as the 2003 Licensing Act with that should come and understanding of the Licensing Objectives as well as understanding the Premises Licence and that was the problem at the store, they don't seem to understand the Licencing Conditions. VJ said yes he did. I said So why haven't you done everything on the Licence Conditions then. VJ said he scored 40/40 on the exam. Miss MIDDE got 33 or 34 out of 40. I said OK passing an exam but you still do need to understand licensing and you have not done what you said you would do in November. There has been no change of DPS; the staff haven't all been trained, there are still no Personal Licence holders.

VJ said he knew how to operate the rules, he runs the licence, whether his name is there or not, he acted as the DPS, he said he obeys it all. He said he has a team, that's why he didn't change the DPS, he wanted 2 people to be responsible. He said he wanted to put R■■■ as DPS as he has read all the conditions too. VJ said I know you had given me 3 weeks, I have done every step, got training documents. I sent U■■■ twice for a course.

I asked if U■■■ had failed twice as I only knew of one booking on 20th November. VJ confirmed that U■■■ had failed twice. I said OK, remember the long visit when RAW said you could send staff on a course but some may not have the ability, unfortunately U■■■ may not have the ability to understand licensing objectives and law around licensing. I said as I had discussed with Miss MIDDE we can give some advice and try to guide you to compliance but Trading Standards is a Regulatory Service and at some point it has to be said you just don't get it, you have left us nowhere else to go than enforcement.

VJ said it won't happen in my case. I replied well, actually it is happening in your case. I explained the review process. VJ said he didn't want this black mark against the business. I told him Miss MIDDE was the responsible person it was her name on the Premises Licence she was the Premises Licence Holder, she was the Designated Premises Supervisor.

VJ asked for one final chance, if he didn't follow then he wouldn't say another word, if he was not 100% on this change, he could prove it, he was capable of it. He said I was not trusting that he could turn things around, he promised to take all of my steps immediately, he said he would do everything ok, he wanted 1 final chance.

I said that I would still be submitting the application, that they should still do all the things they intended to do, put everything in place up to the review. That they would get an invite to the hearing, they may want to seek some legal advice and would have the chance to put their side. I said I was sorry I could not add anything else.

2nd March 2018 - Email received from Miss MIDDE advising she was coming to the UK immediately and skipping a doctors appointment/treatment because if anything happens to the shop she would be bankrupt as the investment was borrowed from banks, friends and family. She said if I had any confidence in their approach or steps they are wanting to put in place then kindly provide some time, a final chance to make things correct and to show you some confidence that we are capable of running the store by upholding the licensing objectives. Copy email produced as **Exhibit TG20** in the Trading Standards bundle.

5th March 2018 - Email received from Miss MIDDE to advise she had found an early date for a Personal Licence exam today in Southampton. She has requested the training company provide the results as soon as possible and they had already filled in the Personal Licence application and it was ready with required documentation. Miss MIDDE said R■■ has submitted his Personal Licence application so he would hopefully receive his card in the next couple days. She said a minor variation had been submitted to Licensing and is waiting for the fee to be paid. She said that the change of DPS application forms are filled in and will be submitted to Licensing as soon as R■■ received his Personal Licence as they wanted to have 1 more responsible person to make the team strong in protecting the Licensing Objectives applied through the Premises Licence. She said she was trying 100% to place everything in less than a week and will keep me informed of the process. Copy email produced as **Exhibit TG21** in the Trading Standards bundle.

5th March 2018 - Email received from Miss MIDDE enquiring about applying for Personal Licences, if candidates required DBS check because she sent R■■ to the Licensing Office and he got advised to return when received the DBS check certificate she asked for guidance and help to resolve. Forwarded email to Licensing Section. Copy email produced as **Exhibit TG22** in the Trading Standards bundle.

5th March 2018 - Email received from Miss MIDDE to advise that U■■ had finished his exam today and he commented that he will pass the exam with distinction this time, she hoped he did. She reiterated that she had asked the training company to send the results as soon as possible, as a matter of urgency. She said she had made U■■ fill in the Personal Licence application and he had already got DBS disclosure so she will submit the application in the next hour of received the exam certificate. Copy email produced as **Exhibit TG23** in the Trading Standards bundle.

Summary

The role of a DPS is be in day to day control of the business, be the main point of accountability, ensure the premises operates legally (and must hold a personal licence).

Miss MIDDE has been out of the UK for at least 5 months.

She has been the main point of accountability on paperwork but she has left VJ to manage Seven Days, he doesn't hold a Personal Licence despite saying he did to Portsmouth City Council staff.

Neither Miss MIDDE or Mr V■■ (VJ) have ensured that the premises has operated legally.

Portsmouth City Council officers have given advice to Seven Days, provided sample paperwork for due diligence and provided action plans twice. Officers talked through what was required of Seven Days on 9th November 2017 which basically is to comply with what is written on the Premises Licence.

VJ gave assurances in emails dated 09/11/2017 & 15/11/2017 that he both today and then within 3 weeks would make sure 100% all things would be in place such as varying the DPS and that staff U■■ and R■■ would be trained and obtain Personal Licences.

Only one member of staff, R■■ passed the BIIAB course but an application for a Personal Licence

has not been made. Another staff member U [REDACTED] failed the course in November and it has since come to light that he failed a second time but had not been enrolled to another course to attain L2 BIIAB qualification and subsequently be able to apply for a Personal Licence. Despite knowing this U [REDACTED] has still been allowed by Miss MIDDE and in her absence by Mr V [REDACTED] (VJ) to continue to work in the store when alcohol is being offered for sale. A third member of staff Z [REDACTED] does not hold a Personal Licence but was also permitted to work in the store when alcohol was being offered for sale but was not given written authority by the DPS. As it now transpires, despite previously stating he held a Personal Licence VJ does not hold a Personal Licence and so is complicit in the breaches.

Miss MIDDE said in a telephone call on 09/11/2017 'give me one more chance' 'I will take it seriously this time' but despite being given ample time to put everything in place to be compliant 2 months on were still breaching Premises Licence conditions.

Trading Standards would respectfully ask the Licensing Committee to consider:-

- 1) Revocation of the Premises Licence - This will undoubtedly prevent any further sales of alcohol to under 18s and further breaches of the Premises Licence conditions. Indeed the guidance provided under the Licensing Act 2003 would ask you to seriously consider this in the first instance, due to the holders overall failings to operate the premises in line with the licence requirements, licensing objectives and Portsmouth's licensing policy. Should the Committee decide to revoke the licence it is both proportionate and necessary to the problems that are reoccurring at the premises.
- 2) Removal of the DPS - Due to a failure of the current DPS Miss Indrani Alekhya MIDDE to uphold the Licensing Objectives that she be removed as DPS. Perhaps the Committee may feel that a new DPS would change the culture at the premises and feel that a new DPS may be able to successfully enforce the previous added conditions and enforce any new measures.
- 3) Disallow appointment of individual as DPS at premises - Mr V [REDACTED] (VJ) not to be appointed DPS at said premises in place of Miss MIDDE. In the absence of Miss MIDDE he says he has said he has been engaged in the day to day running of the business, employing staff, ordering the CCTV and training staff. During this time the premises has sold to 2 children and breached the Premises Licence conditions both mandatory and those attached after a hearing by the licensing authority.
- 4) Suspend the Premises Licence - for a period of up to three months. This would allow a period of time for the premises licence hold to retrain all staff members to be fully aware of their responsibilities and implement any measures required by the Committee.

In addition, if licence not revoked, the following conditions to be enhanced as follows:-

- 5) Training - all staff engaged in the sale of alcohol to undertake a yearly refresher training course or where there is an identified need to do so and this refresher training is to be documented and training records are to be kept on site and available to authorised officers.
- 6) ID all alcohol sales - Place a condition on the Premises Licence that every sale of alcohol requires a person to provide a form of ID. This would ensure that every staff member making a sale would have to check the ID of a customer and would remove the necessity for staff to assess the customers age.

Please tick ☒ yes

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

If yes, please state the date of that application

Day

Month

Year

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

Please tick ☒ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.

- I understand that if I do not comply with the above requirements my application will be rejected.

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

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Date

14th March 2018

Capacity

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by email, your email address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

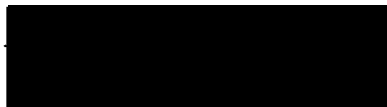
Exhibit JP1

Description:

Witness Statement of Police Constable Jason Pearce

Seized / produced by: Tracey Greaves

Signed:



WITNESS STATEMENT**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: Jason Pearce

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 2 page(s) 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 which I know to be false, or do not believe to be true.

Signature: (witness) Date: 09/03/2018

I am Police Constable 512 Jason Pearce. I work as part of the Police Alcohol Licensing team with my primary responsibility to ensure that licensed premises are monitored, managed and compliant with requirements in order to reduce crime and disorder.

On Friday 14th July 2017 I was working in the company of Tracey Greaves (Trading Standards) and Rob Anderson-Weaver (Council / Health) on a joint operation in Portsmouth. This operation sought to test a number of off licensed premises to assess if they were operating a challenge 25 age verification policy with regards to selling alcohol and to see if they were ensuring that ID was requested for customers who looked under this age.

Tracey Greaves had obtained the services of a 16 year old girl to assist us with our tests.

The procedure is that one of us enters the premises before or after the juvenile enters. The person then monitors the attempted transaction at the till. The juvenile is instructed to say they have no ID if asked so there is no intent to trick the premises staff. If the staff member sells alcohol to the juvenile without requesting ID, they fail the test and commit the offence of selling alcohol to a person under 18 (section 146 (1) of the Licensing Act 2003).

For information a Police Officer or a Weights and Measures Inspector has a legal exemption under section 149 part 2 (a&b) of the Licensing Act 2003 to allow a person under 18 to purchase the alcohol.

On 14th July, one of the premises tested was Seven Days convenience store at Osborne Rd, Southsea. Staff member [REDACTED] sold a 500ml bottle of Old Mout Cider without requesting any identification. As a result of this I identified myself as a Police Officer and went through the process of reporting and cautioning Mr [REDACTED] for the offence of selling alcohol to a person under 18. I then issued Mr [REDACTED] with a Penalty Notice (£90 fine).

Tracey Greaves was also present during the Police up process and had engagement with the staff on duty.

Signed Signature witnessed by

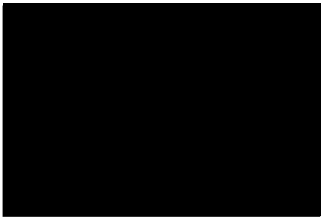
A follow up test of the same nature was conducted at Seven Days at 1750 on 29th September 2017. This was again led by Trading Standards and supported by Public Health and the Police (same staff present). A different test purchaser was used, aged 15.

Rob Anderson- Weaver witnessed the transaction. Shortly afterwards I was advised that the staff member inside had sold alcohol to the test purchaser who had by now left the shop.

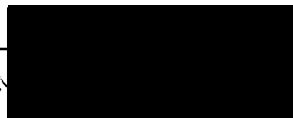
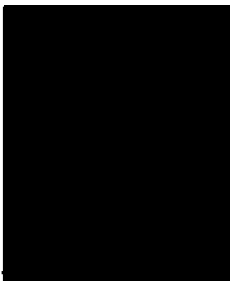
The seller was a Mr U [REDACTED] Mr [REDACTED] U declared that he had not had any training regarding alcohol sales, therefore he was not issued with a Penalty Notice that day as further enquiries were required to determine if he had been trained.

I returned to the premises with Tracey Greaves on the 13th November 2017. It was apparent that Mr [REDACTED] U had been given some training input therefore I issued him with a Penalty Notice for the offence of selling alcohol to a person under 18 on the 29/09/17.

I also recall that the CCTV monitor and hard drive was on a shelf within the public area of the shop which was an unsuitable location for it. I advised Mr [REDACTED] U of this so he could advise his boss.



Signed Signature witnessed by





Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

Exhibit RAW1

Description:

Witness Statement of Rob Anderson-Weaver

Seized / produced by:

Tracey Greaves

Signed:



**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r.16.2;
Criminal Justice Act 1967, s.9)

Statement of: Rob ANDERSON-WEAVER

Age of Witness: over 18

(If over 18 enter "Over 18")

This statement (consisting of 2 page(s) 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 which I know to be false or do not believe to be true.

I am employed as Public Health Project Officer at Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL.

On Friday 29th September 2017 I assisted in a test purchase operation in Portsmouth organised by Trading Standards. At 17.52 I accompanied a 15 year old test purchase volunteer to the store Premier Seven Days, I observed that they selected a bag of Doritos and 4 x 500ml cans Carling Black Fruits Cider.

The staff member serving who I now know to be Mr U [REDACTED] did not engage with the test purchaser, he sold the cans of beer to the test purchaser without any request for ID, the seller had headphones in his ears for the duration of the purchase. The young person then left the shop and I took possession of the alcohol. I passed the alcohol on to Police Constable PEARCE who then went into Seven Days with Trading Standards Officer Tracey GREAVES.

On the 9th of November I accompanied Tracey GREAVES to the store Premier Seven Days. We met with a male called VJ. A meeting ensued for the next 3 hours about the non-compliance of the premises with regard to breaching many of the conditions on the Premises Licence, we discussed the two failed test purchases and the lack of engagement from the Designated Premises Supervisor (DPS) and Premises Licence Holder, a Miss MIDDE. Each non compliance was raised such as concerns about paperwork shown to me and the low number of refusals recorded in the refusal register over a year and none recorded in the month of August 2017, which seemed unrealistic. I wanted to know where VJ sat in the business because VJ had told me that the DPS was not in UK nor had she been for about a month. VJ said he was in charge and he was the Personal Licence holder there and he knew what a DPS and Premises Licence holder was and their role. VJ said he had another job as a software engineer. I explained to VJ that one of the conditions of the Premises Licence was that a Personal Licence holder had to be on the premises at all times when it was open and had alcohol for sale so the minute he left the premises and a Personal Licence holder was not on site then the premises would be

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

Page 38-13/18



breaching its Premises Licence condition and so if he was in charge how would he ensure compliancy. VJ said he would send all the staff to get a Personal Licence. I said that he could do that but they may not have the ability as they failed to assist on visits and didn't engage with you after the visits. I asked VJ why the staff had obstructed officers by saying they didn't have contact details for him or Miss MIDDE and saying they didn't know where documents were or how to work the CCTV, why had they lied, or blocked the truth as he was now saying that all the documents were available in the store, that all the staff knew how to work the CCTV and all the staff had the contact details. VJ said the staff were frightened. When watching the CCTV screen it became clear that there was no external camera at the front of Seven Days and that the CCTV recording system was not in a secure area as it was located in the rear sales area on top of an alcohol display shelving unit. There was no manual for the CCTV available. VJ asked for a chance and to be given 3 weeks. I told VJ he was helpful and taking up the responsibility left at his door but that this responsibility was Miss MIDDEs, she was the DPS, she was the Premises Licence holder, she was the person who should be communicating, seeking support from those with knowledge and understanding. Miss MIDDE rang VJ and Tracey GREAVES took the call. Before I left the Premier Seven Days I discussed the siting of small bottles Vodka shots right beside childrens sweets as an example of not supporting the licensing objective Protection of Children from Harm. Also that although not illegal to sell cannabis grinders would a responsible retailer wish to stock drugs paraphernalia.

On Friday 12th January 2018 I passed the Premier Seven Days store at 22:09 whilst on Night Time Economy visits and noticed that there was only one member of staff on the shop floor. I was scheduled to meet another venue in the area so I moved on and planned to return to confirm if any more staff were on site. At 22:56 I returned to Premier Seven Days. As I purchased a packet of starburst and a packet of crisps I asked the member of staff if he was on his own in the shop and he replied that he was. I asked him what time he would be working until. He replied '2am'. I asked him again 'on your own?' and he confirmed both again. I wished and good and safe night and left the store.

On Friday 9th February 2018 during my Night Time Economy visits in the Palmerston Road area I passed Premier Seven Days at 21:50 and saw a male working in the store on his own. I returned at 22:00 and saw VJ. I asked if he was on his own and he said that U [REDACTED] had just popped out to get his lunch. I noticed that Tatra Mocne Polish Beer of 7.0% ABV was on sale in the chiller cabinet.

On Monday 12th February 2018 I visited Premier Seven Days to see if the Tatra Mocne was still available for sale in the store. I saw some cans in the fridge behind Carlsberg cans. The staff member I recognise as U [REDACTED] scanned the item on the EPOS system. I purchased 1 can of Tatra Mocne Polish Beer for £1.30 and received a receipt, time stamped at 12.57.

I have had no further contact with any management, staff or made any other visits to the Premier Seven Days store.

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

Page 391413/18



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

Exhibit TG1

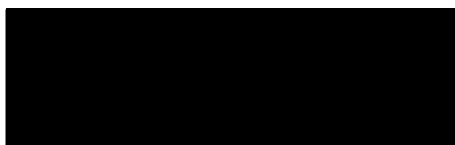
Description:

Sample documents due diligence

Seized / produced by:

Tracey Greaves

Signed:



Licensing Act 2003

Authorisation for the sale and supply of alcohol

(Off Sales)

Name and address of licensed premises.....

.....

Ibeing a personal licence holder
(licence no) and staff member at the above licensed
premises, hereby authorise the following persons to sell or supply
alcohol for consumption off the premises, at any time during
permitted hours.

Signed:

<u>Name</u>	<u>Date</u>	<u>Sign</u>
-------------	-------------	-------------

Premises Age Verification Policy

Name and address of premises

.....
.....
.....

Name of premises licence holder

.....
Name of designated premises supervisor

.....

1. This policy applies in relation to the sale or supply of alcohol on this premises.
2. For this policy the responsible person is one of the following:
 - the holder of the premises licence;
 - the designated premises supervisor;
 - a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18; OR
 - a member or officer of a club present on the club premises in a capacity which enables him or her to prevent the supply in question
3. Staff serving alcohol on the premises must require any individuals who appear to the responsible person to be under the age of 25 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark.
4. Examples of appropriate identification include:
 - A UK photo card driving licence
 - A passport
 - A proof of age card bearing the PASS hologram
5. The premises licence holder or club premises certificate holder will ensure that staff are made aware of the existence and content of this policy.

Signed.....
PREMISES LICENCE HOLDER /
CLUB PREMISES CERTIFICATE HOLDER

Staff Member Declaration

Venue

Staff Member

The sale of alcohol to a person under the age of 18 is an offence which may lead to a fine of up to £5000 and/or a term of imprisonment not exceeding three months. Such a sale will also potentially lead to a review of the premises alcohol licence and could result in the licence being suspended or revoked.

This venue operates an Age Verification Policy, the terms of which you must ask for the production of an acceptable proof of age document if you are in any doubt as to whether the person seeking to purchase alcohol is less than 25 years of age.

Only the following documents are acceptable for proof of age purposes:

- **A valid Passport**
- **A European union photo card drivers licence**
- **A "Pass" approved card (Citizen or Portman)**

If no such document is produced or you have a suspicion that the document presented is not genuine has been tampered with or has been altered then you **MUST** refuse the sale.

If you believe the customer to be intoxicated through alcohol or drugs then you **MUST** refuse the sale.

Signs of drunkenness can include:

- **Being unsteady on feet**
- **Slurred speech**
- **Smell of alcohol on breath**
- **Glazed eyes**

When a sale is refused you **MUST** make a record of this in the refusal log, recording:

- **Date and Time of refusal**
- **Item refused**
- **Reason for refusal**
- **Your name and signature**

Anyone involved in the sale of alcohol has a legal duty and responsibility to uphold the licensing objectives. These are:

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

DECLARATION

I have read and understood the above policy. I understand that failure to comply with its terms will be treated as gross misconduct and may lead to dismissal from my employment.

I have been given basic underage sales training and I understand my responsibilities with regards to the law.

SIGNED

DATE

DPS/PLH Verification



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

Exhibit TG2

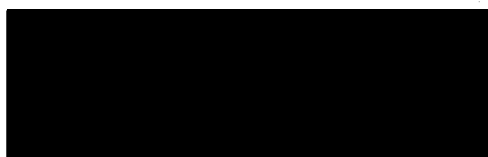
Description:

Copy summary sheet visit 13/12/2016

Seized / produced by:

Tracey Greaves

Signed:



Licensed Premises inspection summary



Portsmouth
CITY COUNCIL

TEL: - [REDACTED] WC: - [REDACTED]
Premises trading name SUNDAYS PREMIER EXPRESS
Premises address 37 OSBORNE ROAD
SOUTHSEA POS 3LR

Time & date of inspection 13.12.16. 10 24

Staff name ACKY MIDDLE

Officer's name TRACEY GREAVES 1 month open

Premises licence summary displayed
(legal requirement - 2003 licensing act) YES ☐ NO ☒ going to put front window

Is a copy of the full premises licence available on site
(legal requirement - 2003 licensing act) YES ☐ NO ☒

Is the premises licence holder on the licence still the business operator? YES ☒ NO ☐

Is the designated premises supervisor on the licence correct and are they still employed at the premises? (legal requirement - 2003 licensing act) YES ☒ NO ☐

Does the premises have the following notice displayed in a prominent position:
it is illegal to sell tobacco products to anyone under the age of 18?
(legal requirement) YES ☐ NO ☒ gave them one

Challenge 18/21/25 poster visible (do they currently operate
an age verification policy - mandatory condition) YES ☒ NO ☐ top of front window

Does the premises operate proxy watch - (off sales only) YES ☒ NO ☐ gave poster

Does the premises operate a refusals log YES ☒ NO ☐ Tab 19/11/16

Can staff at the premises demonstrate under age sales training
(Portsmouth licensing policy requirement) YES ☐ NO ☒

Can the staff member converse regarding the 4 licensing objectives YES ☐ NO ☐

If no, please give opinion below as to why this was

advised sign & Reg weekly 1 staff
(have slips too)
advised re-training record

How do you feel about the quality of service offered to you by trading standards?
Poor ☐ Average ☐ Good ☐ Excellent ☐ N/A ☒

Trading Standards can be contacted at gave alcauth
Staff dec & Age Veridoc
023 9282 4889 or trading.standards@portsmouth.gov.uk

437977

Document Ref: 14354_License Premises Inspection Books



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

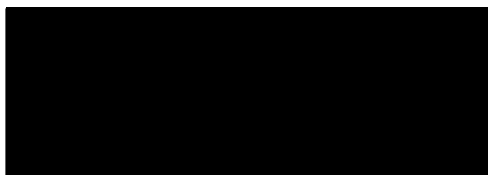
Case Ref. No:

Exhibit no: **Exhibit TG3**

Description: **witness statement to Licensing 02/02/2017**

Seized / produced by: **Tracey Greaves**

Signed:





Portsmouth
CITY COUNCIL

WITNESS STATEMENT

(Criminal Procedure Rules, Rule 27.1(1);
Criminal Justice Act 1967, Section 9; Magistrates Courts Act 1980, Section 5B)

Page No. 1

STATEMENT OF: Tracey Greaves

AGE: Over 18 OCCUPATION: Trading Standards Officer

This statement (consisting of 2 page(s) 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 which I know to be false or do not believe to be true.

Signature:

Date:

2. 2. 2017

I am employed by Portsmouth City Council as a Trading Standards Officer in the Regulatory Services Section, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL. At approximately 10.24am on the 13th December 2016 I visited Seven Days Premier Express located at 37 Osborne Road, Southsea PO5 3LR on an advisory visit. I spoke with a female who identified herself as Acky **MIDDE**. Ms **MIDDE** gave consent for me to carry out a Licensed Premises Inspection. The inspection sheet consists of 10 questions with yes and no boxes which I exhibit as **TG1**. The Premises Licence Summary was not displayed and the Full Premises Licence was not available on site. I said that both were a legal requirement and that she needed to have both on site and display the Premises Licence Summary. Ms **MIDDE** said she had been busy and that she has both at home. I said as a matter of urgency she needed to bring them to the premises. Ms **MIDDE** said she would display the Premises Licence Summary in the front window but that they had only re-opened one month ago. She confirmed that she was the Premises Licence Operator, still the operator of the business and that she was also the Designated Premises Supervisor. I noted that there was no statutory tobacco sign displayed and so I provided Ms **MIDDE** with an A3 sign from Portsmouth City Councils stock. The premises did have a Portsmouth City Council Challenge 25 poster displayed in the front window along with a Portsmouth City Council Proxy Watch poster. However, I did provide the newer print run updated posters. I checked the refusal register it had an entry for a tobacco sale being refused on 19th November 2016 but no refusal entry for an alcohol sale. Ms **MIDDE** said they also had some till slips as refusals. I advised that the refusal register should be checked and signed off on a weekly basis and even if there were no refusals in a week this could be marked on the page with dates to keep the refusal log up to date. Ms **MIDDE** complained that other retailers in the road were selling high strength ciders and beers yet she felt sure they had the same

Signature:

Date:

2. 2. 2017



WITNESS STATEMENT

(Criminal Procedure Rules, Rule 27.1(1);
Criminal Justice Act 1967, Section 9; Magistrates Courts Act 1980, Section 5B)

Page No. 2

STATEMENT OF: Tracey Greaves

condition as her licence not sell them. I asked Ms **MIDDE** how many staff were employed at the premises. Ms **MIDDE** said there were 4 members of staff. I asked to see the training records for those staff. Ms **MIDDE** said she didn't have the training records. I said that she needed to ensure her staff received training and that she kept a record of this. I showed Ms **MIDDE** sample documents that the Police and authorised Officers of Portsmouth City Council would expect to see when making visits. I provided Ms **MIDDE** with Authorisation for the sale and supply of alcohol document, an Age verification policy document and a Staff member declaration document and explained how these should be filled in and who needed to sign them. I said I would return to the premises in January 2017 and left her with the top copy of the Licensed Premises Inspection Summary sheet listing the matters that needed to be rectified. I pointed out my name and contact telephone number should she need to contact me with any questions or concerns. The inspection concluded at approximately 10.55am. [REDACTED]

Signature: [REDACTED]

Date:

2. 2. 2017



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

Exhibit TG4

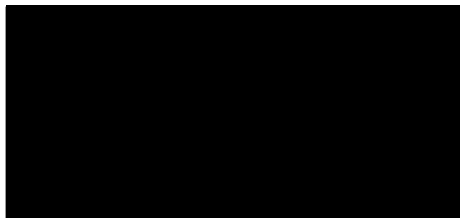
Description:

Inspection Summary Sheet 09/10/2017

Produced by:

Tracey Greaves

Signed:





Portsmouth
CITY COUNCIL

Licensed Premises

Action summary

TEL: ~~X~~not working LIC: 1702292

Trading name SEVENDAYS (PREMIER) LARVU

Address 37 OSBORNE ROAD
SOUTHSEA PO5 3LR.

Date of inspection 3 ~~01~~ 2017 9.10. 13.10

Time Z CCTV cut

Name TRACY GREENES Work no

License summary displayed Veejay knows

Requirement - 2003 licensing act YES ☒ NO ☐

Is the full premises licence available on site YES ☐ NO ☒

Is the licence holder on the licence still the business operator? YES ☒ NO ☐

Is the premises supervisor on the licence correct and are they based at the premises? (legal requirement - 2003 licensing act) YES ☐ NO ☒

Do the premises have the following notice displayed in a prominent position:

to sell tobacco products to anyone under the age of 18? YES ☒ NO ☐

Is the 1/25 poster visible (do they currently operate PCC window) YES ☒ NO ☐

Is the mandatory condition bottle chiller YES ☒ NO ☐

Do the premises operate proxy watch - (off sales only) PCC window YES ☒ NO ☐

Do the premises operate a refusals log YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒

Do the premises demonstrate under age sales training YES ☐ NO ☒



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

Exhibit TG5

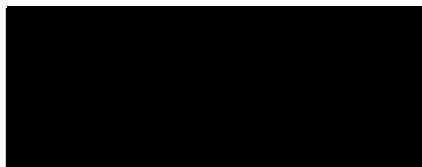
Description:

Letter to Miss Midde 07/11/2017

Produced by:

Tracey Greaves

Signed:





**Culture and City Development
Regulatory Services**

Miss I A Midde



Trading Standards Section
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: 023 9243 7977

07 November 2017

Dear Miss Midde

Re: Sevendays, 37 Osborne Road, Southsea

I am writing with regard to breaches of the premises licence and two failed juvenile test purchases.

I am the point of contact within the Trading Standards Team regarding licensing issues. Part of my role when non-compliance has been identified is to support the premises to resolve these issues in order to ensure that the premises support the four licensing objectives.

I trust you have been informed by your staff members of the 3 visits made.

I last spoke with you in person on 13th December 2016 when a Licensed Premises Inspection was carried out. At that time the premises was not displaying the Premises Licence Summary, there was no full Premises Licence on site, there was no statutory tobacco sign on display (It is illegal to sell tobacco products to anyone under the age of 18). At that time you stated there were four members of staff but there were no training records available. I left a copy page of the summary sheet with you for you to address the non-compliant sections. I provided you with a tobacco notice and other documents such as an authorisation for the sale and supply of alcohol, staff member declaration and age verification policy documents. I advised you to check and sign off the refusal register weekly (the entry was for tobacco on 19/11/2016). You said there were also some receipt slips that were refusals too. I suggested these be stapled into the refusal register. I pointed out my direct dial telephone number written on the bottom of the summary sheet.

On 14th July 2017 juvenile test purchase for alcohol was made, the store failed. The server made no challenge to the young person only stating the cost of the alcohol. After the sale the Police Officer and myself spoke with the seller Mr Z [REDACTED]. He said you were on holiday. We asked that he make you aware of the sale and that you should contact Trading Standards as soon as possible.

There was no contact from you.

On 29th September another juvenile test purchase for alcohol was undertaken. The store failed again as the seller sold alcohol to a [REDACTED] year old. After the sale the Police Officer and myself discussed the sale with 2 male staff in the premises. The seller did not challenge the young person for ID, in fact he had earphones in his ears for the whole sale transaction. They said the owner and manager was Veejay but he was at the cash and carry, so not on the premises, they had no means of contacting Veejay. They said they had both recently started working there, one stated around the 17th of September and the other had only joined the previous week. They could not show us any training records but one of the males said he had received some training to check ID cards. Neither could work the CCTV system. When asked if they had met you, Miss Midde, your name was pointed out to them on the Licence Summary. They said they had not met you and that you were on holiday. They said they had no means of contacting you. We left the premises asking for contact back to Trading Standards from Veejay or yourself as soon as possible to discuss the failed test purchase, training and other issues.

There was no contact from either yourself or Veejay.

On 9th October I made a visit to the store with a colleague as there had been no communication from you or Veejay. Mr Z [REDACTED] was working in the shop that day. A Licensed Premises Inspection was carried out. There was no full Premises Licence available on site and no refusal register available to view. I asked Mr N [REDACTED] about refusal slips but these could not be produced either. I asked Mr N [REDACTED] if you, Miss Midde, were still the business operator and still working at the premises. He said that he could not remember, that you were on holiday, that Veejay is the boss, that he had never seen you at the premises and he had started working there over two months ago. He did not have any contact details for you. He said that Veejay was in charge but he did not know Veejays surname. He said that Veejay came in to work at the shop every day and was due in at 4pm. He said he had received training 2 months ago, but he could not converse regarding the 4 licensing objectives. He thought he had signed something regarding his training but he did not know where that was. I asked if he could operate the CCTV but Mr N [REDACTED] said he could not and no operators manual was available. Mr N [REDACTED] said only Veejay knew how to work it. I provided a copy of the summary sheet to him asking him to pass it to Veejay or yourself as there were breaches of the Premises Licence that needed to be addressed and I would come back to check the documents if you/he contacted me on the number at the bottom of the summary sheet.

To date I have received no contact from either you or Veejay.

I would strongly advise that you take time to ensure that the business operation complies with the conditions on your Premises Licence. Not only will this provide you with some due diligence around your Premises Licence but will also ensure that you are in the best possible position to promote all four of the licensing objectives.

For clarity the four licensing objectives which your premises is obliged to promote by law are:-

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

Should you fail to adhere to the conditions or should you continue to operate the premises in a way which does not support any of the licensing objectives then you will leave yourself open to a review of the Premises Licence or potential prosecution for offences under the Licensing Act 2003, or both.

Although the test purchase failures may have been dealt with by way of issuing £90.00 fines to the sellers (PND issued by Police) Trading Standards are considering submitting an application to review the Premises Licence due to the fact that your premises has sold alcohol to individuals under the age of 18 twice within a three month period.

Should you have any questions or wish to discuss this further then please do not hesitate to contact me.

Yours faithfully

Tracey Greaves
Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Email: tracey.greaves@portsmouthcc.gov.uk



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days, 37 Osborne Road, Southsea, PO5 3LR

Case Ref. No:

Exhibit no:

Exhibit TG6

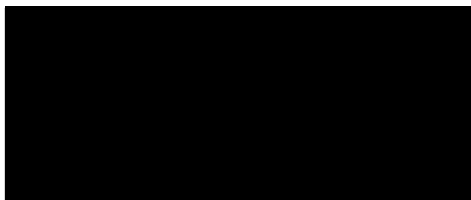
Description:

Letter to Miss Midde (shop) 07/11/2017

Produced by:

Tracey Greaves

Signed:





**Culture and City Development
Regulatory Services**

Miss I A Midde
Sevendays (Premier)
37 Osborne Road
Southsea
Hants
PO5 3LR

Trading Standards Section
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: 023 9243 7977

07 November 2017

Dear Miss Midde

Re: Sevendays, 37 Osborne Road, Southsea

I am writing with regard to breaches of the premises licence and two failed juvenile test purchases.

I am the point of contact within the Trading Standards Team regarding licensing issues. Part of my role when non-compliance has been identified is to support the premises to resolve these issues in order to ensure that the premises support the four licensing objectives.

I trust you have been informed by your staff members of the 3 visits made.

I last spoke with you in person on 13th December 2016 when a Licensed Premises Inspection was carried out. At that time the premises was not displaying the Premises Licence Summary, there was no full Premises Licence on site, there was no statutory tobacco sign on display (It is illegal to sell tobacco products to anyone under the age of 18). At that time you stated there were four members of staff but there were no training records available. I left a copy page of the summary sheet with you for you to address the non-compliant sections. I provided you with a tobacco notice and other documents such as an authorisation for the sale and supply of alcohol, staff member declaration and age verification policy documents. I advised you to check and sign off the refusal register weekly (the entry was for tobacco on 19/11/2016). You said there were also some receipt slips that were refusals too. I suggested these be stapled into the refusal register. I pointed out my direct dial telephone number written on the bottom of the summary sheet.

On 14th July 2017 juvenile test purchase for alcohol was made, the store failed. The server made no challenge to the young person only stating the cost of the alcohol. After the sale the Police Officer and myself spoke with the seller Mr Z [REDACTED]. He said you were on holiday. We asked that he make you aware of the sale and that you should contact Trading Standards as soon as possible.

There was no contact from you.

On 29th September another juvenile test purchase for alcohol was undertaken. The store failed again as the seller sold alcohol to a [REDACTED] year old. After the sale the Police Officer and myself discussed the sale with 2 male staff in the premises. The seller did not challenge the young person for ID, in fact he had earphones in his ears for the whole sale transaction. They said the owner and manager was Veejay but he was at the cash and carry, so not on the premises, they had no means of contacting Veejay. They said they had both recently started working there, one started around the 17th of September and the other had only joined the previous week. They could not show us any training records but one of the males said he had received some training to check ID cards. Neither could work the CCTV system. When asked if they had met you, Miss Midde, your name was pointed out to them on the Licence Summary. They said they had not met you and that you were on holiday. They said they had no means of contacting you. We left the premises asking for contact back to Trading Standards from Veejay or yourself as soon as possible to discuss the failed test purchase, training and other issues.

There was no contact from either yourself or Veejay.

On 9th October I made a visit to the store with a colleague as there had been no communication from you or Veejay. Mr Z [REDACTED] was working in the shop that day. A Licensed Premises Inspection was carried out. There was no full Premises Licence available on site and no refusal register available to view. I asked Mr N [REDACTED] about refusal slips but these could not be produced either. I asked Mr N [REDACTED] if you, Miss Midde, were still the business operator and still working at the premises. He said that he could not remember, that you were on holiday, that Veejay is the boss, that he had never seen you at the premises and he had started working there over two months ago. He did not have any contact details for you. He said that Veejay was in charge but he did not know Veejay's surname. He said that Veejay came in to work at the shop every day and was due in at 4pm. He said he had received training 2 months ago, but he could not converse regarding the 4 licensing objectives. He thought he had signed something regarding his training but he did not know where that was. I asked if he could operate the CCTV but Mr N [REDACTED] said he could not and no operators manual was available. Mr N [REDACTED] said only Veejay knew how to work it. I provided a copy of the summary sheet to him asking him to pass it to Veejay or yourself as there were breaches of the Premises Licence that needed to be addressed and I would come back to check the documents if you/he contacted me on the number at the bottom of the summary sheet.

To date I have received no contact from either you or Veejay.

I would strongly advise that you take time to ensure that the business operation complies with the conditions on your Premises Licence. Not only will this provide you with some due diligence around your Premises Licence but will also ensure that you are in the best possible position to promote all four of the licensing objectives.

For clarity the four licensing objectives which your premises is obliged to promote by law are:-

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

Should you fail to adhere to the conditions or should you continue to operate the premises in a way which does not support any of the licensing objectives then you will leave yourself open to a review of the Premises Licence or potential prosecution for offences under the Licensing Act 2003, or both.

Although the test purchase failures may have been dealt with by way of issuing £90.00 fines to the sellers (PND issued by Police) Trading Standards are considering submitting an application to review the Premises Licence due to the fact that your premises has sold alcohol to individuals under the age of 18 twice within a three month period.

Should you have any questions or wish to discuss this further then please do not hesitate to contact me.

Yours faithfully

Tracey Greaves
Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Email: tracey.greaves@portsmouthcc.gov.uk



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG7

Description:

COPY EMAIL TG TO VT
9. 11. 2017

Produced by:

COPY EMAIL REPLY
VT TO TG
9. 11. 2017
TRACEY GREAVES

Signed:



Greaves, Tracey

From: MR MR <[REDACTED].com>
Sent: 09 November 2017 14:14
To: Greaves, Tracey
Subject: Re: contacts confirmed

Hi Tracey,

By end of today, I am making sure below things are in place

1. Requesting Debbi for a change of DPS
2. Placing a Printed CCTV easy to use Manual
3. Running one more re-training session and documented
4. Reducing J[REDACTED] working hours to one day as he didn't even phone me when you are in store to check the trading standards
5. Maintaining Refusal Log more effectively
6. I have looked for a personal licence training availability dates for U[REDACTED], R[REDACTED] and the nearest date is 20th November 2017, I will book the exam and make sure it's done on this 20th and after the test, they will receive the test results within 3 days which I will update you through the email.
7. I am trying to find the CCTV company (I have ordered previously from Amazon but for some reason, that seller is not available now) to order few more cameras to install outside of the premises and at the same time to be compatible with the existing CCTV system.

Thank you

On Thu, Nov 9, 2017 at 12:04 PM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Hi VJ,

Further to your call my contact details are confirmed as below

Kind regards,



Tracey Greaves

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

T - 023 9243 7977

E - tracey.greaves@portsmouthcc.gov.uk

M - [REDACTED]

Licensing - debra.robson@portsmouthcc.gov.uk

Police Licensing - pete.rackham@portsmouthcc.gov.uk

Rob - rob.anderson-weaver@portsmouthcc.gov.uk and his mobile is [REDACTED] Rob was who was with me today for our meeting

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

TG8

Exhibit no:

Description:

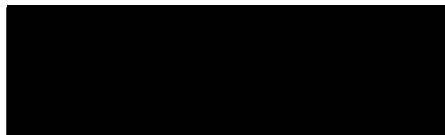
MISS MIDOE
EMAIL REQUEST 9.11.2017
REPLY FROM LICENSING

Produced by:

TRACEY GREAVES

10.11.2017

Signed:



Greaves, Tracey

From: Robson, Debra
Sent: 13 November 2017 11:50
To: Greaves, Tracey
Subject: FW: DPS CHANGES

For info.

debs

From: MR MR [mailto: [REDACTED]@portsmouthcc.gov.uk]
Sent: 13 November 2017 11:54
To: Robson, Debra
Subject: Re: DPS CHANGES

Thank you, Debbie.

I will complete the form and will send the License, Summary back also.

On Fri, Nov 10, 2017 at 11:03 AM, Robson, Debra <Debra.Robson@portsmouthcc.gov.uk> wrote:

Hi Midde

As requested.

The fee is £23 you can pay over the phone but only on receipt of the application. I also need both licence and summary back for amendment.

Regards.

Debbie Robson

Senior Licensing Officer

Directorate of Culture and City Development

Licensing Service

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

T: 023 9283 4607

F: 023 9283 4811

E: debra.robson@portsmouthcc.gov.uk

www.portsmouth.gov.uk

From: MR MR [mailto:[\[REDACTED\]](mailto:).com]

Sent: 09 November 2017 18:24

To: Robson, Debra

Subject: DPS CHANGES

Hi Debbie,

Can you please kindly send me DPS vary forms to put a request.

Thank you in advance,

Midde.

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 9

Description:

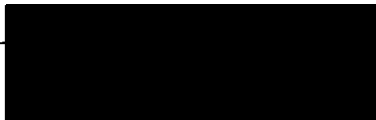
COPY EMAIL
TG TO VJ 14.11.2017

Produced by:

RESPONSE EMAIL
VJ TO TG 14.11.2017

Signed:

TRACEY GREAVES



Greaves, Tracey

From: MR MR <[REDACTED].com>
Sent: 14 November 2017 16:25
To: Greaves, Tracey
Subject: Re: training documentaion

Hi Tracy,

I thought you have seen all the training logs on your last visit. You are always welcome to see the training logs, training policy and materials etc. I will be at the store tomorrow early morning 8 AM - 8.45 AM then I am going to do a client presentation. If you don't mind Can we please catch in this slot and If you are busy / already have any other appointment during this time as I have Re-Trained U [REDACTED] and R [REDACTED] more than twice so far from the date of U [REDACTED] test purchase failure If R [REDACTED], U [REDACTED] go through with the training documents with you will also be a best practice to these two staff members as well.

Please let me know your thoughts.

Thank you.

On Tue, Nov 14, 2017 at 3:23 PM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Good afternoon VJ,

Could I see your training documents and any training policy Sevendays has in place.

Also I would like to see the materials you have used to train staff.

I can come along to the store tomorrow to view the documents and materials, let me know when is convenient.

Kind regards, [REDACTED]

Tracey Greaves

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

T - 023 9243 7977

E - tracey.greaves@portsmouthcc.gov.uk

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG10

Description:

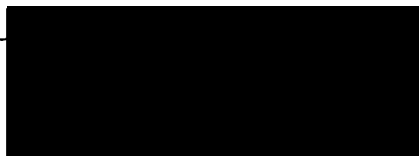
COPY EMAIL 15.11.2017
TG TO VJ

Produced by:

EMAIL REPLY 15.11.2017
VJ TO TG

Signed:

TRACEY GREAVES



Greaves, Tracey

From: MR MR <[REDACTED]@[REDACTED].com>
Sent: 15 November 2017 18:05
To: Greaves, Tracey
Subject: Re: training documentaion

Hi Tracey,

✓
⑤ Today I thought of asking you the till point Proxy Watch contact cards, Can you please provide these for seven days store?

Thank you.

On Wed, Nov 15, 2017 at 3:46 PM, MR MR <[REDACTED]@[REDACTED].com> wrote:
Hi Tracey,

I have forgotten to answer your questions while I was trying to explain the policy taken by seven days.

✓
⑦ Seven Days Training policy is not from the Premier as they haven't provided any training package other than the Challenge 25 poster, proxy watch poster, Legal to sell tobacco sale A4 display and refusal log But Miss Midde has prepared with my help a policy for sale in the premises which I have sent in the earlier email.

I do remind the Challenge 25 every day as I have explained on your last visit and also I did Re-trained them but I haven't registered so I have done another Full Refreshment one more time as I do not want to slip away anything based on my conversation with you and Midde. So this time I have registered the Re-Train log which I have forgotten to attach to my previous email but please find attached to this email.

Within 3 weeks Time, I will make sure 100% all the things in place and as on today I am working on below things to be in place and CCTV manual etc are already in place.

1. Requested Debbie Vary of DPS and she kindly sent out, which will be filled and followed the procedure to achieve
2. Placed Order 4 extra CCTV cameras [Waiting for delivery] and two will be installed outside the premises and I will put one more monitoring screen behind the counter to display 4 CCTV screen 2 to cover outside, 2 from the far end of inside the shop so that we can monitor outside premises for proxy watch and also we have the big monitor at the front of the counter which will show rest of the shop will be used for public safety and theft
3. I can confirm that Personal Licence test for U [REDACTED] has booked now.

and I am also putting all other things in place which I will achieve 100% in the next 3 weeks.

Can you please confirm me that you are happy with the details provided and please suggest if anything else need to in place immediately.

Thank you

On Wed, Nov 15, 2017 at 8:01 AM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Morning VJ and Miss Midde,

TG I have seen the Staff Declaration documents and the Age Verification form from your store file.

③ What I was hoping to see today were the test papers for the assessment the staff have undertaken, or view the online assessment they have completed, if the assessment was completed in that format.

I wanted to know if Sevendays training was a package from Premier or something Miss Midde or yourself had purchased from a licensed trade training company or indeed devised yourselves. I wanted to see what questions were included in the assessment and the staff answers and final marking and pass mark.

Unfortunately, I cannot make a 8.00 - 8.45 meeting at the store, perhaps you could email me the assessment (scan and email if paper test) during this time.

You say that you have trained re-trained R and U more than twice since U test purchase failure on 29th September, however you did not show myself or Rob any documentation on our visit on 9th November regarding these refresher sessions. I did raise this when I asked what measures had put in place after the test purchase failures. (Z failed too on 14th July). I only saw the staff declarations I believe dated 23/09 and 16/09 respectively.

Kind regards,

From: MR MR [mailto: [REDACTED]@com]
Sent: 14 November 2017 16:25
To: Greaves, Tracey
Subject: Re: training documentaion

Hi Tracy,

VJ
⑤ I thought you have seen all the training logs on your last visit. You are always welcome to see the training logs, training policy and materials etc. I will be at the store tomorrow early morning 8 AM - 8.45 AM then I am going to do a client presentation. If you don't mind Can we please catch in this slot and If you are busy / already have any other appointment during this time as I have Re-Trained U and R more than twice so far from the date of U test purchase failure If R, U go through with the training documents with you will also be a best practice to these two staff members as well.

Please let me know your thoughts.

Thank you.

On Tue, Nov 14, 2017 at 3:23 PM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Good afternoon VJ,

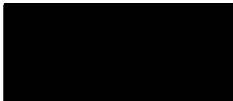
TG

① Could I see your training documents and any training policy Sevendays has in place.

Also I would like to see the materials you have used to train staff.

I can come along to the store tomorrow to view the documents and materials, let me know when is convenient.

Kind regards,



Tracey Greaves

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

T - 023 9243 7977

E - tracey.greaves@portsmouthcc.gov.uk

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.

Greaves, Tracey

From: MR MR <[REDACTED]@[REDACTED].com>
Sent: 15 November 2017 15:40
To: Greaves, Tracey
Subject: Re: training documentaion
Attachments: Assessment On SevenDays Sales Policy.docx; Better Retailing Tips to stop Underage sale.docx; Brief on Law & Definitions.docx; SevenDays Policy and Training Document For Sales - Staff.docx

VJ Hi Tracey,

⑥ Please find attached Word Docs as requested.

Thank you

On Wed, Nov 15, 2017 at 3:21 PM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Yes the word format.

Thank you.

From: MR MR [mailto:[REDACTED]@[REDACTED].com]
Sent: 15 November 2017 15:11

To: Greaves, Tracey
Subject: Re: training documentaion

Hi Tracy,

Do you mean in the word document format? I have converted them to PDF as they can view online properly without any issues.

Please let me know.

On Wed, Nov 15, 2017 at 2:33 PM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Dear VJ and Miss Midde,

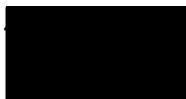
TG
5

Thank you for forwarding the PDF files.

I see some of these documents have been converted from their original format this morning.

Could you please send me the documents in the original digital format .

Kind regards,



From: MR MR [mailto: [REDACTED]@ [REDACTED].com]

Sent: 15 November 2017 13:12

To: Greaves, Tracey

Subject: Re: training documentaion

Hi Tracy,

VJ
4

Please find attached Seven Days Policy document for the sale of restricted items in the premises and also I have attached below documents. The physical version of these documents is also available on the premises for all time and provided on request.

1. Off-Licence Surgery By Portsmouth City Council
2. SevenDays Policy and Training Document For Sales - Staff
3. Simplified False ID Verification Guidance
4. Brief on Law & Definitions
5. Easy Steps to Validate PASS Logo ID
6. SEVEN DAYS CCTV DVR MANUAL
7. Underage Drinking Risks- Fact Sheet
8. Assessment On SevenDays Sales Policy Through Staff
9. Staff Assessment Mock Test

Related to the assessment test I have physically run through the test with each staff 1-1 (Recently gone through the same set of questions when both R [REDACTED], U [REDACTED] and Z [REDACTED] were presented) after going through the SevenDays Policy and Training Document For Sales.

Seven Days Training Procedure / Steps to the Staff as follows:

We start the training by explaining the brief on Law & Definitions which are used in 2003 Licencing Act (Example: Full Form of DPS, Premises Licence, Restricted Age, Challenge 25, What is against the Law and consequences) then going through the OFF-Licence Surgery slides provided by PC Pete by this stage it will give the understanding and the expectations when working in the premises.

We have created a Policy and training document for Seven Days For Sales (Sources: 2003 Licencing Act guidance from Gov.co.uk, Tips on how to stop selling underage from better retailing magazine, Teenagers intimidating excuses through our retail experience, Some other points from OFF-Licence Surgery slides to cover Challenge 25, Form Of valid ID check, Refusal register) and on a (Staff)1-1(Midde/Me) basis we go through the full documnet (when I have recently conducted the group session I have asked them to discuss together on what I have explained and what measures need to be taken to uphold the licencing objectives) as part of the sales training staff will also go through

CCTV DVR manual (Required to re-demonstrate by staff as well will be conducted not just showing/going through the DVR manual)

Simplified False ID verification guidance (Our previous experiences will be shared)

Easy Steps to Validate Pass Logo ID (Our previous experiences will be shared)

Underage Drinking Risks fack sheet (To explain more effective way on why we have to take very serious / be strick with underage sales)

Below - Mock Test assessment has been gone through at the following stages

Assessment On SevenDays Sales Policy Through Staff - *after finishing the policy and training document for sales*

Staff Assessment Mock Test - *At the end of the training after finishing the general Q&A*

Please review our process and suggest if any improvements have to be taken place.

Thank you.

On Wed, Nov 15, 2017 at 8:01 AM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Morning VJ and Miss Midde,

TG
③

I have seen the Staff Declaration documents and the Age Verification form from your store file.

What I was hoping to see today were the test papers for the assessment the staff have undertaken, or view the online assessment they have completed, if the assessment was completed in that format.

I wanted to know if Sevendays training was a package from Premier or something Miss Midde or yourself had purchased from a licensed trade training company or indeed devised yourselves. I wanted to see what questions were included in the assessment and the staff answers and final marking and pass mark.

Unfortunately, I cannot make a 8.00 - 8.45 meeting at the store, perhaps you could email me the assessment (scan and email if paper test) during this time.

You say that you have trained re-trained R [redacted] and U [redacted] more than twice since U [redacted] test purchase failure on 29th September, however you did not show myself or Rob any documentation on our visit on 9th November regarding these refresher sessions. I did raise this when I asked what measures had put in place after the test purchase failures. (Z [redacted] failed too on 14th July). I only saw the staff declarations I believe dated 23/09 and 16/09 respectively.

Kind regards, [redacted]

From: MR MR [mailto:[\[redacted\]@portsmouthcc.gov.uk](mailto:[redacted]@portsmouthcc.gov.uk)]
Sent: 14 November 2017 16:25
To: Greaves, Tracey
Subject: Re: training documentaion

Hi Tracy,

VJ
②

I thought you have seen all the training logs on your last visit. You are always welcome to see the training logs, training policy and materials etc. I will be at the store tomorrow early morning 8 AM - 8.45 AM then I am going to do a client presentation. If you don't mind Can we please catch in this slot and If you are busy / already have any other appointment during this time as I have Re-Trained U [redacted] and R [redacted] more than twice so far from the date of U [redacted] test purchase failure If R [redacted], U [redacted] go through with the training documents with you will also be a best practice to these two staff members as well.

Please let me know your thoughts.

Thank you.

On Tue, Nov 14, 2017 at 3:23 PM, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

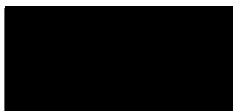
Good afternoon VJ,

TG
① Could I see your training documents and any training policy Sevendays has in place.

Also I would like to see the materials you have used to train staff.

I can come along to the store tomorrow to view the documents and materials, let me know when is convenient.

Kind regards,



Tracey Greaves

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

T - 023 9243 7977

E - tracey.greaves@portsmouthcc.gov.uk

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth City Council. Email monitoring and blocking software may be used.

Play the Portsmouth Lottery, 60p from every £1 ticket goes to good causes and there's a £25k prize jackpot. It's a win win.
Play today at www.portsmouthlottery.co.uk

This email is for the intended recipient(s) only.



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 11

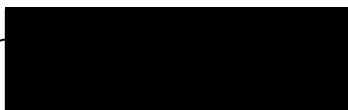
Description:

COPY EMAIL 27.11.2017
VT TO TG

Produced by:

TRACEY GREAVES.

Signed:



Greaves, Tracey

From: MR MR <[REDACTED]@[REDACTED].com>
Sent: 27 November 2017 17:06
To: Greaves, Tracey
Subject: Today's Inspection under Consumer Rights

Good Afternoon Tracey,

I have understood that you have organised an inspection with Dogs and few other officers. Can you please let me know if you need to speak to me about your inspection.

I also understand that you have organised this as part of measuring trading standards but within last 12 months we have multiple council visits than any other shop on that road (But I am also aware that we have failed test purchase test) which are not much noticeable to other public/customers and I also noticed that you were showed some postive concern when you did your last visit by mentioning close the door people may think differently etc (I was really happy to hear that concern from an officer) but an inspection like this will give wrong indications in the community on shop whereas the same inspection is not done in other two shops on the same road at the sametime. But as a responsible retailer, I would like to provide my full cooperation to you / licencing authority/police / any authorised body and we always committed to doing a fair trading like I have explained my concerns about selling goods underage/selling high strength to people on the street (selling high strength is still an issue on the Osborne road as it's not completely removed).

I have previously provided a list of the training policy and other documents as per your request. But I would like to know your feedback on them and please kindly list your suggestions, from my side I am doing what I have promised to you

Sending U[REDACTED] to the personal exam, a few days ago R[REDACTED] exam also booked and finally we have received extra CCTV equipment today which will be installed in coming few days etc.

Thank you



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG12

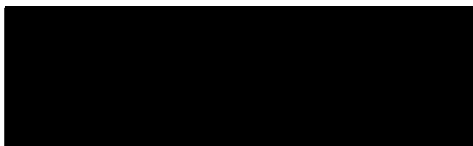
Description:

PHOTOCOPY RECEIPT 12.2.2018
CAN TATRA MOCNE POLISH
BEER 7%

Produced by:

TRACEY GREAVES

Signed:



Receipt

Osborne Stores
37 Osbourne Road
Southsea
Hampshire
PO5 3LR

Tel No.: 02392009169
VAT No.:

Date: 12-Feb-2018 12:57:56

Till: 1
Transaction: 0051044001

Tatra	£
Mccoys Flame Grilled Stk Pm100	1.30
Total (2 Items)	1.00
	2.30

Cash	5.00
Change	2.70

VAT portion of transaction: £0.38

You were served by J [REDACTED]
Thank you for your custom.
Please call again.





Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG13

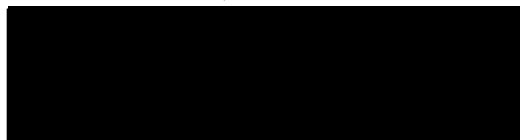
Description:

COPY EMAIL 27.2.2018
TG TO VT.

Produced by:

TRACEY GREAVES

Signed:



Greaves, Tracey

From: Greaves, Tracey
Sent: 27 February 2018 15:44
To: [REDACTED]@com'
Subject: Sevendays - Premier - 37 Osborne road

Dear Miss I Midde and Mr V [REDACTED]

Can you please ring me as soon as possible on my mobile [REDACTED] as I would like to make an appointment to meet you at the premises Sevendays tomorrow, 28th February, in the morning .

Kind regards, [REDACTED]

Tracey Greaves
Trading Standards Officer (Alcohol & Tobacco Harm Reduction)
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

T - 023 9243 7977

E - tracey.greaves@portsmouthcc.gov.uk



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG14

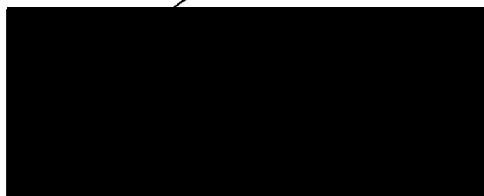
Description:

COPY EMAIL 27.2.2018
VT TO TG

Produced by:

TRACEY GREAVES

Signed:



Greaves, Tracey

From: Seven Days <[REDACTED]@[REDACTED].com>
Sent: 27 February 2018 15:56
To: Greaves, Tracey
Subject: Re: Sevendays - Premier - 37 Osborne road

Hi Tracey,

Can you please let me know what is the reason for the appointment as I am bit worried, if I know on what I am meeting for so that I can be prepared if needed.

Tomorrow 8AM in the morning.

Please confirm.

Thank you,
[REDACTED]

On Tuesday, February 27, 2018, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Dear Miss I Midde and Mr V [REDACTED]

Can you please ring me as soon as possible on my mobile [REDACTED] as I would like to make an appointment to meet you at the premises Sevendays tomorrow, 28th February, in the morning .

Kind regards,
[REDACTED]

Tracey Greaves

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth

PO1 2AL

T - 023 9243 7977



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 15

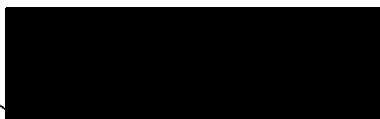
Description:

COPY EMAIL 27.2.2018
TG TO VJ

Produced by:

TRACEY GREAVES

Signed:



Greaves, Tracey

From: Greaves, Tracey
Sent: 27 February 2018 16:04
To: 'Seven Days'
Subject: RE: Sevendays - Premier - 37 Osborne road

Hi [REDACTED]

I wanted to discuss and look at the stores due diligence procedures such as the refusal register and view some CCTV footage.

I also have a few questions.

8am at the store will be fine.

Kind regards, [REDACTED]

From: Seven Days [mailto:seven.days@portsmouthcc.gov.uk]
Sent: 27 February 2018 15:56
To: Greaves, Tracey
Subject: Re: Sevendays - Premier - 37 Osborne road

Hi Tracey,

Can you please let me know what is the reason for the appointment as I am bit worried, if I know on what I am meeting for so that I can be prepared if needed.

Tomorrow 8AM in the morning.

Please confirm.

Thank you,
[REDACTED]

On Tuesday, February 27, 2018, Greaves, Tracey <Tracey.Greaves@portsmouthcc.gov.uk> wrote:

Dear Miss I Midde and Mr V [REDACTED]

Can you please ring me as soon as possible on my mobile [REDACTED] as I would like to make an appointment to meet you at the premises Sevendays tomorrow, 28th February, in the morning .

Kind regards, [REDACTED]

Tracey Greaves

Trading Standards Officer (Alcohol & Tobacco Harm Reduction)

Portsmouth City Council



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 14 .

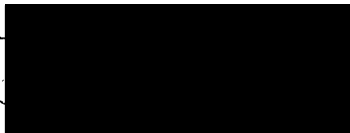
Description:

COPY SEVEN DAYS
PREMISES PLAN .

Produced by:

TRACEY GREAVES .

Signed:





Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG17

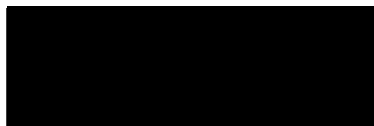
Description:

copy email 25.2.2018
MISS MIODE TO T.S. INBOX.

Produced by:

TRACEY GREAVES.

Signed:



Greaves, Tracey

From: Trading Standards
Sent: 01 March 2018 09:48
To: Greaves, Tracey
Subject: FW: PUAS Training Booking

FYI

Laura Tambling
Trading Standards Officer

Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

T: 023 9268 8001
F: 023 9283 4244
E: laura.tambling@portsmouthcc.gov.uk

www.portsmouth.gov.uk
www.saferportsmouth.org.uk

I work Wednesday, Thursday and Fridays 9:30-14:30

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

From: MR MR [mailto: [REDACTED]@com]
Sent: 28 February 2018 20:03
To: Trading Standards
Subject: PUAS Training Booking

Dear sir/madam,

I am Indrani Alekhya Midde owner of bellow addressed store

Seven days - Premier
37 Osborne Road
Southsea
Portsmouth
PO53LR

I would like to book an appointment for PUAS Training for my following staff

1. [REDACTED] U [REDACTED]
2. [REDACTED] (new staff recruited but not started working yet)

Please let me know the availability date and process to book the Training slot.

Best Regards,
Middel



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 18

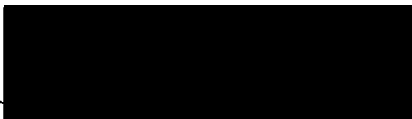
Description:

copy email 28.2.2018
MISS M. ODE TO TG .

Produced by:

TRACEY GREAVES .

Signed:



Greaves, Tracey

From: MR MR <[REDACTED]@com>
Sent: 28 February 2018 10:42
To: Greaves, Tracey
Subject: Today's visit

Good morning Tracey,

Today vijay informed me and explained in detail about your visit in an hour ago.

Based on the details

1. We kept 7% strength alcohol in the shelf and when I asked vijay how this came on to the shelf he explained that on a direct delivery that product came and after seeing the details of the delivery he immediately informed u [REDACTED] to remove the product but u [REDACTED] instead of completely removing from shelf he put the product at the back of the shelf (not intended to sell) where customers won't see to buy it - this is mistake which we always careful on what we put on the shelf but won't happen in any time
2. I will make sure with 0% error from sharp 10Pm 2 people on the site with one personal licence holder
3. I have realised that R [REDACTED] vijay passed the exam with certification but didn't got the card and I will apply Scotland disclosure certificate and do the necessary process to get the cards
4. I have been looking for the places for u [REDACTED] to sent to get the personal license training where R [REDACTED] and u [REDACTED] went as I am but surprised why he didn't pass so I would like to send u [REDACTED] to the R [REDACTED] trainer for the exam And I will inform you about the exam date

Please give 3 weeks to sort personal licence cards and u [REDACTED] exam, later his card as well which will be faster for him as I already applied Scotland disclosure for him.

With 0% error two people from 10pm.

I do apologise for the above but I will make sure they are in place immediately.

Thank you,
Midde

Sent from my iPad



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 19

Description:

COPY EMAIL 28.2.2018
VJ TO TG

Produced by:

TRACEY GREAVES

Signed:

() [Redacted Signature]

Greaves, Tracey

From: Seven Days <[REDACTED].com>
Sent: 28 February 2018 15:22
To: Greaves, Tracey
Subject: About your comments Today

Hi Tracey,

After I have spoken to Miss Midde, she is not happy because that I do the ordering and when I did place order for Tatar yellow (5.5%) (<http://www.lcbo.com/lcbo/product/tatra-beer/88815#.WpbEUGrFJhE>) and this brand beer is the first time in the shop and we never sold this brand beer in the last 3 years which I can show in the till report using the category sale (which will show all the items names). When the supplier didn't have the ordered item in the stock they replaced with some other item in the same brand, during this process we got the product on the shelf and when U[REDACTED] send me the delivery details I saw a different Tatar and immediately I have sent text message to U[REDACTED] to remove it and put it at the back of the store to return. Instead of putting the item in the back of the store he did put the item in the back of the shelf without displaying to the customer but Rob bought the item from the back of the shelf.

I am really getting worried, my head becomes numb right now and shivering actually. Please provide one last final chance to correct your today's findings within a months time. If I didn't correct it within that month then I won't ask for any other chance and I do believe that you will have some confidence in me sorting the things which have identified before.

Thank you,

V [REDACTED]



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 20

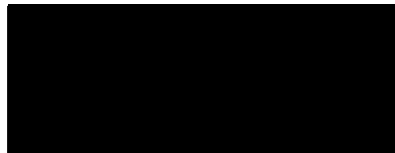
Description:

COPY EMAIL 02.03.2018 .
MISS MIDOE TO TG .

Produced by:

TRALEY GREAVES .

Signed:



Greaves, Tracey

From: Seven Days <[REDACTED]@seven-days.com>
Sent: 02 March 2018 14:37
To: Greaves, Tracey
Subject: Correction of error

Hi Tracey,

I am coming to the UK immediately by skipping one of my doctor's treatment appointment as if anything wrong happens to the shop I will get bankrupt as all the investment is borrowed from banks and friends, family.

If you have any confidence in our approach or steps we wanted to put in place, Please kindly provide some time to make things correct and give us a final chance to show you some confidence that we are capable of running the store by upholding licencing objectives.

Thank you,
Midde.



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 21 .

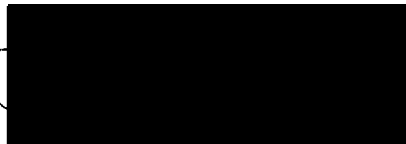
Description:

COPY EMAIL 5.3.2018
MISS MIDOE TO TG .

Produced by:

TRACEY GREEVES

Signed:



Greaves, Tracey

From: Seven Days <[REDACTED]>
Sent: 05 March 2018 09:52
To: Greaves, Tracey
Subject: Fwd: Your GlobeUs Training order (7753)

Good morning Tracey,

I have found one early dated personal exam (even though that's not the place where I wanted to send him but Vijay trained him last 2 days and he is confident about U [REDACTED] today in Southampton.

I have also requested the training agency/company to provide the results as soon as possible if all goes okay we already finished his personal licence exam application filled and ready with required documentation.

Today morning R [REDACTED] went to the licencing office to submit his personal licence application with all the required documentation so hopefully, he will get the card in the next couple of days.

Minor variation application is submitted to Debbi and waiting for the fee to be paid.

Change of DPS application forms are also filled and will be submitted to Debbi as soon as R [REDACTED] received Personal Licence as we wanted to have one more responsible person to make my team strong in protecting licencing objectives applied through the premises licence.

I am trying 100% to place everything in less than a week time (I was hoping to be done) and will keep informing you about the process.

Thank you,
Midde.

----- Forwarded message -----

From: GlobeUs Training Ltd <[REDACTED]>
Date: Sat, Mar 3, 2018 at 8:26 PM
Subject: Your GlobeUs Training order (7753)
To: osbornewinestrade@gmail.com

**GlobeUs Training - Order
Confirmation**

Hello,


Thanks for your order with GlobeUs Training. Your order details are shown below

for your reference:

Downloads

Product	Expires	Download
<u>Personal Licence Course - Southampton, 5th March 2018</u>	Never	<u>Personal Licence Course Book</u>
<u>Personal Licence Course - Southampton, 5th March 2018</u>	Never	<u>Course Information - Southampton</u>

Order #7753

Product	Quantity	Price
Personal Licence Course - Southampton, 5th March 2018 Venue: Southampton Available Course Date: 5th March 2018 Download 1: <u>Personal Licence Course Book</u> Download 2: <u>Course Information - Southampton</u>	1	

Course information:

Time: The Course starts 9.30am and finishes usually 4.30pm.

Refreshments: Tea, coffee and water provided – Lunch is not included

Course structure: Theory followed by multiple choice exam. Exam consists of 40 questions and lasts for up to 1 hour.

Resources: All candidates receive a course handbook to keep

Certificates: Results are normally received within 10 working days and certificates are issued within 5 working days of this

Resits: All candidates qualify for one free re-sit if they don't achieve the qualification at the first attempt

Identification: Please ensure you bring photographic ID to verify your details.

DOB: Please provide the names and dates of birth for each candidate attending prior to the course, for registration with the awarding body, replying to this email.

Should you have any questions please do not hesitate to contact us.

Subtotal:



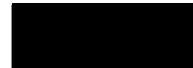
VAT:



Payment method:

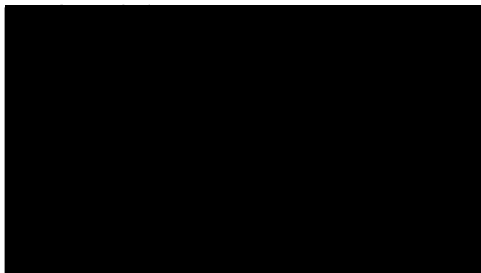
Debit or Credit
Card

Total:



Billing address

Indrani Midde



GlobeUs Training Ltd UNIT 14, BASEPOINT BUSINESS CENTRE, AERODROME RD,
GOSPORT, HAMPSHIRE, PO13 0FQ
01329 848714 info@globeustraining.com
VAT NR: GB196077374



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 22

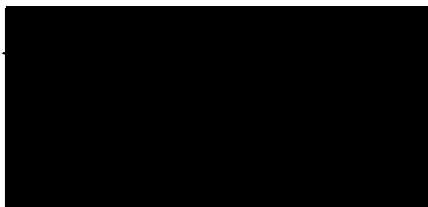
Description:

copy email 5.3.2018
MISS MIDOE TO TG

Produced by:

TRACEY GREAVES.

Signed:



Greaves, Tracey

From: Seven Days <[REDACTED]@com>
Sent: 05 March 2018 11:43
To: Greaves, Tracey
Subject: Help on applying Personal Licence

Hi Tracey,

Based on my previous conversation with you on last Friday I understand that for applying for Personal Licence, Candidate does not require to apply for a DBS check whereas when I sent R [REDACTED] to the Licencing office, R [REDACTED] got advised to come back to apply once he received the DBS check certificate.

Can you please guide me providing some help to resolve this.

Thank you,
Midde



Portsmouth
CITY COUNCIL

PORTSMOUTH CITY COUNCIL

TRADING STANDARDS SERVICE

DOCUMENTARY EXHIBIT

Seven Days 37 Osborne Road Southsea PO5 3LR

Case Ref. No:

Exhibit no:

TG 23.

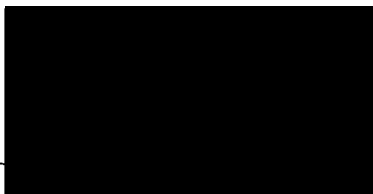
Description:

copy email 5.3.2018
MISS MIOOE TO TG.

Produced by:

TRACEY GREAVES.

Signed:



Greaves, Tracey

From: Seven Days <[REDACTED]@[REDACTED].com>
Sent: 05 March 2018 18:04
To: Greaves, Tracey
Subject: U [REDACTED] Personal Licence Exam

Good evening Tracey,

U [REDACTED] has finished his exam today and He commented to me that he will pass the exam with distinction this time, I really hope he does. Also, I have requested the GlobeUs Training Ltd to send me the results as soon as possible as a matter of urgency for the store and their compliance manager agreed that she will send the results as soon as they got results from awarding body without any delay.

I have made U [REDACTED] fill the personal licence application and he already got DBS disclosure so I will submit the application on the next hour of receiving the certificate.

Thank you,
Vj

This page is intentionally left blank



Portsmouth
CITY COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Address: Sevendays 37 Osborne Road Southsea PO5 3LR	Map Ref (E) : 464126 Map Ref (N): 98805 UPRN: 001775062189
Telephone	
Where the licence is time limited the dates	
This licence is NOT time limited	
Licensable activities authorised by the licence	
► Sale by retail of alcohol	
The times the licence authorises the carrying out of licensable activities	
► Sale by retail of alcohol Monday to Sunday 07:00 until 02:00	
The opening hours of the premises	
► Monday to Sunday 07:00 until 02:00	
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	
Alcohol is supplied for consumption off the premises	

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence	
Name: Miss Indrani Alekhya Midde Address: [REDACTED] [REDACTED] [REDACTED]	Telephone: [REDACTED] Email:
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 the supply of alcohol**Name:** Miss Indrani Alekhya Midde**Address:** [REDACTED]
[REDACTED]**Telephone:****Email:****Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol****Personal Licence No:** 15/03822/LAPERS**Issuing Authority:** Portsmouth City Council**Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 as amended and regulations made thereunder****Date Licence granted:** 20 October 2005**Date last amended:** 31 March 2017**Type:** Variation

Signed on behalf of the Head of Service
(Authorised Officer)

Portsmouth City Council is committed to complying with the Freedom of Information Act 2000 (FOIA) which applies to all recorded information that it holds or is held on its behalf. Information that is provided to or held by the City Council will be processed and disclosed strictly in accordance with the FOIA, the Data Protection Act 1998 or other appropriate legislation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information go to www.portsmouth.gov.uk and search for 'National Fraud Initiative'.

Annex 1 – Mandatory Conditions

01 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/her personal licence is suspended.

02 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

03 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

04 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

- (2) For the purposes of the condition set out in paragraph 1
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

-- END --

Annex 2 – Conditions consistent with the operating schedule

-- END --



Annex 3 – Conditions attached after a hearing by the licensing authority

01 A recording CCTV system will be installed and fully operational at all times.
The recording equipment will be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.
A record will be kept of any access made to information held on the system.
The system will be maintained and serviced within at least 12 monthly intervals
The system clock will be checked regularly for accuracy taking account of GMT and BST.
The CCTV system will have sufficient storage capacity for 31 days evidential quality pictures.
An additional recording CCTV camera shall be sited at the front of the store to cover the area immediately outside the venue.

Access

Police and authorised Officers of Portsmouth City Council shall have access to data from the systems quickly and easily and therefore provision will be made for someone to have access to the secure area and also be able to operate the equipment and to supply footage in a format which can be easily viewed by police for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act.

All operators will receive training from the installer when equipment is installed and this training will be cascaded down to new members of staff.

An operator's manual will be available to assist in replaying and exporting data (particularly important with digital systems).

CCTV shall cover all areas of the store including the entrance of the venue.

The premises licence will not come into effect until the CCTV System has been approved by the Police Licensing Department responsible for the area.

The CCTV must remain satisfactory to the police licensing department responsible for the area and subject to police approval in order to remain operating under this premises licence

There shall be a staff member present at all times who shall be able to work the CCTV system and provide a copy of footage to Police, on request, immediately.

02 The licence holder shall ensure that all members of staff are informed of the objectives of the Licensing Act 2003 and the statutory requirements in order to ensure compliance with all relevant provisions of the Act.

03 The licence holder must ensure that all staff selling alcohol have received adequate training, which must incorporate a process of assessment and refresher training to a recognised national standard on the law with regard to age restricted sales and that this has been properly documented and training records kept. No member of staff shall sell alcohol until they have completed this training and it has been documented and signed for by the staff member. Training records must be kept on the premises and must be produced immediately on request by Police or an authorised officer.

04 Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be a Valid Passport with hologram; Valid UK Photo card Driving Licence, PASS approved ID and Military ID with Date of Birth.

05 The venue shall operate a refusals log. This shall be in paper or digital copy and shall be made available to Police or the Licensing authority immediately on request. The DPS shall ensure that the refusals log is checked and signed on a weekly basis.

06 No beers, ciders or lager over 6.5% ABV shall be sold by retail, excluding premium products as agreed, in writing, in advance by the Police Licensing Unit.

07 There shall be no free standing stacks of alcohol on display.

08 All Spirits shall be secured behind the serving counter and shall not be sold by self-selection.

09 Appropriate signage shall be clearly and prominently displayed on the premises advising customers of the law relating to sales of alcohol.

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

11 The premises will operate a Challenge 25 Policy.

12 The DPS shall provide a written authorisation for staff members who sell alcohol which must be signed for by the staff member and the DPS. No staff member shall sell alcohol until both DPS and staff member have signed the Authorisation.

13 There shall be a written age verification policy which shall be made available to Police immediately on request.

14 A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale.

15 The premises will operate Proxywatch. To be supplied by Trading Standards.

16 The Premises Licence Holder shall ensure that there is an Electronic Point Of Sale system in place. All products sold, shall be sold through the EPOS system.

17 Bipin Lodhia shall not be the Designated Premises Supervisor.

18 Copies of all purchase invoices for alcohol sold in the store to be available for 6 months after purchase from the original source.

19 After 22:00 hours, seven days a week, two members of staff will be on duty until closure.

-- END --

Annex 4 – Premises and location plan**Premises Plan(s)**

These will either be shown below or attached as a separate part of the premises licence authorisation.



Location Plan: 37 Osborne Road Southsea



REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH PERMISSION OF THE CONTROLLER OF HER
MAJESTY'S STATIONERY OFFICE © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN
COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. LICENCE AGREEMENT NUMBER
LA100019671- PORTSMOUTH CITY COUNCIL

This page is intentionally left blank



Appendix C

NOTICE OF MEETING

LICENSING SUB-COMMITTEE

WEDNESDAY, 14 JANUARY 2015 AT 9.30 AM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Lucy Wingham, 023 9283 4662

Email: lucy.wingham@portsmouthcc.gov.uk

Committee Members Councillors Hannah Hockaday (Chair), Margaret Adair, Ken Ellcome (Vice Chair), Ken Ferrett, Margaret Foster, David Fuller, Frank Jonas, Lee Mason, Stuart Potter, Eleanor Scott, Phil Smith, Les Stevens, Sandra Stockdale, Julie Swan, Gerald Vernon-Jackson.

The panel today consists of : Councillors Ken Ellcome, Les Stevens and Sandra Stockdale
The reserve member is tbc.

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Licensing Sub Committee meetings are digitally recorded.

A G E N D A

- 1 Declarations of interest**
- 2 Appointment of Chair**
- 3 Licensing Act 2003 – Application for a review of a premises licence
Osborne Wines, 37 Osborne Road, Southsea, PO5 3LR (Pages 1 - 54)**

Purpose

The purpose of this report is for the committee to consider an application by the Chief Officer of Police, Hampshire Constabulary, for the review of a premises licence at Osborne Wines, 37 Osborne Road, Southsea under section 51 of the Licensing Act 2003 (“the Act”).

RECOMMENDED that the sub-committee determine this matter.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Agenda Item 3

REPORT TO:

LICENSING SUB-COMMITTEE

14th January 2015

REPORT BY:

LICENSING MANAGER

REPORT AUTHOR:

DEREK STONE

**Licensing Act 2003 – Application for a review of a premises licence –
Osborne Wines 37 Osborne Road Southsea PO5 3LR**

1. PURPOSE OF REPORT

The purpose of this report is for the Committee to consider an application by the Chief Officer of Police, Hampshire Constabulary, for the review of two premises licence at Osborne Wines and [REDACTED] under section 51 of the Licensing Act 2003 ("the Act").

Both premises licences are held by Mr Bipinkumar Lodhia who is also the Designated Premises Supervisor for both venues.

2. STATUTORY PROVISIONS

The steps set out in the Act for reviewing premises licences and club premises certificates are intended to represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

At any stage following the grant of a licence or certificate, a responsible authority or any other person may make an application for the review of a licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

3. THE APPLICATION

The applications and grounds for review for each venue are attached as Appendix A to this report and relate to the following licensing objectives:

- Prevention of crime and disorder

The grounds for the review at Osborne Wines are due to the failure of the Premises Licence Holder and Designated Premises supervisor to engage with the Police following a number of breaches of the premises licence at this store.

Police have attempted to engage with the DPS and Premises Licence holder on numerous occasions in person, by telephone, email and by letter, and police have been met with a wall of silence from the Designated Premises Supervisor

It is the view of the Police that these actions raise serious concerns about the ability of the management at the store to support the licensing objectives.

Following on from the review the Director of Public Health for Portsmouth City Council also made a representation against both venues raising concerns in relation to the prevention of crime and disorder, public safety and the protection of children from harm.

4. **BACKGROUND INFORMATION**

The premises are currently licensed for the provision of the following licensable activities:

Osborne Wines

- **Sale by retail of alcohol (for consumption off the premises)**

Monday to Sunday - 07:00 until 02:00

- **Opening hours of the premises**

Monday to Sunday - 07:00 until 02:00

[REDACTED]

■

[REDACTED]

[REDACTED]

■

[REDACTED]

[REDACTED]

A copy of the premises licences are attached as Appendix B with their respective conditions.

In accordance with the procedure laid down in the Licensing Act 2003 ("the Act"), a public notice of the application for the review of the licence was advertised at the premises concerned and also in a prominent position at the Civic Offices. In addition a notice of the application was also posted on the website of Portsmouth City Council together with the grounds for the review. A copy of the application was also served on all of the responsible authorities.

5. **REPRESENTATIONS BY RESPONSIBLE AUTHORITIES AND OTHER PERSONS**

This review on behalf of the Chief Officer of Police, Hampshire Constabulary will be presented by PC 21945 Pete Rackham. Representations have also been made by Director of Public Health in support of this review. This representation is attached at Appendix C.

6. **POLICY AND STATUTORY CONSIDERATIONS**

When determining the application for review of the premises licence, the Committee must have regard to:

- Promotion of the licensing objectives which are;

- prevention of crime and disorder
 - public safety
 - prevention of public nuisance
 - protection of children from harm
- The Licensing Act 2003;
 - Its Statement of Licensing Policy;
 - Judgements of the High Court, (your legal adviser will give you guidance should this become necessary);
 - The statutory guidance issued by the Home Secretary in accordance with section 182 of the Act; and
 - The representations, including supporting information, presented by all the parties.
 - The Statutory Guidance (revised in October 2014) provides advice in relation to the consideration of review applications.

In particular, members should have regard to the following advice:

Paragraph 11.1 - *“The proceedings set out in the Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.”*

Paragraph 11.2 – *“ At any stage, following the grant of a premises licence, a responsible authority, or any other person, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.”*

Paragraph 11.10 - *"Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.*

Paragraph 11.16 - *"The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives."*

Paragraph 11.17 – *“The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence.*

Paragraph 11.18 - However, where responsible authorities such as the Police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their stepped approach to concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate”.

Paragraph 11.19 - Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

Paragraph 11.20 – “In deciding which of these powers to invoke, it is expected that licensing authorities should so far possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response”.

Paragraph 11.21 – “For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual”.

Paragraph 11.22 – “Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives”.

Paragraph 11.23 - “Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again.

However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence”.

7. APPEAL PROVISIONS


An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a Magistrates' court. An appeal may be made by:

- the Chief Officer of Police;
- the holder of the premises licence; or
- any other person who made relevant representations in relation to the application.

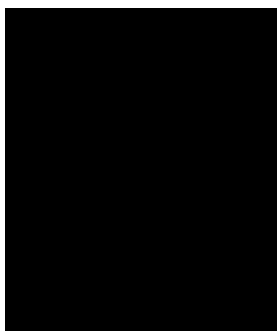
The decision of the Committee, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the appeal is disposed of.

A copy of the Statement of Licensing Policy, statutory guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

8. APPENDICES

- A. Review applications from Hampshire Constabulary
- B. Copy of the premises licence for Osborne Wines and 
- C. Copy of supporting representation from Public Health

THE COMMITTEE IS REQUESTED TO DETERMINE THE APPLICATION



Principal Licensing Officer



		/						/						
--	--	---	--	--	--	--	--	---	--	--	--	--	--	--

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 or typed in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I ...Police Constable 21945 Rackham.....
(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

Osborne Wines
37 Osborne Road
Southsea
Hampshire
PO5 3LR

Post town

Southsea

Post code

PO5 3LR

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

Mr Bipin Lodhia

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

unknown

--

This application to review relates to the following licensing objective(s)	
Please tick one or more boxes <input checked="" type="checkbox"/>	
1) the prevention of crime and disorder	<input checked="" type="checkbox"/>
2) public safety	<input type="checkbox"/>
3) the prevention of public nuisance	<input type="checkbox"/>
4) the protection of children from harm	<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)
<p>On behalf of the Chief Officer of Police, I would like to formally request a review hearing of Osborne Wines, 37 Osborne Road, Southsea, Hampshire, PO5 3LR. I am requesting the review under the following licensing objectives:</p> <p>The Prevention of Crime and Disorder</p> <p>This is due to the failure of the Premises Licence Holder and Designated Premises Supervisor to engage with the Police following a number of breaches of the premises licence at the store.</p> <p>Police have attempted to engage with the DPS and Premises Licence Holder on numerous occasions in person, by phone, email and by letter and Police have been met with a wall of silence from the Designated Premises Supervisor.</p> <p>This seriously concerns the Police about the ability of the management at the store to support the licensing objectives.</p>

Please provide as much information as possible to support the application (please read guidance note 3)
<p>In August 2013 Mr Lodhia submitted an application to transfer the premises licence for Osborne Wines in his name. He also applied to become the Designated Premises Supervisor for the store. This was not opposed at the time as there was no reason to do so and as a result Mr Lodhia became the Designated Premises Supervisor and Premises Licence Holder for the store.</p> <p>In December 2013 Trading Standards sent out a letter to off licensed premises in Portsmouth as a reminder on how to remain compliant with the licensing act 2003 and to ensure that venues knew what measures to put in place if they were not.</p>

On 11th December 2013 PC 21945 Rackham performed a premises licence check to ensure that the venue was compliant with regards to the Licensing Act 2003 and also supporting the licensing objectives. Mr Lodhia was not present at the venue but his employee [REDACTED] was. [REDACTED] stated to Police that he rarely saw the DPS and that he only came down a couple of times a week from his address in London. During this visit the following issues were raised:

Licensed Premises Summary – Was still in the name of the previous owners. Was not the correct details and as such was not the correct Summary. An offence under the Licensing Act 2003.

Store person could not produce the full premises licence that was up to date instead relying on an old one. An offence under the Licensing Act 2003.

No refusals log at the venue

CCTV was centrally controlled by Mr Lodhia from his office in London and as a result staff were unable to access the CCTV quickly and easily in contravention of the premises licence condition. An offence under the Licensing Act 2003.

That day I contacted the DPS by phone and left a voicemail message on his mobile number requesting that he contact me via phone or email urgently.

On the 12th December 2013 the DPS contacted me by phone and arranged to meet me at his store [REDACTED].

I spoke with Mr Lodhia that evening at his [REDACTED]. He was informed fully of the issues I had noted and advised strongly to rectify these issues as failing to do so could leave him open to the review process or prosecution under offences under the licensing act 2003. Mr Lodhia stated that he would rectify these issues as soon as possible. Mr Lodhia was there and then provided refusals log to allow him to put in place a mechanism of due diligence regarding sale of alcohol to children and to drunks. I also raised my concerns that Mr Lodhia's address was in London and not local to Portsmouth and asked him how he could be in day to day control of the store if he lived so far away. Mr Lodhia stated that he attended the store around 4 times a week to deliver stock and check up on paper work so was around a lot and dealt with any issues on his arrival.

Later that evening I sent an email to Mr Lodhia detailing my findings and again reiterating what had been said at the store. This email was sent on 12/12/2014. Again it was reiterated that failing to adhere to the premises licence could be an offence under the licensing act 2003 and lead to prosecution or the review process.

By the 29/01/2014 I had not heard anything back from Mr Lodhia regarding what measures he was putting in place to improve compliance at the store. I sent another email requesting he inform me what he was doing.

On the 31/01/2014 I received an email from Mr Lodhia stating that he was training the staff and was improving the CCTV at both of his stores.

On 16th April 2014 PC Smurthwaite attended Osborne Wines at 13:10 hours in order to perform a licensing compliance check. Again the DPS was not present at the store. Only one member of staff was present. [REDACTED] stated that he had worked at the store for a few months and only saw the DPS now and then as he spent most of his time in

London. During the check PC Smurthwaite noted the following issues:

No training records – [REDACTED] stated that the only training he received was around the use of the till and keeping the shelves stocked up. He had not been given any documented training around the sale of alcohol to drunks or to children.

No refusals logs in place. PC Smurthwaite noted that the last entry was in December 2014

Again the staff member [REDACTED] was unable to operate the CCTV at all and so access to the system is not quick and easy. A potential offence under Section 136 of the licensing act 2003. He stated that only the DPS Mr Lodhia knew how to work it.

The venue was unable to provide the Full Premises Licence as [REDACTED] stated that it was with Mr Lodhia. An offence under Section 57 of the Licensing Act.

PC Smurthwaite attempted to contact Mr Lodhia but no reply was ever received from him.

In August 2014 a letter was hand delivered to the store inviting Mr Lodhia to attend a best practice seminar around compliance with the licensing act 2003 and also the best way to support the licensing objectives in Portsmouth. This was in preparation for a day of checks a month later. The seminar was delivered by myself and Rob Anderson-Weaver and was attended by representatives of over 90 stores across Portsmouth. Unfortunately Mr Lodhia did not make contact with regards to the seminar and did not attend on the day. Police have not heard from Mr Lodhia since.

In October the Council Licensing Team sent out a letter advising Off Licensed Premises of their requirements under the new mandatory conditions regarding the sale of alcohol below cost price and Value Added Tax. This letter advised that this was now a mandatory condition and that a breach of this could lead to prosecution and or review of the premises licence should stores be selling alcohol below cost price and Value Added Tax.

On the 23rd October 2014 a day of checks were performed across off licences in Portsmouth. Osborne Wines was one of the venues visited.

Council Licensing attended and found the following issues:

No authorisation from the DPS to staff members to sell alcohol in place.

No training records for staff members in place or available.

The attending council officer also noted that Perla Mocna, a Polish lager in a 500ml can at 7.6% ABV was being exposed for sale for £1.00. On checking the home office calculator for products that are being sold under VAT and cost price I found that a lager of 7.6% in a 500ml can should be sold at a minimum price of £1.10. This means that for every can of Perla Mocna that is sold Mr Lodhia has been selling it below VAT and Cost price by 10pence a can. This is in contravention of the mandatory conditions on premises licences and an offence under section 136 of the licensing act 2003.

On the 1st November 2014 I emailed Mr Lodhia informing him of the issues identified and requesting that he attend a voluntary interview under caution to discuss the matters I had identified. I requested that he provide invoices of the beers, lagers and ciders he had in stock for sale in order for me to investigate these suspected offences.

On the 5th of November 2014 I attempted to contact Mr Lodhia by phone. The phone continued to ring with no answer and no voicemail facility. So I sent a letter requesting the same to his address he provided to Police when applying for the change of Premises Licence Holder and DPS.

On the 6/11/2014 Police received an email from the DPS stating that he was unable to call PC Rackham on the number provided and requesting contact. PC Rackham contacted him and received no answer so left a voice mail message. Further attempts to contact this number have proved fruitless.

On the 07/11/2014 Police received a further email stating that within 2 weeks all would be completed. Making no mention of the request for assistance in the matter by providing CCTV evidence of potential offences under the licensing act 2003, invoices regarding proof of sale of items being sold below VAT and cost price and also attendance for a voluntary interview as if avoiding the request in the hope that Police would not take the matter further.

On the 11/11/2014 a request was made to Mr Lodhia for clarification on the matter.

At the time of writing Mr Lodhia has made it exceedingly difficult to investigate any alleged offences at his store. It is the Polices position that Mr Lodhia is deliberately avoiding the matter and as a result is obstructing Police with regards to investigating offences at his stores. Mr Lodhia is the only person at the store that can operate the CCTV, provide police with invoices and speak with the Police about issues affecting his stores. This has left the Police in a position where it is very difficult to work with Mr Lodhia around the breaches of his Premises Licence. In any case it appears that Mr Lodhia is running his venue breaching his licence conditions and as a result has been breaking the law in doing so. This is not only in flagrant disregard to the Licensing Act and the Licensing Objectives but also to the Licensing Committee. Mr Lodhia is clearly not adhering to the condition placed on the licence by yourselves.

Through not replying to Police concerns it has also made it very difficult to investigate the offences under the licensing act 2003. Mr Lodhia is aware of what the Police require from him and that Police are investigating criminal offences under the Licensing Act 2003. Mr Lodhia is also aware that as a DPS and Premises Licence Holder he is duty bound to provide Police with the information they have requested in the store. He has chosen not to and the Polices position that this is also an offence under the Licensing Act 2003.

It is the Polices position that Mr Lodhia has a disregard to the Licensing objectives. Police have offered advice in person and via email and the licensing authority in the way of council licensing and trading standards have also provided him with advice. Mr Lodhia has continued to operate his business other than in accordance with this advice. This is despite being offered numerous opportunities to do the right thing. Including a joint Police and council seminar to provide Mr Lodhia or a representative with the tools to be compliant. A year down the line and Mr Lodhia is still breaching his licence conditions.

Police have considered what would be proportionate in this instance and feel that the only real option here is to revoke the premises licence for the store. Mr Lodhia despite advice from Council Licensing, the Police, trading standards and health continues to trade breaching his licence conditions. Police feel that placing further conditions on the premises licence will only lead to further opportunities for Mr Lodhia to breach the premises licence as he has shown that he has been unable to comply with the simple ones he currently has. Changing the DPS wont change the management structure as Mr Lodhia would still be the Premises Licence

Holder and responsible for the store.

However should the Committee not be minded to revoke the premises licence then Police would request that the attached conditions are placed on to the Premises Licence.

Please tick <input checked="" type="checkbox"/> yes							
Have you made an application for review relating to the premises before?							no
If yes, please state the date of that application							
		Day		Month		Year	

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

None previously

Please tick <input checked="" type="checkbox"/> yes	
<ul style="list-style-type: none">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.	x
<ul style="list-style-type: none">I understand that if I do not comply with the above requirements my application will be rejected.	x
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 4)	
Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 5). If signing on behalf of the applicant please state in what capacity.	
Signature	PC 21945 Rackham
Date	11/11/2014
Capacity	Police Licensing Team

Contact name (where not previously given) and postal address for correspondence

associated with this application (please read guidance note 6)

[REDACTED]

[REDACTED] town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by email, your email address (optional)
Email

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Hampshire Constabulary

Chief Constable Andy Marsh

Civic Offices
Guildhall Square
Portsmouth
Hampshire

PO1 2PQ

Telephone: 101

Direct dial: 101

Fax number:
023 9289 1890
Minicom TextRelay:18001 101

Email: [REDACTED]

Our ref: Police Off Licence Action Day
Your ref:

August 11, 2014

Dear DPS/Store Manager

I am writing to formally invite you to a best practice seminar at the Portsmouth Civic Offices to discuss how best you can operate your store in line with best practice and the Licensing Act 2003.

This is an opportunity we are offering you to liaise with the Police Licensing Team and other responsible authorities, to not only remain compliant with the sale of alcohol but also to discuss the issues that affect your stores. This seminar shall ensure that you have the tools that you need to operate your store lawfully.

This is in preparation for Police Off Licence Action Day which shall be in the near future. This is a day when the Police Licensing Unit and partner agencies shall be visiting your stores in the Portsmouth area in order to check compliance with your licences.

This follows a number of Test Purchase operations in the Portsmouth area in which numerous stores failed. During the course of these failures Police also uncovered a large amount of non compliance at stores in relation to the Licensing Act 2003.

The whole purpose of this seminar shall be to discuss how you as the Designated Premises Supervisor or Store Manager can ensure that you are compliant with legislation, that you are doing what is required by law and as such can rectify anything wrong prior to the day.

We understand the stresses and constraints put upon you through working in the retail trade and as such provide you with a number of different timed seminars on Monday 22nd September 2014 at the Portsmouth Civic Offices in conference room B, Floor 2.



Hampshire Constabulary

Chief Constable Andy Marsh

The seminars will be held at the following times in Conference Room B, Floor 2:

1 – 11:00 hours

2 – 13:00 hours

3 – 15:00 hours

4 – 18:00 hours

I look forward to seeing you at any of these times. Please let us know which session you are able to attend in advance as soon as possible.

You can contact me via email at [REDACTED]
Alternatively you can phone or text me on [REDACTED]

We advise you to attend the seminar or send a representative from your store as we want to put you in the best possible position to comply with the licensing objectives. This will assist you in avoiding any action you may liable for, should you be found to be non compliant.

Yours Sincerely

PC 21945 Rackham – Violent Crime Reduction and Licensing, Hampshire Constabulary.

Robert Anderson-Weaver – Community Safety Officer, Department of Public Health, Portsmouth City Council.



Hampshire Constabulary

Chief Constable Andy Marsh

Portsmouth Central
Police Station
Winston Churchill
Avenue
Portsmouth
Hampshire

PO1 2DG

Mr Bipin Lodhia



Telephone: 101

Direct dial: 101

Fax number:
023 9289 1890
Minicom TextRelay:18001 101

Email: [Redacted]

Our ref: 44080240389

Your ref:

November 05, 2014

Dear Mr Lodhia,

I am writing to you regarding issues I have noted at your store in [Redacted] and Osborne Road, Southsea (Osborne Wines). I note that you are both Designated Premises Supervisor and Premises Licence Holder for both of these stores.

I have attempted to contact you via email on [Redacted] but have received no reply. I have also attempted to contact you via [Redacted] but no one has answered. Hence I am writing to you to request that you make contact with me.

In August 2014 I hand delivered to your two stores a letter inviting you to a best practice seminar at Portsmouth Civic Offices in September 2014. This would have provided you with knowledge of how to remain compliant with the Licensing Act 2003 and also how to fully support the licensing objectives in Portsmouth. The seminar was well attended with representatives from over 90 stores attending. Unfortunately I did not see you at the seminar and neither did I hear from you after the event.

On the 23rd October 2014 as part of a day of licensing checks across the city a representative of the Licensing Authority attended Osborne Wines, Osborne Road, Southsea and noted the following:

- There were no training records at the store for staff members.



Hampshire Constabulary

Chief Constable Andy Marsh

- You were selling high strength alcohol below cost and VAT in breach of the mandatory conditions of your Premises Licence. An offence under Section 136 of the Licensing Act 2003.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

All of these breaches are potential offences under the Licensing Act 2003 that I need to investigate. As a result I would like to invite you to a voluntary Police And Criminal Evidence Act interview at a Police station in Portsmouth. The interview is voluntary and should you so wish a free and independent legal representative can be provided to you for the interview. You can of course arrange your own or not have one at all. The choice is completely yours. During the interview you shall be free to leave at any time.

To assist with the investigation I require you to provide me with recent invoices of beers, lagers and ciders that you have purchased. I also require CCTV footag

[REDACTED]

Once I have investigated the matter I shall be able to consider the most appropriate outcome for it.



Hampshire Constabulary

Chief Constable Andy Marsh

I must advise you that currently I am considering all possible outcomes for my findings. Should you make the decision not to reply or make contact with me I shall have no other option but to strongly consider utilising the review process with your stores in Portsmouth.

Should you have any issues or questions then please do not hesitate to contact me.

Yours Sincerely

Pete

PC 21945 Rackham
Violent Crime Reduction and Licensing Team

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:12 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 12/12/2013 23:19

Entered by: #21945 RACKHAM, P.

Entered time: 12/12/2013 23:19

Remarks:

Email to DPS raising issues and discussion with him today

Report:

Bipin

Thankyou for listening to myself and Rob this evening at your store in [REDACTED]

Just to re-cap reference the issues that were identified with both stores:

No staff training documentation implemented for any staff. This needs to be rectified asap. You need to show your staff are trained with regards to their obligations under the Licensing Act 2003 and also the Licensing Objectives. This is so that should there be any issue with a staff member selling alcohol to someone underage or to a drunk person you will be able to show that you have acted responsibly and trained your staff member under the licensing act. Get them to sign the training document to state they understand it and keep this for your records. I would also expect that this training is refreshed every 6 months to ensure that they don't forget. This is also a requirement under your premises licence so should be done to prevent you committing any offences under the licensing act 2003.

No Refusals Logs - This has been rectified today by ourselves providing you with them. Ensure your staff fill them in every time someone is refused service. It will show that you are meeting the licensing objectives and acting responsibly as a retailer.

CCTV - Currently none of your staff know how to use it or where it is. Your licence states that someone should be on the premises to operate the system. Currently this is not being adhered to. Please train your staff how to use it so that not only will you comply with your licence but should there be an incident the Police are able to investigate the matter straight away. To cover yourself ensure that you include this in the training and get them to sign to understand they know how to work the CCTV. Keep this record.

Ensure that the correct licence summary is on display and the full premises licence is kept safe where staff can access it easily should they wish to look at it and also should they need to provide it to the Police on request. Failure to do so is an offence under the licensing act.

Please could you ensure that this is done as soon as possible and reply to me with a time frame of when these issues will be rectified.

With regards to the Reducing the Strength Campaign we spoke at length about the campaign and how you can assist the Police and your local community in supporting the campaign. I understand that you will be able to come on board at the Osborne Wines store in mid January 2014 but it will take slightly longer for your [REDACTED] store as you run down stock and replace them with less strong products. Please could you confirm that this is correct.

Should you wish to discuss anything with me please do not hesitate to contact me via the below means and I will be happy to discuss any matters with you.

RESTRICTED

Kind Regards

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

[REDACTED]

Portsmouth.licensing@hampshire.pnn.police.uk

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:12 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 29/01/2014 16:04

Entered by: #21945 RACKHAM, P.

Entered time: 29/01/2014 16:04

Remarks:

Email sent 29/01/2014 to DPS

Report:

Bipin

I am writing with regards to my email sent to you on 12/12/2013 after I visited your stores in Osborne Road and [REDACTED] and raised issues with regards to the running of the stores in accordance with the Premises Licence of the stores.

Since sending my email and speaking with you at length on the 12/12/2013 I have not heard from you regarding what measures you have or are intending to put in place to rectify these issues.

Please could you email me as a matter of urgency explaining what you will be doing reference the stores to rectify these issues.

Kind Regards

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

Portsmouth.licensing@hampshire.pnn.police.uk

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:12 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 31/01/2014 11:02

Entered by: #21945 RACKHAM, P.

Entered time: 31/01/2014 11:02

Remarks:

Reply from the DPS

Report:

Hi Mr Pete

I am working on it and have been training the staff ,

We are waiting for the cctv engineer to visit our site to re site the cctv system to the front

Counter so that the staff can operate easily form the front of the shop.

Thanks

bipin

From:

Sent: 29 January 2014 16:06

To:

Subject: FAO Mr Lodhia reference Osborne Wines and Portsmouth

Bipin

RESTRICTED

RESTRICTED

I am writing with regards to my email sent to you on 12/12/2013 after I visited your stores in Osborne Road and [REDACTED] and raised issues with regards to the running of the stores in accordance with the Premises Licence of the stores.

Since sending my email and speaking with you at length on the 12/12/2013 I have not heard from you regarding what measures you have or are intending to put in place to rectify these issues.

Please could you email me as a matter of urgency explaining what you will be doing reference the stores to rectify these issues.

Kind Regards

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

[REDACTED]

Portsmouth.licensing@hampshire.pnn.police.uk

RESTRICTED

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:14 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 11/11/2014 14:34

Entered by: #21945 RACKHAM, P.

Entered time: 11/11/2014 14:34

Remarks:

Email sent 25/09/2014 after POLAD and hand delievering letter inviting in august 2014

Report:

Bipin

I hope you are well?

Last month I hand delivered letters to your stores in Portsmouth inviting you to a licensing seminar to be held at Portsmouth Civic Offices. The purpose of the seminar was to assist you in being fully compliant with the Licensing Act 2003 and fully supportive of the licensing objectives in preparation for a day of licensing checks over the next month.

Unfortunately I did not see you at the event which was held on Monday.

I would like to meet with you at the Civic Offices in order to go through the presentation and put you in the best possible position prior to the day of checks. Please can you contact me as soon as possible to let me know when you are free.

I look forward to hearing from you

Many Thanks

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: 0 [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

[REDACTED]
Portsmouth.licensing@hampshire.pnn.police.uk

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:13 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 01/11/2014 04:31

Entered by: #21945 RACKHAM, P.

Entered time: 01/11/2014 04:31

Remarks:

Email sent to the DPS - To IV for suspected offences under the licensing act

Report:

Dear Bipin

I am writing to you with regards to issues I have noted at your store in [REDACTED] and Osborne Road, Southsea. I note that you are both the Designated Premises Supervisor and the Premises Licence Holder for both [REDACTED] and Osborne Wines, Osborne Road.

Back in August 2014 I hand delivered letters to you to both of these stores inviting you to a best practice seminar which was to be held on the 22/09/2014. Representatives from around 90 stores attended the event over the course of the day. Unfortunately I did not recall seeing you there.

On the 23rd October 2014 the majority of off licenced premises were visited including your store in Osborne Road, Southsea. As a result of the check there it was noted that:

There were no training records at the store for staff members

You were selling high strength alcohol below cost and VAT price in breach of the governments mandatory conditions on the premises licence. An offence under Section 136 of the Licensing Act 2003.

RESTRICTED

RESTRICTED

All of these breaches are potential offences under the licensing act 2003 that I need to investigate. As a result I would like to invite you to a formal Police And Criminal Evidence Act interview at a Police station in Portsmouth. The interview is voluntary and should you so wish a free and independent legal advisor can be provided to you for the interview. You can of course if you wish provide your own or not have one at all. The choice is completely yours. You shall be free to leave at any time.

To assist with the investigation I require you to provide me with recent invoices of beers, lagers and ciders that you have purchased. [REDACTED]

Once I have investigated the matter I shall be able to consider the most appropriate outcome for it.

Should you have any issues then please do not hesitate to contact me via the below means. I am off until Wednesday 5th November 2014 but shall be happy to make contact with you then if you are happy to do so.

I look forward to hearing from you.

Kind Regards

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: 0 [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

A [REDACTED]

Portsmouth.licensing@hampshire.pnn.police.uk

RESTRICTED

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:14 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 11/11/2014 14:35

Entered by: #21945 RACKHAM, P.

Entered time: 11/11/2014 14:35

Remarks:

Reply to post polad email attempted phone left voicemail as no reply

Report:

Hi peter

I tried to call you several times on the number below but it only rings once and disengages

I would like to have a meeting with you regarding improvements that you mentioned ,if you can call me on [REDACTED]

Thanks Sir

bipin

From: [REDACTED]

Sent: 01 November 2014 04:33

To: [REDACTED]

Cc: [REDACTED]

Subject: Issues raised by Police at Osborne Wines and [REDACTED] Portsmouth. Invite to voluntary interview to assist in investigation into offences under the Licensing Act 2003

Dear Bipin

I am writing to you with regards to issues I have noted at your store in [REDACTED] and Osborne

RESTRICTED

RESTRICTED

Road, Southsea. I note that you are both the Designated Premises Supervisor and the Premises Licence Holder for both [REDACTED] and Osborne Wines, Osborne Road.

Back in August 2014 I hand delivered letters to you to both of these stores inviting you to a best practice seminar which was to be held on the 22/09/2014. Representatives from around 90 stores attended the event over the course of the day. Unfortunately I did not recall seeing you there.

On the 23rd October 2014 the majority of off licenced premises were visited including your store in Osborne Road, Southsea. As a result of the check there it was noted that:

- There were no training records at the store for staff members
- You were selling high strength alcohol below cost and VAT price in breach of the governments mandatory conditions on the premises licence. An offence under Section 136 of the Licensing Act 2003.

[REDACTED]

f these breaches are potential offences under the licensing act 2003 that I need to investigate. As a result I would like to invite you to a formal Police And Criminal Evidence Act interview at a Police station in Portsmouth. The interview is voluntary and should you so wish a free and independent legal advisor can be provided to you for the interview. You can of course if you wish provide your own or not have one at all. The choice is completely yours. You shall be free to leave at any time.

RESTRICTED

assist with the investigation I require you to provide me with recent invoices of beers, lagers and ciders that you have purchased. [REDACTED]

Once I have investigated the matter I shall be able to consider the most appropriate outcome for it.

If you have any issues then please do not hesitate to contact me via the below means. I am off until Wednesday 5th November 2014 but shall be happy to make contact with you then if you are happy to do so.

Look forward to hearing from you.

Yours faithfully,
Pete Rackham

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

[REDACTED]
Portsmouth.licensing@hampshire.pnn.police.uk

This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone +44 (0) 845 045 45 45 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies

RESTRICTED

of it.

All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/11/2014 15:15 by 21945

Occurrence: **44080240389 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 11/11/2014 14:36

Entered by: #21945 RACKHAM, P.

Entered time: 11/11/2014 14:36

Remarks:

Further reply to email making no mention of CCTV or interview or invoices and Police reply

Report:

Bipin

Thankyou for the email.

I note that you have made no mention of my requests:

- For CCTV for the 30/10/2014 between 22:00 - 23:00 hours and 31/10/2014 between 22:00 - 23:00
- For invoices regarding beers, lagers and ciders sold at the store
- To attend a voluntary Interview

Are you able to confirm that you shall not be providing these things I have requested or attending any voluntary interview I have requested you attend.

Providing the above will assist me with my investigation.

Many Thanks

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

| Tel: DD: [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

Portsmouth.licensing@hampshire.pnn.police.uk

From: bipin [mailto:[REDACTED]]

Sent: 07 November 2014 12:00

To: Rackham, Peter

Subject: RE: Issues raised by Police at Osborne Wines [REDACTED] Portsmouth. Invite to voluntary interview to assist in investigation into offences under the Licensing Act 2003

Thank you for the email.

I am working on it , and within 2 weeks all will be completed ,

RESTRICTED

I will update you on it

Thanks

bipin

From: [REDACTED]
Sent: 01 November 2014 04:33
To: [REDACTED]
Cc: [REDACTED]
Subject: Issues raised by Police at Osborne Wines and [REDACTED] Portsmouth. Invite to voluntary interview to assist in investigation into offences under the Licensing Act 2003

Dear Bipin

I am writing to you with regards to issues I have noted at your store in [REDACTED] and Osborne Road, Southsea. I note that you are both the Designated Premises Supervisor and the Premises Licence Holder for both [REDACTED] and Osborne Wines, Osborne Road.

Back in August 2014 I hand delivered letters to you to both of these stores inviting you to a best practice seminar which was to be held on the 22/09/2014. Representatives from around 90 stores attended the event over the course of the day. Unfortunately I did not recall seeing you there.

On the 23rd October 2014 the majority of off licenced premises were visited including your store in Osborne Road, Southsea. As a result of the check there it was noted that:

- There were no training records at the store for staff members
- You were selling high strength alcohol below cost and VAT price in breach of the governments mandatory conditions on the premises licence. An offence under Section 136 of the Licensing Act 2003.

[REDACTED]

[REDACTED]

f these breaches are potential offences under the licensing act 2003 that I need to investigate. As a result I would like to invite you to a formal Police And Criminal Evidence Act interview at a Police station in Portsmouth. The interview is voluntary and should you so wish a free and independent legal advisor can be provided to you for the interview. You can of course if you wish provide your own or not have one at all. The choice is completely yours. You shall be free to leave at any time.

ssist with the investigation I require you to provide me with recent invoices of beers, lagers and ciders that you

[REDACTED]

e I have investigated the matter I shall be able to consider the most appropriate outcome for it.

uld you have any issues then please do not hesitate to contact me via the below means. I am off untill Wednesday 5th November 2014 but shall be happy to make contact with you then if you are happy to do so.

k forward to hearing from you.

I Regards

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: [REDACTED]

(Portsmouth City Council, Community Safety, Civic Centre),

[REDACTED]
Portsmouth.licensing@hampshire.pnn.police.uk

This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone +44 (0) 845 045 45 45 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies of it.

All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Premises Licence Number:	13/04285/LAPREM
---------------------------------	-----------------

Part 1 - Premises details

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

Osborne Wines 37 Osborne Road Southsea PO5 3LR

Telephone Number: 9281 9438

Where the licence is time limited, the dates:

Licensable activities authorised by the licence:

Sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities:
--

Sale by retail of alcohol

Monday to Sunday:	07:00 until 02:00
-------------------	-------------------

The opening hours of the premises:

Monday to Sunday:	07:00 until 02:00
-------------------	-------------------

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

Alcohol is supplied for consumption off the premises
--

LICENSING ACT 2003

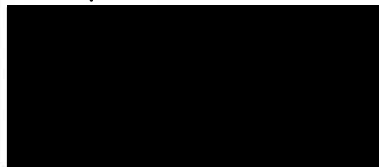
PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Part 2

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

Mr Bipinkumar Lodhia



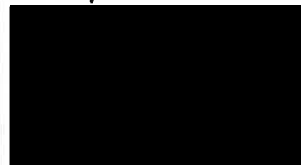
Telephone number:

Email:

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 the supply of alcohol:

Mr Bipinkumar Lodhia



Telephone Number:

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

Personal licence Number:

Issuing licensing authority: Brent London Borough Council

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date Licence Granted: 20.10.2005

Authorised Officer
Licensing Section



Date last Amended: 18 September 2013
Type: Transfer

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 1 - Mandatory conditions

01. 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/her personal licence is suspended.

02. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

03. 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.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 2 - Conditions consistent with the Operating Schedule

01. The permitted hours restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

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

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 3 – Conditions attached after a hearing by the licensing authority

01. The licence holder shall comply with the following requirements concerning the use of CCTV at the premises.

Operation and Storage.

The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment should be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

A record should be kept of any access made to information held on the system.

The system should be regularly maintained and serviced.

The system clock should be checked regularly for accuracy taking account of GMT and BST.

Tapes should be changed daily and kept for 31 days before being re used. Tapes should be replaced after 12 usages i.e. annually.

Digital systems should have sufficient storage capacity for 31 days good quality pictures.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision should be made for someone to have access to the secure area and also be able to operate the equipment.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems).

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 4 - Plans

See attached.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Premises Licence Number:	13/04299/LAPREM
---------------------------------	-----------------

Part 1 - Premises details

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



Telephone Number:



Where the licence is time limited, the dates:
--

Licensable activities authorised by the licence:

Sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities:
--

Sale by retail of alcohol

Monday to Sunday:	08:00 until 01:00
-------------------	-------------------

The opening hours of the premises:

Monday to Sunday:	08:00 until 01:00
-------------------	-------------------

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

Alcohol is supplied for consumption off the premises
--

LICENSING ACT 2003

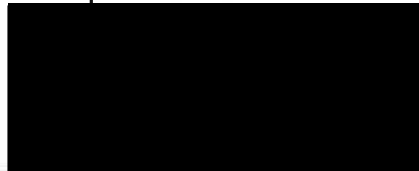
PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Part 2

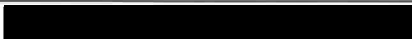
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Bipinkumar Lodhia



Telephone number: 02392 64750

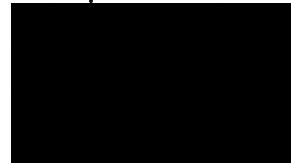
Email:



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 the supply of alcohol:

Mr Bipinkumar Lodhia



Telephone Number:

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

Personal licence Number:



Issuing licensing authority: Brent London Borough Council

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date Licence Granted: 28.05.2010

Authorised Officer
Licensing Section



Date last Amended: 19 September 2013
Type: Transfer

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 1 – Mandatory conditions

01. 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/her personal licence is suspended.

02. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

03. 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.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 2 - Conditions consistent with the Operating Schedule

01. The licence holder will comply with the following requirements concerning the use of CCTV at the premises.

Operation and Storage.

- The CCTV system will be installed and fully operational whilst the venue is open to the public.
- The recording equipment will be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.
- A record will be kept of any access made to information held on the system.
- The system will be regularly maintained and serviced.
- The system clock will be checked regularly for accuracy taking account of GMT and BST.
- Digital systems will have sufficient storage capacity for 31 days good quality pictures.
- Images produced will be date and time stamped.

Access

- It is important that the Police are able to access data from the systems quickly and easily and therefore provision will be made for someone to have access to the secure area and also be able to operate the equipment.
- All operators will receive training from the installer when equipment is installed and this training will be cascaded down to new members of staff.
- A simple operator's manual will be available to assist in replaying and exporting data (particularly important with digital systems).

02. This premises licence will not come into effect until the CCTV System has been approved by the Police.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

- 03. The licence holder must ensure that all staff selling alcohol have received adequate training, which must incorporate a process of assessment and refresher training to a recognised national standard on the law with regard to age restricted alcohol sales and that this has been properly documented and records kept. This will also include a yearly refresher.
- 04. The venue will operate the Challenge 25 Scheme, window and counter display.
- 05. The store will operate the Proxy Watch Scheme.
- 06. An up to date refusal log will be kept including date, time, description of all refusals, drunk purchase attempts, anti social behaviour and proxy sales.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 3 - Conditions attached after a hearing by the licensing authority

01. After 2200 hours, seven days a week, two members of staff will be on duty, one of whom must be a personal licence holder.

LICENSING ACT 2003

PREMISES LICENCE

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Annex 4 - Plans

See attached.

Licensed Premises inspection summary



Portsmouth
CITY COUNCIL

Premises trading name OSBOURNE VINES

Premises address OSBOURNE ROAD

Time & date of inspection 110 15.6.14

Staff name ANITESH

Officer's name PA WEAVER 07969661013

Premises licence summary displayed
(legal requirement - 2003 licensing act) YES ☒ NO ☐

Is a copy of the full premises licence available on site
(legal requirement - 2003 licensing act) YES ☒ NO ☒

Is the premises licence holder on the licence still the business operator? YES ☒ NO ☒

Is the designated premises supervisor on the licence correct and are they
still employed at the premises? (legal requirement - 2003 licensing act) YES ☐ NO ☒

Does the premises have the following notice displayed in a prominent position:
it is illegal to sell tobacco products to anyone under the age of 18?
(legal requirement) YES ☒ NO ☐

Challenge 18/21/25 poster visible (do they currently operate
an age verification policy - mandatory condition) YES ☒ NO ☒

Does the premises operate proxy watch - (off sales only) YES ☒ NO ☐

Does the premises operate a refusals log NOT USED YES ☒ NO ☐

Can staff at the premises demonstrate under age sales training
(Portsmouth licensing policy requirement) YES ☐ NO ☒

Can the staff member converse regarding the 4 licensing objectives YES ☐ NO ☒

If no, please give opinion below as to why this was

How do you feel about the quality of service offered to you by trading standards?
Poor ☐ Average ☐ Good ☐ Excellent ☐ N/A ☐

Trading Standards can be contacted at

023 9283 4689 or trading.standards@portsmouthcc.gov.uk

www.portsmouth.gov.uk

Document Ref: 14354_License Premises Inspection Books

Rob Anderson-Weaver
Safer Portsmouth Partnership
Portsmouth City Council
Civic Offices, Guildhall Square
Floor 2 Core 3-4

08/12/14

**Representation in support of the Police request for review and revocation of the
Premises licence for [REDACTED] Hampshire PO5 1QU**

Dear Committee Members

This representation is made on behalf of the director of Public Health for Portsmouth City Council and focuses on the licensing objectives

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

It is my belief that the Premises Licence Holder and Designated Premises Supervisor Mr Bipin Lodhia, has been consistently in breach of conditions attached to his licence and has failed to support the licensing objectives stated above despite support and guidance given to him by the Police, Department of Public Health and Trading Standards.

Engagement in 2013

Since October 2013 I have worked closely with the Police Licensing Unit to improve standards of best practice and promote responsible retailing of alcohol with all of the City's off-licence premises.

This work has involved visits to all of these retailers individually to raise awareness of obligations to the Act and Portsmouth's statement of licensing policy. During these visits assistance was given to retailers with signage, policy documents and in some cases action plans for improvement. This year of work culminated in a day of seminars stating the Police and Councils minimum expectations followed by a day of inspections a month later to monitor its effect.

In November 2013 I visited both of Mr Lodhia's stores in Portsmouth to discuss 'Reducing the Strength' but was alarmed to find that both stores were failing to comply with both mandatory and imposed licensing conditions attached to the stores licence. In both stores there were similar issues.

[REDACTED]

[REDACTED]

[REDACTED] November 2013 we pointed out these issues to a staff member, gave him a refusals register to use and left contact details for Mr Lodhia to get in touch in order to work with us to address the other issues.

Mr Lodhia did not make contact until after PC Rackham and I encountered him in [REDACTED] (12/12/13) and pointed out the fact that both his stores were failing to support the licensing objectives.

Needless to say it took Mr Lodhia until 29/1/14 to respond with a pledge to improve standards as detailed in PC Rackham's representation.

It is worth noting that In December 2013 Trading Standards sent an advisory letter to the City's Off licence trade advising them of minimum expectations when operating, ahead of inspections planned for the following year.

Engagement in 2014

On the 16th of April 2014 I revisited the store as part of this ongoing work and conducted a licensed premises inspection which is attached to this representation. This inspection shows that despite guidance given by the Police, Trading Standards and the Department of Public Health the store was still far from compliant. Mr Lodhia was still not displaying a premises licence summary. The refusal register I had given the previous member of staff was unused and the staff member 'Anil' was untrained and had no record of any previous training (A requirement of Portsmouth's statement of licensing policy) In addition the store had no tobacco signage (legal requirement) or Proxywatch posters despite me giving them to the store on my previous visit.

PC Rackham continued to engage with Mr Lodhia around my findings at [REDACTED] and Osbourne Wines but again received little or no commitment to improve.

Off Licence Surgery and POLAD

On the 22nd of September 2014, a day of seminars was held as part of ongoing work mentioned earlier in this representation. All of Portsmouth's 180+ Off licences were hand delivered a invite for the attention of the DPS or Premises Licence Holder (25/09/14). The letter explained the planned surgery, stating the outcomes of the day and urging compliance ahead of a day of inspections in the coming months. Needless to say no representative attended from Osbourne Wine's or [REDACTED]. A month later during the inspections mentioned earlier in this representation (25/10/14) the store was closed. As mentioned in PC Rackham's representation the store was inspected on the 31st of October where the following offences were revealed

- No authorisation from the DPS to staff members to sell alcohol in place or personal licence holder present on site (Condition on licence)
- No training records/training for staff members in place or available.
- Insufficient CCTV access
- Sale of Alcohol below Cost+VAT (Section 136)

Following the inspection Mr Lodhia was then contacted by PC Rackham as detailed in his request for review, and an action plan created to assist with compliance. Once again this attempt at clemency was not capitalized on as further reinforced by PC Rackham's review.

Conclusion

Sadly Mr Lodhia has failed to engage with Portsmouth City Council, Trading Standards or Police to address the problems raised at either of his stores in Portsmouth despite the best efforts of all officers.

It is my belief that in his position as DPS and PLH for both the stores, he has failed repeatedly and consistently to support the licensing objectives for over a year.

Mr Lodhia's [REDACTED] store is in an area that has been plagued by street drinkers historically, who actively target stores that sell high strength alcohol at the cheapest price, a fact he has been made aware of several times.

I believe that the high strength lager that breaches section 136 of the Act, Is a veiled attempt to capitalize on problem drinkers who reside in near by accommodation and frequent the Albert Road area, causing disruption to businesses and local residents.

As the Premises Licence Holder and DPS for the store, Mr Lodhia is the main point of accountability for its failings and responsible for its breaches in licence conditions, removing Mr Lodhia as DPS would still leave him in ownership of the stores premises licence.

It is because of this I would ask the Committee to use its power to revoke the licence and prevent further breaches or risk to the public.

Yours Sincerely

Rob Anderson Weaver (Community Safety Officer PCC)

On Behalf of

[REDACTED]

Doctor Janet Maxwell (Director of Public Health PCC)

This page is intentionally left blank



NOTIFICATION OF DECISION

Licensing Act 2003 - Licensing Sub-Committee

PORTSMOUTH CITY COUNCIL as licensing authority in accordance with the Licensing Act 2003 ("the act") and regulations made thereunder, hereby give notice pursuant to section 52 (10) of the act to:

Name: **Mr Bipinkumar Lodhia**

Address:

[REDACTED]

Status:

Holder

That a hearing was held on: **14 January 2015**

To consider an application for the **REVIEW of a premises licence** made in accordance with Section 51 of the Act. The details of the licence holder and premises are:

Name of Licence Holder:

Mr Bipinkumar Lodhia

Premises and address:

**Osborne Wines
37 Osborne Road
Southsea
PO5 3LR**

Decision of The Licensing Authority:

In determining and considering the application pursuant to section 52 of the act, the Committee had regard to:

- The Licensing Act 2003
- The promotion of the licensing objectives
- The council's adopted statement of licensing policy for the time being in force
- The statutory guidance issued by the Secretary of State for the time being in force
- Any relevant case law
- The representations (including supporting information) presented by all the parties

Decision:

Suspend

Reasons For Decision:

The sub-committee carefully considered the application before them, including all written and oral information given. The sub-committee had substantive concerns relating to no training records, no refusal logs, the failure to display the premises licence at one store, high level alcohol available for sale from uncertain origins, failure to work openly and quickly with the Police including failure to respond to letters and calls, non-attendance at training sessions and such like. The Designated Premises Supervisor lives in London and it was clear to the sub-committee that he has limited input and control of the stores. As such the sub-committee removed Mr Lodhia from his position as Designated Premises Supervisor at both stores, suspended each licence for 28 days and imposed the conditions as set out by the Police and the additional conditions listed below;

- 1) Copies of all purchase invoices for alcohol sold in the store to be available for 6 months after purchase from the original source.
- 2) After 2200 hours, seven days a week, two members of staff will be on duty until closure.

Appeal Provisions:

In accordance with the provisions of Schedule 5 of the Act, appeal provisions exist in respect of applications made to the Licensing Authority. Those provisions are outlined as follows:

Where an application for a review of a premises licence is decided under section 52, an appeal may be made against that decision by:

- **The applicant for the review;**
- **The holder of the premises licence; or**
- **Any other person who made relevant representations in relation to the application**

Note: The holder of the licence is to be the respondent in addition to the Licensing Authority in relation to any appeal lodged by the applicant for the review or any other person who made relevant representations in relation to the application.

In accordance with section 52(11) of the Act, a determination under section 52 does not have effect:

- **Until the end of the period given for appealing against the decision, or**
- **If the decision is appealed against, until the appeal is disposed of**

General Provisions About Appeals:

An appeal must be made to the Magistrates' court for the petty sessions area in which the premises concerned are situated.

An appeal must be commenced by notice of appeal given by the appellant to the designated officer for the Magistrates' court within the period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.¹

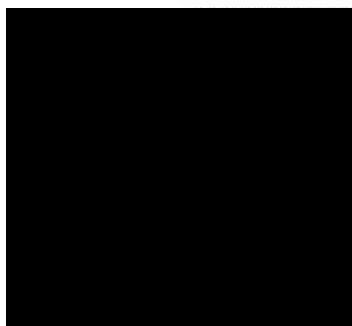
Action that may be taken by the Magistrates' Court:

On an appeal against a decision of the Licensing Authority, a Magistrates' court may:

- dismiss the appeal;
- substitute for the decision appealed against, any other decision which could have been made by the Licensing Authority; or
- remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court,

and may make such order as to costs as it thinks fit.

Date of Notice: **16 January 2015**



Signed on behalf of the Head of Service
(Authorised Officer)

¹ The period of 21 days will commence from the date on which written notice is given, or in the case of electronic transmission, when the text is received.

This page is intentionally left blank

Appendix C

Opening Hours and Alcohol Sale hours

Hours – Monday – Sunday – 11:00 – 22:00

1 A recording CCTV system will be installed and fully operational at all times. The recording equipment will be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system. A record will be kept of any access made to information held on the system. The system will be maintained and serviced within at least 12 monthly intervals. The system clock will be checked regularly for accuracy taking account of GMT and BST. The CCTV system will have sufficient storage capacity for 31 days evidential quality pictures. An additional recording CCTV camera shall be sited at the front of the store to cover the area immediately outside the venue.

Access

Police and authorised Officers of Portsmouth City Council shall have access to data from the systems quickly and easily and therefore provision will be made for someone to have access to the secure area and also be able to operate the equipment and to supply footage in a format which can be easily viewed by police for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act.

All operators will receive training from the installer when equipment is installed and this training will be cascaded down to new members of staff. An operator's manual will be available to assist in replaying and exporting data (particularly important with digital systems). CCTV shall cover all areas of the store including the entrance of the venue. The premises licence will not come into effect until the CCTV System has been approved by the Police Licensing Department responsible for the area. The CCTV must remain satisfactory to the police licensing department responsible for the area and subject to police approval in order to remain operating under this premises licence

There shall be a staff member present at all times who shall be able to work the CCTV system and provide a copy of footage to Police, on request, immediately.

2 The licence holder shall ensure that all members of staff are informed of the objectives of the Licensing Act 2003 and the statutory requirements in order to ensure compliance with all relevant provisions of the Act.

3 The licence holder must ensure that all staff selling alcohol have received adequate training, which must incorporate a process of assessment and refresher training to a recognised national standard on the law with regard to age restricted sales and that this has been properly documented and training records kept. No member of staff shall sell alcohol until they have completed this training and it has been documented and signed for by the staff member. Training records must be kept on the premises and must be produced immediately on request by Police or an authorised officer.

4 Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be a Valid Passport with hologram; Valid UK Photo card Driving Licence, PASS approved ID and Military ID with Date of Birth.

5 The venue shall operate a refusals log. This shall be in paper or digital copy and shall be made available to Police or the Licensing authority immediately on request. The DPS shall ensure that the refusals log is checked and signed on a weekly basis.

6. No beers, ciders or lager over 6.5% ABV shall be sold by retail, excluding premium products as agreed, in writing, in advance by the Police Licensing Unit.
7. There shall be no free standing stacks of alcohol on display.
8. All Spirits shall be secured behind the serving counter and shall not be sold by self-selection.
9. Appropriate signage shall be clearly and prominently displayed on the premises advising customers of the law relating to sales of alcohol.
10. Alcohol shall not be sold in an open container or be consumed on the licensed premises.
11. The premises will operate a Challenge 25 Policy.
12. The DPS shall provide a written authorisation for staff members who sell alcohol which must be signed for by the staff member and the DPS. No staff member shall sell alcohol until both DPS and Staff member have signed the Authorisation.
13. There shall be a written age verification policy which shall be made available to Police immediately on request.
14. A personal licence holder shall be present on the premises all times that the premises is open and alcohol available for sale.
15. The premises will operate Proxywatch. To be supplied by Trading Standards.
16. The Premises Licence Holder shall ensure that there is an Electronic Point Of Sale system in place. All products sold, shall be sold through the EPOS system.
17. Bipin Lodhia shall not be the Designated Premises Supervisor.

Appendix D



Hampshire Constabulary

Licensing & Violent Crime Reduction
Department
Core 5, Lower Ground Floor
Civic Offices
Portsmouth
Hampshire
PO1 2AL

Portsmouth City Councils Licensing
Service
Core 5, Lower Ground Floor
Civic Offices
Portsmouth
Hampshire
PO1 2AL

Our ref:



Telephone: 0845 045 45 45/101

Direct dial:



875000

Email: force.licensing@hampshire.pnn.police.uk

22nd March 2018

Dear Sir/Madam,

Re: Licensing Act 2003 – Application for the review of a premises licence Sevendays (formerly Osborne Wines) 37 Osborne Road, Southsea, PO5 3LR

I refer to the recent application by Trading Standards for the review of a premises licence in respect of the premises known as Sevendays and situated at 37 Osborne Road, Southsea, PO5 3LR.

The Chief Officer of Police makes formal representations in relation to the application on the following grounds:

- Prevention of Crime and Disorder
- Protection of Children from Harm



Hampshire Constabulary

The review application comprehensively sets out the poor history of management and supervision at the premises. Without wishing to repeat the information contained within the review application the Chief Officer of Police sets out a timeline of problems associated with the premises to evidence the concerns to the committee.

14th January 2015

The Chief Officer of Police took the premises (then under the previous ownership) to a review hearing. This followed an extended period of non compliance with the premises licence which continued despite engagement from officers of the Police licensing department and varying partner agencies within the licensing authority.

Following the hearing the licensing committee made the decision to suspend the premises licence and also to impose conditions suggested by the Chief Officer of Police as well as their own onto the premises licence.

June 2015

The current Designated Premises Supervisor and Premises Licence Holder Indrani MIDDE took over the operation of the premises from the previous owners by way of a premises licence holder and DPS transfer.

18th August 2015

Police led Test Purchase operation and sale of alcohol to a person under the age of 18 at the premises. MIDDE was the person who sold the alcohol. She was subsequently issued a fixed penalty notice of £90.

20th August 2015

MIDDE attended a meeting with PC 21945 Rackham from the Police licensing department. During the meeting MIDDE stated that she was very sorry for her mistake and had no excuses around the failure she had made. MIDDE stated that she had understood the previous history of the premises and was working hard to make the business a success. MIDDE stated that she was new to the alcohol retail business and that this was a steep learning process.

In order to assist MIDDE PC 21945 Rackham went through and provide physical and digital copies of the following documentation to assist her in putting measures in place to ensure that she could not only remain compliant with the conditions of her premises licence but also have due diligence measures in place to prevent a repeat sale of alcohol to a child:

- Licensing Seminar Presentation
- Age Verification Policy
- Authorisation to sell alcohol form
- Documented training records
- Refusal logs



Hampshire Constabulary

MIDDE stated that she understood the importance of ensuring that she implemented these measures and that failing to adhere to her premises licence conditions could leave her open to prosecution, a review or both. Copies of these documents are provided in **Annex A** of the Police evidence package.

During this meeting MIDDE stated that the business was struggling for trade due to a number of other off licensed premises in the area. MIDDE stated that the condition which referred to having a personal licence holder on site at all times and two members of staff after 22:00 hours was detrimental to the business and she wanted to remove this condition from the premises licence. MIDDE was advised that she could apply for this but the Police would likely object due to the test purchase failure and the need for trained individuals to be on the premises to prevent such sales. It was however mentioned to MIDDE that she was of course free to seek legal advice with regards to this.

The Chief Officer of Police is able to confirm that no form of application to vary a premises licence has been received from MIDDE or anyone acting on behalf of the business.

13th January 2017

On 13th January 2017 at 19:15 PC 21945 Rackham attended the premises to perform a licensing compliance visit. A male named [REDACTED] was at the premises. He spoke extremely poor English and struggled to understand questions such as "ARE YOU THE MANAGER?", "WHERE IS THE BOSS" and "WHERE IS THE PREMISES LICENCE?" It was however ascertained that [REDACTED] was not a personal licence holder and as such one of the conditions of the premises licence was at that time being breached.

At 23:00 hours PC 21945 Rackham returned to the premises and noted a different male was present at the premises and on his own. A compliance check was performed and the following breaches of the premises licence and potential offences were noted:

- No Premises Licence Summary on display – A requirement of Section 57(c) of the Licensing Act 2003
- CCTV did not go back 31 days
- A refusals log did not have the manager signing it on a weekly basis
- A 3 litre bottle of 7.5% ABV cider was available for sale
- No personal licence holder present (on both visits)
- Only one member of staff working after 22:00 hours

Following the visit I emailed Ross Lee from Portsmouth City Councils licensing department to alert him to this matter.

28th January 2017 23:00 hours

PC 21945 Rackham attends the premises and notes the following breaches of the premises licence:



Hampshire Constabulary

- Only one staff member at the premises after 22:00 hours
- No personal licence holder on site

24th February 2017

PC Jackie Cherry attends the premises and notes the following breaches of the premises licence:

- Only one staff member at the premises after 22:00 hours
- No personal licence holder on site

PC Jackie Cherry notes that the person working at the premises states that the conditions on the premises licence applied only to the last owners. PC Cherry advises otherwise and advises that the premises should stop selling alcohol until the premises licence conditions can be complied with.

25th February 2017

PC Cherry attends the premises after 22:00 hours and finds it to be closed.

5th March 2017

Police led test purchase operation. Premises refuse the sale of alcohol to a person under 18.

20th April 2017

Police led multi agency licensing compliance visits performed in the Palmerston/Osborne Road area. PC Debenham and Tracey Greaves attend the premises and note the following breaches of the premises licence conditions:

- No staff training records
- No refusal logs in operation
- No authorisation in place for staff members to sell alcohol
- No personal licence holder on site
- No age verification policy

Following this Ross Lee from PCC Licensing was emailed with regards to the findings. A decision was made for Portsmouth City Council/Trading standards officers to take primacy with regards to any further work around the premises.

17th March 2018

Police led test purchase operation. Premises refuse the sale of alcohol to a person under the age of 18.



Hampshire Constabulary

In addition to the above information, there has been significant engagement by Police, Council Licensing team and Trading Standards to engage with MIDDE and assist her in operating her premises in a way which complies with the premises licence and legislation around the Licensing Act 2003.

It is of huge concern that there has been a period of test purchasing failures which have gone hand in hand with a consistent lack of compliance. MIDDE has been given many opportunities to rectify this by the Police and licensing authority but the same issues manifest themselves and MIDDE has continued to breach the conditions of her premises licence. This lack of compliance is seriously undermining the licensing objectives at the premises and offences under the Licensing Act 2003 continue to be committed.

As such the Chief Officer of Police respectfully submits that the committee consider the options put forward by the Trading Standards review to deal with this matter. Should the committee not be minded to revoke the premises licence, (which would stop offences under the Licensing Act 2003 being committed over night) then the Chief Officer of Police would request that consideration is given to a suspension of the licence for a period of three months and the removal of MIDDE as the designated premises supervisor. This would allow new management to take over the operation of the premises and allow them to implement the conditions needed in order to achieve a state of compliance.

Yours Sincerely

PC 21945 Pete Rackham
Force Licensing Team
Portsmouth

This page is intentionally left blank

Police Annex A

Age Verification policy

'All premises licensed for the sale or supply of alcohol shall operate an age verification policy to assist in establishing a buyers age, before any such sale of alcohol takes place'
(Mandatory Licensing Condition)

Premises Name and Address:

Designated Premises Supervisor:

Premises Licence Holder:

Whilst it is understood that alcohol or tobacco can be sold to a person over the age of 18, this premises operates an '*age verification policy*' which means that any person who appears to be under the age of ____ must be asked for acceptable proof of age before any sale of alcohol takes place.

Acceptable Identification:

Anyone involved in the sale or supply of alcohol at these premises must adhere to the above policy at all times, failure to comply will be considered gross misconduct and could lead to a disciplinary or dismissal from employment.

DPS Signature:

Date:

Police Annex A

Staff Member Declaration

Venue

Staff Member

The sale of alcohol to a person under the age of 18 is an offence which may lead to a fine of up to £5000 and/or a term of imprisonment not exceeding three months. Such a sale will also potentially lead to a review of the premises alcohol licence and could result in the licence being suspended or revoked.

This venue operates an Age Verification Policy, the terms of which you must ask for the production of an acceptable proof of age document if you are in any doubt as to whether the person seeking to purchase alcohol is less than 25 years of age.

Only the following documents are acceptable for proof of age purposes:

- **A valid Passport**
- **A European union photo card drivers licence**
- **A "Pass" approved card (Citizen or Portman)**

If no such document is produced or you have a suspicion that the document presented is not genuine has been tampered with or has been altered then you **MUST** refuse the sale.

If you believe the customer to be intoxicated through alcohol or drugs then you **MUST** refuse the sale.

Signs of drunkenness can include:

- **Being unsteady on feet**
- **Slurred speech**
- **Smell of alcohol on breath**
- **Glazed eyes**

When a sale is refused you **MUST** make a record of this in the refusal log, recording:

- **Date and Time of refusal**
- **Item refused**
- **Reason for refusal**
- **Your name and signature**

Anyone involved in the sale of alcohol has a legal duty and responsibility to uphold the licensing objectives. These are:

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

DECLARATION

I have read and understood the above policy. I understand that failure to comply with its terms will be treated as gross misconduct and may lead to dismissal from my employment.

I have been given basic underage sales training and I understand my responsibilities with regards to the law.

SIGNED

DATE

DPS/PLH Verification

Police Annex A
Licensing Act 2003

Authorisation for the sale and supply of alcohol

(Off Sales)

Name and address of licensed premises.....

.....

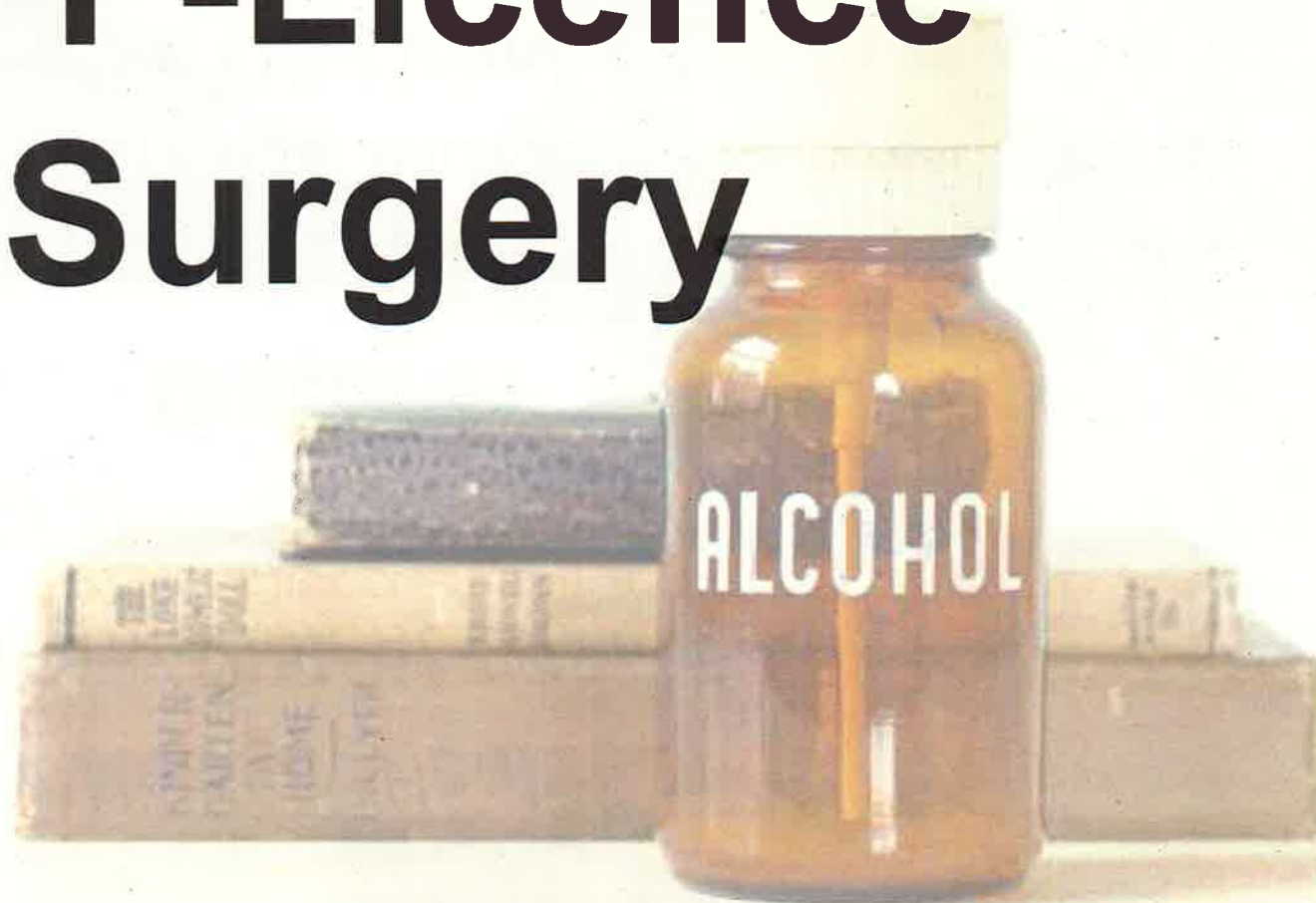
**Ibeing a personal licence holder
(licence no) and staff member at the above licensed
premises, hereby authorise the following persons to sell or supply
alcohol for consumption off the premises, at any time during
permitted hours.**

Signed:

<u>Name</u>	<u>Date</u>	<u>Sign</u>
--------------------	--------------------	--------------------

DATE/TIME	REASON FOR REFUSAL	DESCRIPTION	STAFF MEMBER

OFF-Licence Surgery



Pc Pete Rackham & Rob Anderson-Weaver

Introductions & Outcomes

- Rob Anderson-Weaver: *Health, Safety, Licensing*
- PC Pete Rackham: *Violent Crime Reduction Officer*

Outcomes

We will provide you with an understanding of the Police and Responsible Authority's expectations when operating an Off-Licence Premises

House Keeping

- Presentation will last approximately 30mins
- Followed by Q&A
- Fire Exits
- Toilets
- Phones on Silent Please

The Licensing Objectives

Fundamental principals that underpin the licensing system

- The Protection of Children from Harm
- The Prevention of Crime and Disorder
- The Prevention of a Public Nuisance
- Public Safety

Staff involved in the sale of alcohol, have a legal duty to uphold them.

How have we got here?

- Over the past year The Police licensing Unit and Safer Portsmouth Partnership have worked together to evaluate the health of the city's Licensed Premises through

Engagement, Education and Enforcement



Minimum expectations..

- The following slides are examples of what the Police and Portsmouth City Council expect all Off-Licensed premises to uphold regardless of size
- Independent, Symbol or Multiple
- A day of inspections is planned for the coming months
- The contents of this presentation are designed to ensure your compliance with the licensing act and future inspections



LICENSING ACT 2003

PREMISES LICENCE SUMMARY

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Premises Licence Number:	396
--------------------------	-----

Part 1 - Premises details

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

Lemon Tree

Railway Station

Commercial Road

Post town: Portsmouth

Post code: PO1 2EQ

Telephone Number: 9282 4377

Where the licence is time limited, the dates:

Licensable activities authorised by the licence:
--

Late night refreshment

Retail alcohol sales

Regulated Entertainment consisting of:

Playing of recorded music

The times the licence authorises the carrying out of licensable activities:

Late night refreshment

Mon Tue Wed Thu Fri Sat - 23:00 until 23:00

Retail alcohol sales

Mon Tue Wed Thu Fri Sat - 10:00 until 23:00

Sun - 12:00 until 22:30

Regulated Entertainment consisting of:

Playing of recorded music

Mon Tue Wed Thu Fri Sat Sun - 00:00 until 23:59

Premises Licence Summary

Full licence available on request

The Police and authorised persons may wish to inspect your full premises licence to ensure you are operating in line with any conditions attached

Please ensure that it is accessible at all times

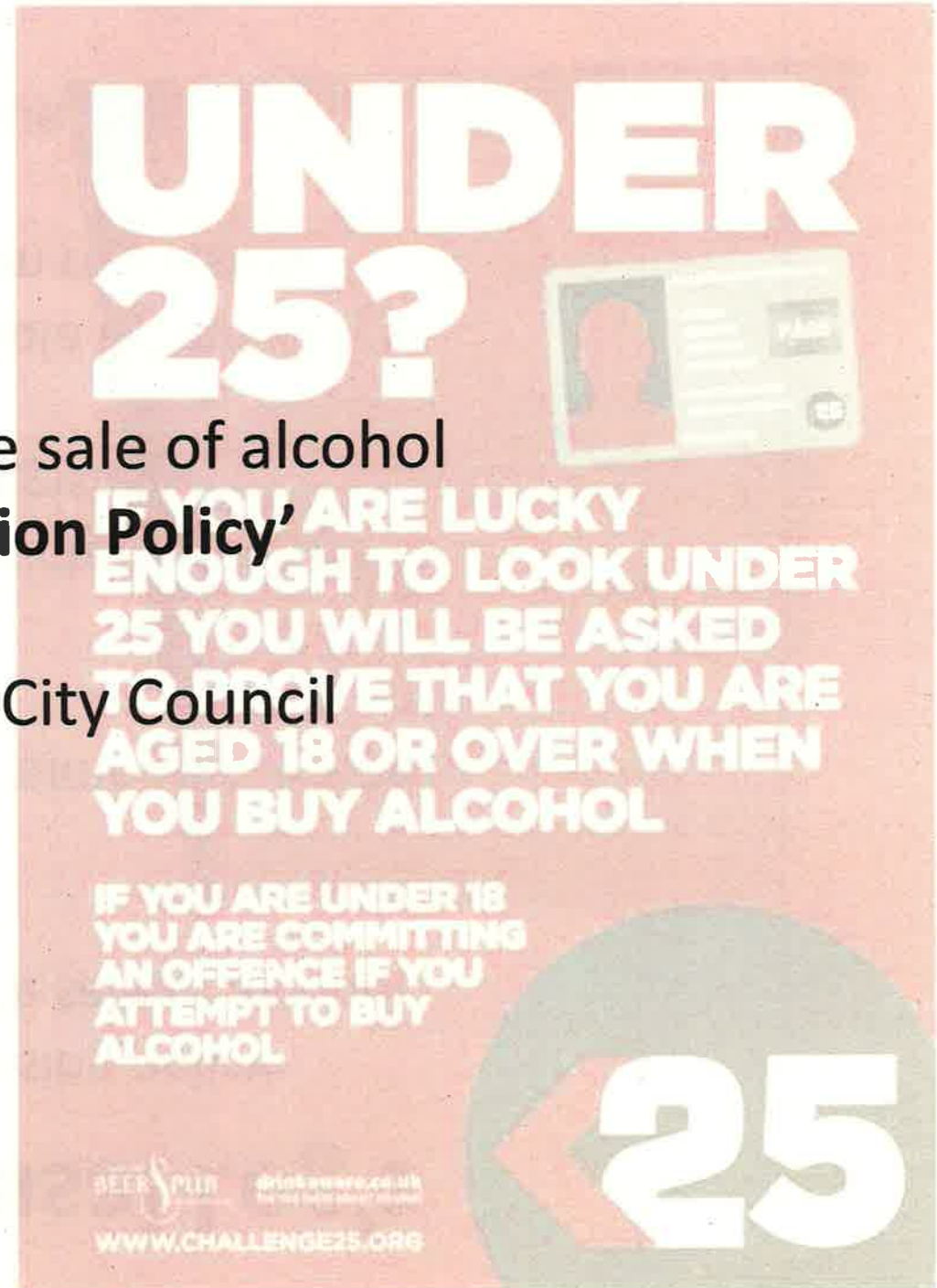
We expect staff involved in the sale of alcohol to understand these conditions and adhere to them

Failure to adhere to these conditions will result in a review of your premises licence and a fine of up to £20,000

Age Verification Policy

All premises licensed for the sale of alcohol must have an **'Age Verification Policy'**

The Police and Portsmouth City Council support **'Challenge 25'**

A poster with a red background. At the top, the text "UNDER 25?" is written in large, bold, white capital letters. To the right of this text is a small image of a yellow identification card with a photo and text. Below the main title, the text "IF YOU ARE LUCKY ENOUGH TO LOOK UNDER 25 YOU WILL BE ASKED TO PROVE THAT YOU ARE AGED 18 OR OVER WHEN YOU BUY ALCOHOL" is written in smaller, bold, white capital letters. Further down, the text "IF YOU ARE UNDER 18 YOU ARE COMMITTING AN OFFENCE IF YOU ATTEMPT TO BUY ALCOHOL" is written in the same style. At the bottom left, there are logos for "BEER SPILL" and "drinkaware.co.uk" with the tagline "the more you know the less you drink". Below these is the website "WWW.CHALLENGE25.ORG". At the bottom right, there is a large white number "25" with a red arrow pointing left towards it, all contained within a grey circular shape.

UNDER 25?

IF YOU ARE LUCKY ENOUGH TO LOOK UNDER 25 YOU WILL BE ASKED TO PROVE THAT YOU ARE AGED 18 OR OVER WHEN YOU BUY ALCOHOL

IF YOU ARE UNDER 18 YOU ARE COMMITTING AN OFFENCE IF YOU ATTEMPT TO BUY ALCOHOL

BEER SPILL drinkaware.co.uk
WWW.CHALLENGE25.ORG

25

Training and Refusal Log's

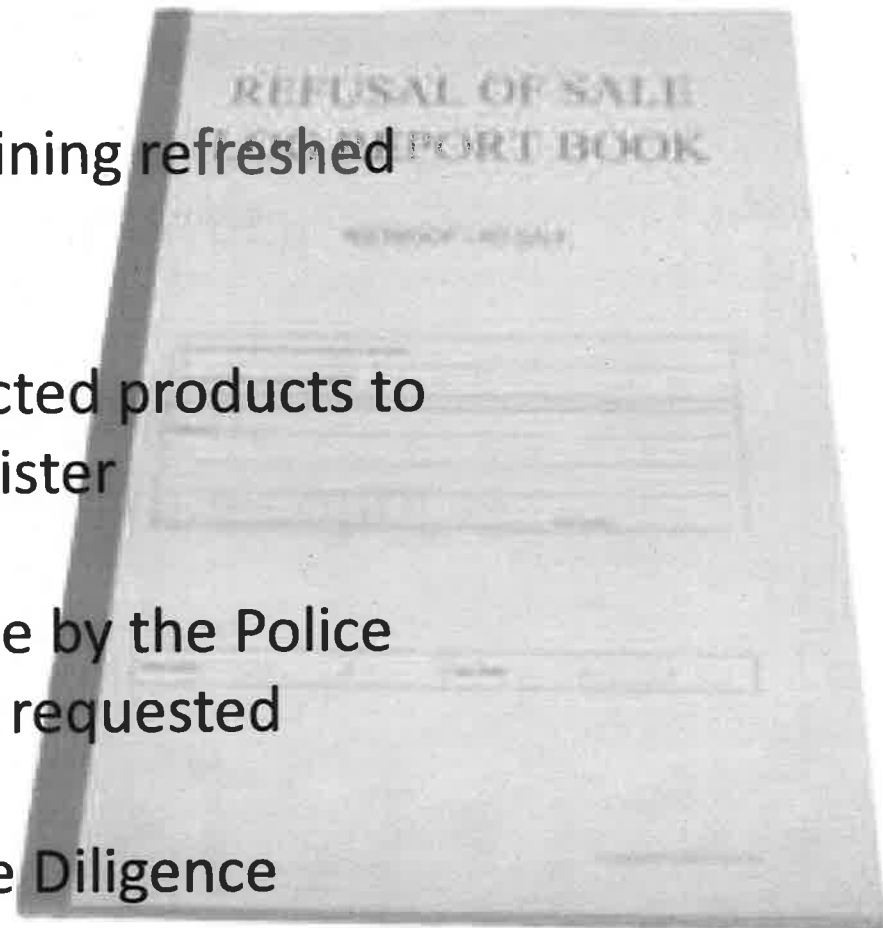
Portsmouth statement of licensing policy requires **all** staff involved in the sale of alcohol to receive adequate training

This should be recorded and training refreshed on a **regular** basis

We expect refusals of age restricted products to be recorded in a log book or register

This register should be accessible by the Police or responsible authority's when requested

This is the best way to show Due Diligence



Refusal Register Minimum Expectations

- Date & Time
- Reason for refusal
- Item refused
- Employee name and signature

•Registers should be checked and signed on a daily basis

•If refusals are recorded digitally these records should be accessible

BAR:

Vintage Refusals Register 24th 25th August 2013

Date & Time of Refusal	Reason for Refusal	Server	Supervisor (sign)

Authorisation & Training

- We expect each member of staff to be authorised to serve alcohol by a personal licence holder or the DPS
- This will be documented and signed by both parties and records made available on request or displayed
- The Licensing Act 2003 states:

‘Every sale of alcohol must be made or authorised by a Personal Licence holder’

DPS

Designated Premises Supervisor (DPS)

In Day to day control

Main point of accountability

Ensure the premises operates legally

Must hold a personal licence

Without a DPS you are breaking the law

Do your staff understand the term DPS?

Is the DPS correct on the premises licence?

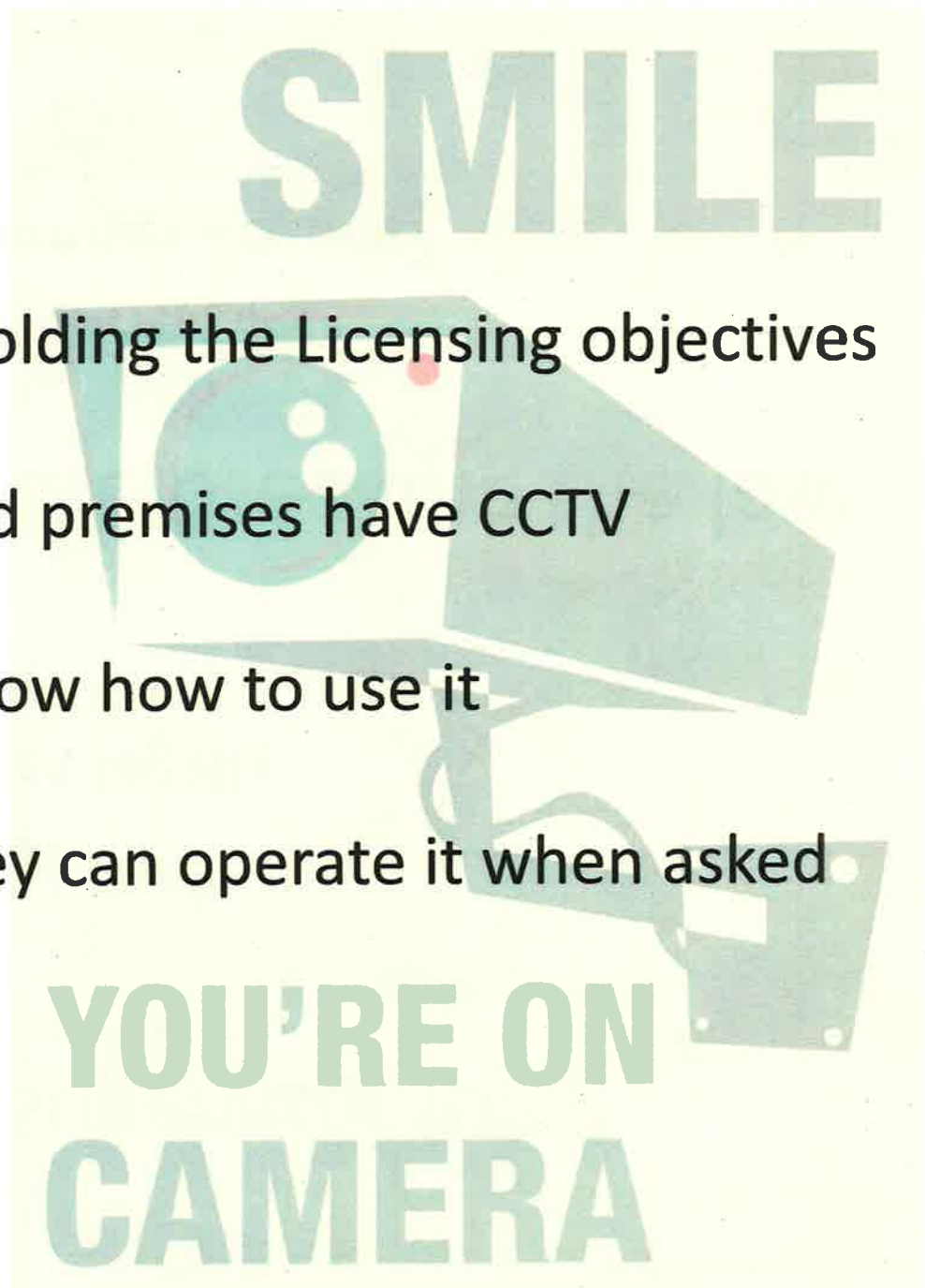
CCTV

CCTV is a vital tool for upholding the Licensing objectives

We recommend all licensed premises have CCTV

It is only effective if you know how to use it

Teach your staff so that they can operate it when asked



Proxywatch

- Proxy sales of alcohol undo **everyone's** hard work
- We recommend you have a mechanism for preventing proxy sales
- Use Proxywatch to report incidents...
- Offer till-point cards to your customers...

Reducing the Strength

In an attempt to combat appalling levels of alcohol related hospital admissions in the City, the Police, NHS and Portsmouth City Council have asked you to think about the way you sell alcohol

We asked you to voluntarily remove alcohol that we defined as

‘Super-Strength’

- Beers, lager or ciders with an ABV of over 6.5%
- Sold in plastic bottles or cans at alarmingly low cost
- Targeted by street drinkers and those with alcohol dependency

Tobacco Signage

- It is a legal requirement that an A3 notice is displayed stating the law regarding tobacco sales
- Without this signage you are breaking the law

**IT IS ILLEGAL TO
SELL TOBACCO
PRODUCTS TO
ANYONE UNDER
THE AGE OF 18**

Help us to help you

- To make everyone's life easier and to show your support for the licensing objectives we want to see

1. Summary on display
2. Statutory signage
3. Age Verification policy
4. A folder containing:

A **copy** of your full premises licence, refusal register, staff training documentation, Personal licence holder details and authorisation

Don't let your selves down

- Selling alcohol is a privilege not a right
- You have worked hard to obtain this privilege
- Following the instructions we have provided today will ensure that you keep this privilege
- We want to work with you to support your business and the communities you serve

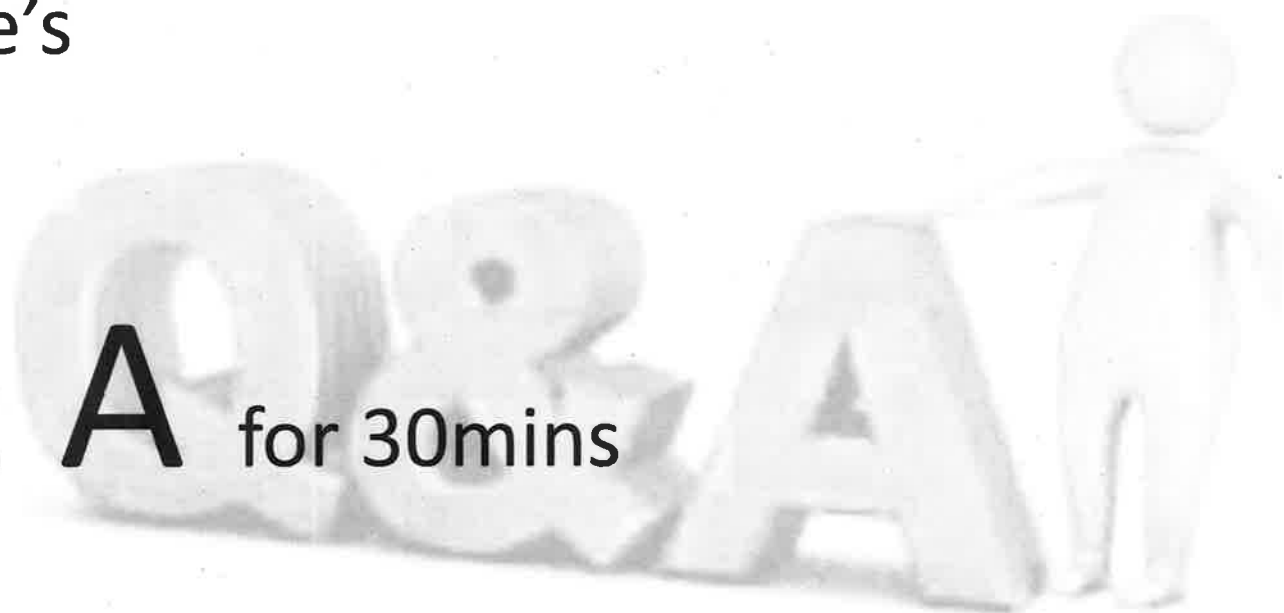


'Tidy' up your licence

Thank you for listening...

- We are now open to any questions you might have regarding the Licensing Act 2003 and your store's

• Q & A for 30mins



This page is intentionally left blank

27/3/2018



Rob Anderson-Weaver
Public Health
Portsmouth City Council
Civic Offices, Guildhall Square
Floor 2 Core 3-4



Dear Licensing Manager

This representation is made in support of the license review application made by Portsmouth City Council Trading Standards service in regards to **Sevenday's (Premier) convenience store, 37 Osborne Road Portsmouth, Southsea PO53LR.**

The representation focuses on the licensing objectives: **Protection of Children from Harm** and the **Prevention of Crime and Disorder** and is made on behalf of the Director for Public Health at Portsmouth City Council in his role as a responsible authority under the Licensing Act 2003

As detailed in Mrs Greaves review application, Sevenday's and its Designated Premises Supervisor Miss Indrani Midde have failed to comply with conditions on its license and failed several test purchases for alcohol over the past 18 months. The many breaches and offences referenced in Mrs Greaves review occurred after a previous period of noncompliance - it is my belief that the store has failed to uphold conditions on its license since December 2016 - although this might not even cover the full time and extent of noncompliance.

Historical Interaction from Public Health & Police Licensing Unit

On Friday the 13th of January 2017, I accompanied Police Licensing Officer PC Peter Rackham on visits to licensed premises in the Palmerstone Road area of Portsmouth. During this time we visited several venues before finally attending Osborne Road. Whilst in the road PC Rackham and I decided to visit Sevenday's as it had clearly seen recent refurbishment and we were keen to see a new, nice and clean set up after the business had been ran down during our previous visit in December 2016

We entered the store around 19:30 hours and were greeted by a member of staff who could not converse with us regarding a series of issues that were instantly apparent. We asked if the manager of the store was available and the staff member said that he would be in store and available at 22:00. We agreed to come back after 22:00 to speak with him and left the store

We returned to the store at 23:18 after conducting visits in other areas of the City. When we returned the previous staff member was gone and a new lone worker was in store. The worker was neither the DPS nor a Personal License holder so we asked if the manager was available, the worker explained that she (Miss Midde) was not - no contact details were available despite our request for them.

Whilst in store we noticed that there was;

- **No Premises License summary on display (legal requirement)**
- **Cider over 6.5% on sale in 3 liters plastic bottles despite the store having a condition stating otherwise,**
- **No second member of staff despite having a condition that requires one after 22:00 seven days a week,**
- **No Personal License holder present despite having a condition that requires one on site at all times that alcohol is for sale,**
- **CCTV only went back 28 days instead of the required 31,**
- **No Proxy Watch materials in window or at till point despite a condition,**
- **Refusals registers rarely used and predominantly for tobacco.**

We pointed out these issues with the store and asked the staff member to relay a message to the DPS to contact PC Rackham and address the issues we had identified with haste. We left the store at around 23:30

On Friday the 27th of January at 23:13 we returned to Sevenday's to check that changes had been made and breaches in compliance addressed. When entered the store we were greeted by the same lone staff member from our previous visit. He confirmed he was alone and still was not a Personal License holder. Several of the other issues from our previous visit had been rectified, but the store continued to make sales of alcohol after 22:00 hours without a Personal License holder present or a second member of staff - both of these being conditions on the license

Once again we pointed out these issues to the member of staff, but he seemed to lack the understanding that these conditions applied to him and the store - Once again PC Rackham asked the staff member to insist that the DPS for the store made contact and addressed the issues raised. We left the store at around 23:30

On Friday the 24th of February at 22:31 I returned to Sevenday's with PC Jackie Cherry (also a Police Licensing Officer) to see how the store was getting on, expecting issues from my previous visits to have been addressed. We were greeted by the same lone staff member from our previous visit. He confirmed he was alone and still was not a Personal License holder. At this point it was obvious that the store continued to make sales of alcohol after 22:00hours without a Personal License holder present or a second member of staff - both of these being conditions on the license.

Pc Cherry pointed these issues out to the member of staff and asked him to stop selling alcohol that evening unless the conditions were met. The staff member said he would comply but remain open. Once again the message was relayed that the DPS (Miss Midde) needed to address these issues - to this the staff member replied 'That the rules were for the old business' We corrected him on this and pointed out that the Premises License including conditions had been transferred over from the old business and that the rules still applied to him. We provided the staff member with contact details and left the store shortly after.

Since the visits detailed above, I can confirm that I was present in the test purchase situations and visits described in Mrs Greaves review and my accompanying statement submitted by her as evidence.

Osborne Road

Osborne Road is located in the heart of Southsea and services the Palmerstone Road precinct and Seafront area. The road has seen great improvement over the past several years with many additional small businesses and eateries creating an appealing shopping and socializing environment. The area has also benefitted from additional footfall and custom created by many high profile events in the vicinity like the Americas Cup festivities, Victorious Festival and Southsea Food Festival.

These events bring up to 60,000 additional visitors to the area at a time who use the businesses in Osborne road for food and alcohol purchases - other than Sevenday's the licensed trade is and have been compliant and responsible in the run up to and during these events. I have concerns that there is no record of any refusals from Sevenday's during the particularly busy period of the late August Bank Holiday weekend when the Victorious festival takes place. During the event I conduct visits and make observations around the general impact of increased foot fall. In 2017 there was a queue out of the Sevenday's and down Osborne road with a steady stream of people coming out with alcohol - I would expect that over the course of this incredibly busy weekend at least one sale would have been refused and recorded for being underage or more likely to intoxicated - there were none recorded at all.

This lack of due diligence reinforces the lack of compliance in the store and adds risk to the area which has a spotlight placed on it every time a large scale event is held. There are two off-sales premises on either side of the store, both have records of refusals and both have passed test purchases made at the same time as the ones detailed in Mrs Greaves review.

The store is also close to several secondary schools and the area of the common where young people often gather in the Summer months, this proximity poses a risk given the consistent negligence shown by the staff and management of Sevenday's for the past 18 months. My concern is that the store is an unnecessary 'weak link' in a generally responsible set of businesses who undertake licensable activities, the nearby schools provide a significant amount of affluent young people who can and will attempt to obtain alcohol before the prescribed age. Attached to this representation are two maps that show the geography of the area and the proximity of schools, licensed premises and green spaces to Sevenday's (PH1)

Conclusion

Sevenday's and its DPS Miss Midde have been given every opportunity to improve their practices and address problems - Miss Midde and her staff have been obstructive and negligent in their conduct, failing to promote or even adhere to the licensing objectives for the best part of two years despite help and guidance from multiple Police Officers, Trading Standards and Public Health team - It is with this in mind that I would ask the committee to support the recommendations of Trading Standards and revoke the stores premises license.

Yours Sincerely

Rob Anderson-Weaver PHP

On behalf of Dr Jason Horsley Director of Public Health for Portsmouth City Council

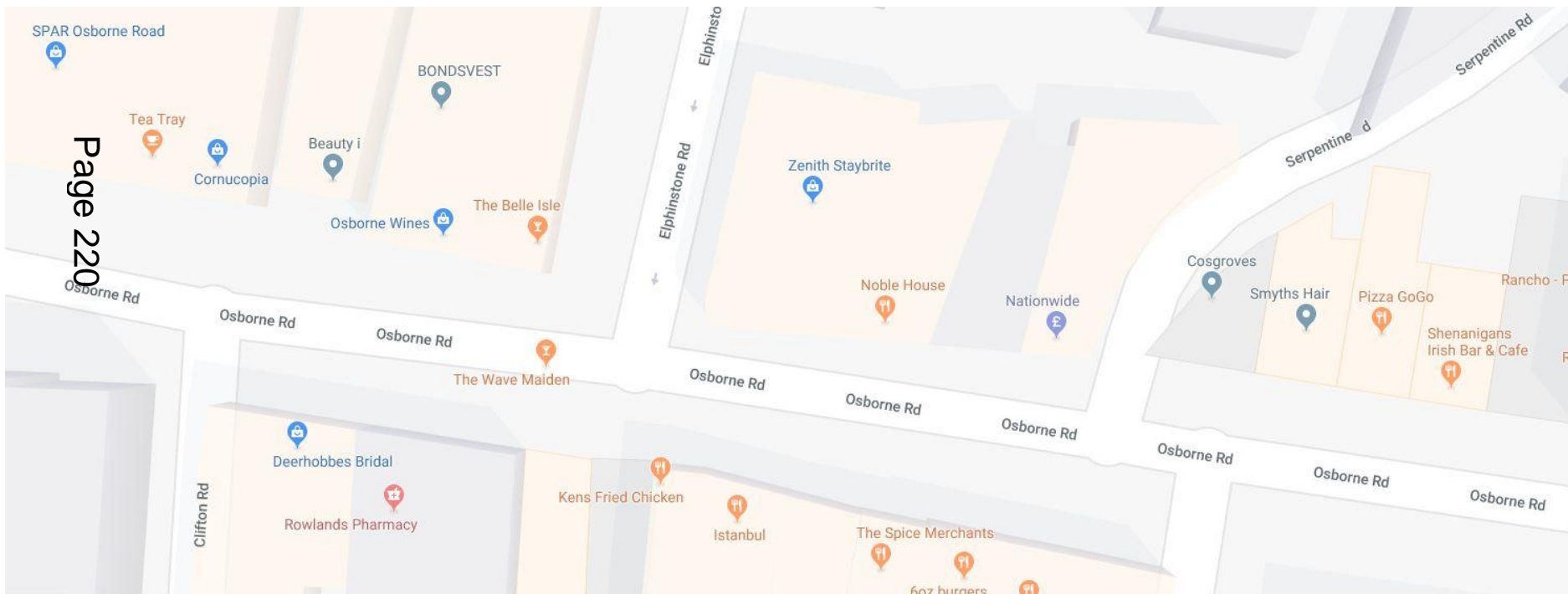
Sevendays Representation by Public Health

(PH1)

Appendix D

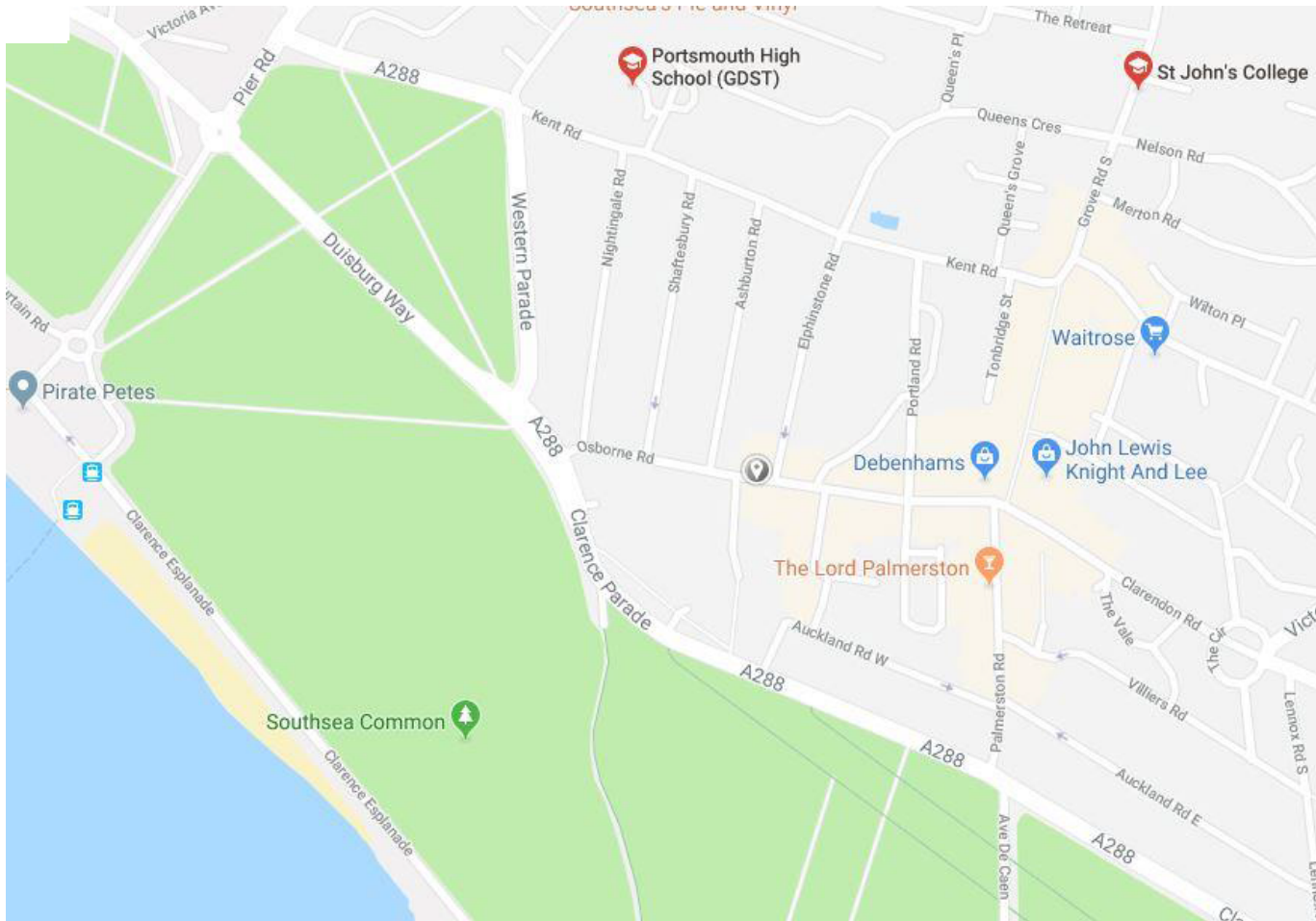
Osborne Road

Page 220



Appendix D

Local Geography



This page is intentionally left blank

Licensing Service

Licensing Sub-Committee
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
Hants
PO1 2AL

Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: 023 9283 4604

Our Ref: 18/02067/LAREVI

Date: 9 April 2018

Dear Members of the Licensing Sub-Committee

**Re: Licensing Act 2003 - Application for the review of a premises licence
Seven Days 37 Osborne Road Southsea Portsmouth PO5 3LR**

I refer to the recent application by Trading Standards for the review of a premises licence in respect of the premises known as Seven Days and situated at 37 Osborne Road, Southsea, Portsmouth, PO5 3LR.

On behalf of the Licensing Authority, I would wish to make formal representations in relation to the application on the following grounds:

- Prevention of crime and disorder; and
- Protection of children from harm.

The application for the review of the premises licence sets out in detail the extent of engagement undertaken by the responsible authorities, in particular the efforts of the Trading Standards service to work with the premises licence holder in an attempt to ensure promotion of the licensing objectives in respect of the protection of children from harm and prevention of crime and disorder.

To supplement the interaction undertaken by the Trading Standards Service, the Licensing Authority has also attempted to work with the premises licence holder in terms of compliance with the premises licence conditions and the Licensing Act 2003. A summary of this engagement is highlighted as follows:

Date:	Comments/Action:
31 July 2015	Premises licence transferred to Miss Midde.
13 August 2015	Variation of DPS to nominate Miss Midde.
6 May 2016	Inspection proposed for premises as part of an operation to check off-licence premises, but site was closed on the day of the inspection.

20 December 2016	Request from premises licence holder to change the name of the premises from "Osborne Wines" to "Seven Days"
29 December 2016	<p>Email sent to Miss Midde by Licensing identifying that:</p> <ul style="list-style-type: none"> • Premises had been altered without prior consent by way of a minor variation application; • Forms previously sent to licence holder in October 2016 to enable this but not acted upon; • Various breaches of the conditions attached to the premises licence. <p>A copy of this email is attached as Appendix A to this letter.</p>
30 January 2017	Consideration of formal proceedings by Licensing Authority but determined appropriate action was for information to lay on file.
16 March 2017	Application made to vary premises licence to update layout of premises.
8 March 2018	<p>Visit to premises by Licensing Authority officers. Several breaches of the conditions attached to the premises licence were noted as follows:</p> <ul style="list-style-type: none"> • Lack of personal licence holders present on the premises; • Issues regarding the storage and production of CCTV footage; <p>(A further visit was undertaken to the premises the following evening and the same breaches were witnessed again).</p>
13 March 2018	Licensing Authority investigating licensing offences and Miss Middle invited, by way of letter, to attend for a PACE interview at the licensing office.
14 March 2018	Application to review the premises licence submitted by Trading Standards.
16 March 2018	Further application to vary premises licence following works carried out to the premises undertaken without prior approval.
6 April 2018	Application made to vary the designated premises supervisor from Miss Midde to Mr Simon Bennett. (A further two persons working at these premises have also applied for and been granted personal licences).

The Licensing Authority has grave concerns that despite the level of interaction by various responsible authorities, the licence holder has failed to put sufficient mechanisms in place to ensure compliance with the licensing objectives and has instead chose to procrastinate in dealing with concerns raised by the responsible authorities.

Members are advised that the Licensing Authority is currently investigating the reported breaches of the licence and will be seeking approval from Legal Services to instigate formal proceedings against the licence holder.

To emphasize the extent of intervention undertaken by the responsible authorities, I have attached a summary of how the various agencies have attempted to work with the licence holder in order to address issues. This is attached as Appendix B.

In accordance with paragraph 24.10 of the Council's Statement of Licensing Policy, it is clear that the responsible authorities have attempted to give the licence holder early warning of their concerns and the need for improvement, and also what steps were needed to be taken to address those concerns. The failure by the licence holder to respond to such warnings has led to the decision by Trading Standards to apply for a review of the premises licence.

The Committee may take the view that the responsible authorities should have considered reviewing the licence at an earlier stage but as paragraph 24.10 of the policy also states *"Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation"*.

As the licence holder is an independent trader within the City it is the view of the Licensing Authority that it is evidently clear that every effort has been made to attempt to engage with the licence holder in order to promote the licensing objectives but has not been successful in this particular case.

Members are reminded that this is a convenience store which currently offers the sale of alcohol in addition to other goods as part of its business. It is clear that the licence holder is incapable of selling alcohol in a responsible way that promotes the licensing objectives.

Identifying all the statutory powers available to the Sub-Committee in determining the review application, and having regard to the substantial time and resources that have been taken up by the responsible authorities to no real effect as far as educating the licence holder is concerned, I consider that the only action that is appropriate in these circumstances is for the licence to be revoked.

Yours sincerely



Nickii Humphreys
Licensing Manager

Email: licensing@portsmouthcc.gov.uk

Stone, Derek

From: Lee, Ross
Sent: 29 December 2016 15:32
To: 'osborne [REDACTED]
Cc: Robson, Debra
Subject: PREMIER SEVEN DAYS
Attachments: Application for Minor Variation.pdf; Minor Variations - Public Notice for premises.doc; Minor Variations Procedure - Guidance Notes.doc; Plan.pdf

Dear Miss Midde,

My colleague Debra Robson asked me to visit your premises and this was done on the evening of Friday 23 December 2016. This was to look at the layout of the premises. The premises licence and summary were not available at the time of my visit.

I am satisfied that the layout has changed and accordingly this will require you to submit a minor variation together with a new plan showing the trading area for the purposes of undertaking licensable activities. The fee of £89 must accompany the application.

I have attached the relevant form, together with guidance notes and a blank public notice for you to complete and display from the front window for the public to see for a period of 10 working days. I have also attached my notes made to the plan following my visit and discussion with Ven.

Our records note that Debra gave you these forms previously (20 October 2016) and I am disappointed that you have not attended to this matter sooner. That said, you should submit the variation application as a matter of urgency and certainly by no later than **January 06 2017** as you are currently trading in breach of the licence.

Finally, I have now had chance to look at the premises licence upon my return to the office and note that a number of conditions were breached as a result of my visit. Conditions 2, 3, 5, 12, 13 and 14 of annex 3 were NOT being complied with and you must ensure compliance at all times.

A further visit will be made to the premises early in 2017.

Ross

Mr Ross C Lee
Licensing Officer
Directorate of Culture & City Development
City Development - Licensing
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
Hants
PO1 2AL
Tel: 023 9283 4830
Fax: 023 9283 4811

Email: [REDACTED]
Web: www.portsmouth.gov.uk

Summary of Responsible Authorities Interventions

Date:	RA:	Action/Inspection/Meeting:
18-Aug-15	Police	Test Purchase - failure
20-Aug-15	Police	Meeting with Police
06-May-16	Licensing	Inspection - premises closed
13-Dec-16	Trading Standards	Inspection - breaches of conditions
23-Dec-16	Licensing	Inspection - breaches of conditions
13-Jan-17	Police	Inspection - breaches of conditions
28-Jan-17	Police	Inspection - breaches of conditions
24-Feb-17	Police	Inspection - breaches of conditions
25-Feb-17	Police	Visit by Police but premises closed
05-Mar-17	Police	Test Purchase - Pass
20-Apr-17	Police	Compliance inspection - breaches of conditions
14-Jul-17	Trading Standards	Test Purchase - failure
29-Sep-17	Trading Standards	Test Purchase - failure
09-Oct-17	Trading Standards	Inspection
06-Nov-17	Trading Standards	Phone calls to Miss Midde
07-Nov-17	Trading Standards	Letters delivered , various phone calls to and from "VJ"
08-Nov-17	Trading Standards	Telephone call from "VJ"
09-Nov-17	Trading Standards/Public Health	Visit to premises to discuss breaches plus various emails and phone calls between TS and "VJ"
09-Nov-17	Licensing	Email from Miss Midde requesting DPS variation forms
10-Nov-17	Licensing	Email response to licensing by Miss Midde
10-Nov-17	Trading Standards	Telephone call from TS to "VJ"
13-Nov-17	Trading Standards/Police	Visit to premises - further breaches of conditions
14-Nov-17	Trading Standards	Further emails between TS and "VJ"
15-Nov-17	Trading Standards	Further emails and phone calls between TS and "VJ"
22-Nov-17	Trading Standards	Visit to deliver proxy watch cards - no personal licence holder present
27-Nov-17	Trading Standards	Tobacco Inspection - no personal licence holder present
27-Nov-17	Trading Standards	Emails and phone calls from "VJ"
12-Jan-18	Public Health	Informal visit - breach of conditions re 2 staff members on duty after 22:00
08-Feb-18	Trading Standards	Routine inspection re E-Cigarettes - Breach of condition - no personal licence holder present
09-Feb-18	Public Health	Visit - established that alcohol above 6.5% available for purchase - breach of condition
12-Feb-18	Public Health	Visit to test purchase alcohol above 6.5% - sold - breach of condition
20-Feb-18	Trading Standards	Follow up visit from tobacco inspection on 27 November - no personal licence holder present
27-Feb-18	Trading Standards	Telephone calls and emails with "VJ"
28-Feb-18	Trading Standards	Visit to premises to discuss breaches of licence conditions with "VJ"
28-Feb-18	Trading Standards	Emails to licensing and also receipt of emails from Miss Midde and "VJ"
01-Mar-18	Trading Standards	Phone call from Miss Midde
02-Mar-18	Trading Standards	Further emails/phone calls from Miss Midde and "VJ" - asking for time to resolve previous issues
05-Mar-18	Trading Standards	Further emails/ from Miss Midde
08-Mar-18	Licensing	Visit to premises - further breaches of conditions
17-Mar-18	Police	Test Purchase - Pass

This page is intentionally left blank

Appendix D

From: Leon Lyon-wilson
Sent: 05 April 2018 13:22
To: Licensing Shared Email
Subject: Sevendays - 37 Osborne Road - Representation

Dear Sir/Ma'am,

I am a resident of [REDACTED] Osborne Road Southsea and have been for the last two years. I am writing this email to provide information on the subjected shop across the road from my house. I was living here when they first opened and they have been a strong part of the Osborne road community ever since.

I can confirm that this shop and its Staff are especially vigilant when checking identification and even as a regular I am personally asked whenever I am purchasing alcohol or cigarettes. I have never had any noise disturbance from this establishment throughout every hour of the day and have heard of no complaint from any other member of our community.

In conclusion I and many others feel that this shop is a brilliant addition that has been of great help to all. Akki and her team are friendly and always happy to serve in anyway they can.

If any more information is required feel free to ask

Kind Regards

Leon Lyon-Wilson

This page is intentionally left blank

Appendix E

Stone, Derek

From: Stone, Derek
Sent: 09 April 2018 13:38
To: 'Simon.Butt@ [REDACTED]'
Cc: 'Seven Days'
Subject: RE: FW: Premier Seven days, 37 Osborne road, po53lr

Simon

Thanks

All noted

Midde

For your information

Regards

Derek

From: Simon.Butt@ [REDACTED]
Sent: 09 April 2018 13:26
To: Stone, Derek; 'Seven Days'
Subject: RE: FW: Premier Seven days, 37 Osborne road, po53lr

Hi Derek

Frosty Jack is an item that does appear on Premier regularly so would be an item we send to the store as part of an allocation.

With regards to whether the item has been credited in the past, that proves more difficult as we can only go back to 9/3/2018 on the system in store.

I believe the Booker website holds invoices that goes back further so Midde may be able to provide you with credit notes.

If not we will can request the invoices around those dates from our head office.

Again any more information needed please let me know

Regards

Simon

Sent from my Windows 10 phone

From: [Stone, Derek](#)

Sent: 09 April 2018 11:58

To: ['Seven Days'](#); ['Simon.Butt'](#)

Subject: RE: FW: Premier Seven days, 37 Osborne road, po53lr

Midde

Thank you I will go back to Simon then.

Simon

What is the position re Frosty Jack at Seven Days.

My same question applies have they been supplied before as part of a promotional deal and if so were all returned unsold please

Regards

Derek

From: Seven Days [REDACTED]

Sent: 09 April 2018 11:36
To: Stone, Derek
Subject: Re: FW: Premier Seven days, 37 Osborne road, po53lr

Hi Stones,

This is from Peter reckhams 13th January 2017 notes related to 3 litre frosty jack bottle.

Thank you

Midde

On Monday, April 9, 2018, Stone, Derek <Derek.Stone@portsmouthcc.gov.uk> wrote:

Midde

Please see below e mail exchange.

Do you wish to comment on what it is saying about the product that was in your store.

Regards

Derek

From: Simon.Butt
Sent: 06 April 2018 08:51
To: Stone, Derek
Cc: Robson, Debra
Subject: RE: Premier Seven days, [37 Osborne road, po53lr](#)

Hi Derek.

You are correct Akki popped into see me yesterday.

I was not informed as to what the product was, what I was asked to do was inform you guys of how there could have potentially been products at the site that should have not been due to how we allocate promotional stock out.

I was unaware the product in question was Tatra mocne. This is a product that we do not list in Portsmouth Booker. So as to how that has arrived at the store I would not know.

Hope that helps

Please contact me if I can be of anymore assistance

Regards

Simon

Sent from my Windows 10 phone

From: [Stone, Derek](#)
Sent: 05 April 2018 15:34
To: 'Simon.Butt'
Cc: [Robson, Debra](#)
Subject: Premier Seven days, [37 Osborne road, po53lr](#)

Simon

Thank you for your e mail.

I assume that this is in relation to the review of the premises licence at Seven Days Osborne Road, Southsea.

Would I be correct in thinking it is about Tatra Mocne on sale at the store ?

If so has this product been regularly supplied to the premises or was this an unsolicited offer that you at Booker just sent to the store as part of promotional compliance ?

If this has been sent before can you confirm that it has always been returned with no sales taking place.

Regards

Derek Stone

Principal Licensing Officer

From: Simon.Butt
Sent: 05 April 2018 10:47
To: Licensing Shared Email
Subject: Premier Seven days, [37 Osborne road, po53lr](#)

To whom it may concern

I have been asked to get in touch regarding the promotional activity and how it works.

As a Premier store they are contracted to maintain 90% promotional compliance. We will send these allocated lines to them every month. There is however the option to return products that they know will either not sale or should not sale which they do. That is why all stores have a 90% target and not 100%.

If i can assist in any other way please let me know.

Regards

Simon

Sent from my Windows 10 phone

This email is intended solely for the person or organisation to which it is addressed. It may contain privileged and confidential information. If you are not the intended recipient of the message, please notify the sender immediately and do not disclose the contents to any other person, use it for any purpose, or store or copy the information in any medium.

Internet communications are not secure and therefore Booker Group plc and its subsidiary companies, do not accept legal responsibility for the contents of this message.

Any views or opinions presented are solely those of the author and do not necessarily represent those of Booker Group plc and its subsidiary companies, unless otherwise specifically stated.

Any liability (in negligence, contract or otherwise) caused by any third party acting, or refraining to act, on the basis of the content of this e-mail and/or any attachments is hereby excluded.

This email is issued by Booker Group plc registered number 5145685 (England and Wales) on behalf of itself and Booker Limited (Registered number 197380 England & Wales) whose registered offices are situated at Equity House, Irthlingborough Road, Wellingborough, NN8 1LT.

If the content of this email is to become contractually binding, it must be made in writing & signed by a duly authorised representative of Booker Group plc.

Get information on what matters to you delivered straight to your inbox - sign up for My Portsmouth Updates today.

Visit www.portsmouth.gov.uk/updates-sign-up today

This email is for the intended recipient(s) only.

If you have received this email due to an error in addressing, transmission or for any other reason, please reply to it and let the author know. If you are not the intended recipient, you must not use, disclose, distribute, copy or print it.

This email may be monitored, read, recorded and/or kept by Portsmouth

City Council. Email monitoring and blocking software may be used.

This page is intentionally left blank

Appendix F

I would like to apologise to the Licensing Committee and the Responsible Authorities that it has been necessary to review the premises licence.

In June 2015 I took over the operations of the premises by way of becoming a premises licence holder without seeing the premises licencing conditions as I am new to the off-licence business and the complete business take over from the previous owner is happened in 2nd week of July 2015 and in those two weeks I have realised the associated conditions attached to premises so I have closed the store for two weeks in July for me to become a personal licence holder for understanding the duties, responsibilities of running an off-licence store and to become a DPS of the store at the end of July 2015.

I did understand the importance implementing the conditions associated with the premises licence so I have decided to work at the store by myself 7 days a week and with a help of one staff after 10 PM working hours because it is a convenience store recruited personal licence holders are leaving after few months of work to work in a pubs, bars.

In early months of October 2016, my store roof has fallen down and based on my 1-year trade experience, previous history of the premises (Name change advises from few officers) with the help of friends and family I have refurbished the store to become a Premier franchise.

In 2017 I have started trading as Seven days premier store and when it was Osborne wines I only used to do the business from 2 PM - 11 PM but as part of the premier store I have to open the store from 7 AM - 11 PM where I have recruited very experienced staff who are working in another off-licence store Spar in the same road and both M [REDACTED] (Since end January 2017) and Z [REDACTED] (After

the initial meeting with trading standards) is no longer works in the store.

In September 2017 I got very serious health issues, because of my health condition, I have trained and authorised VJ to do the premises daily duties, at the same time I have recruited, trained both U [REDACTED], R [REDACTED] as well to support VJ.

In that period U [REDACTED] failed the underage test and I have given a serious warning to both U [REDACTED], VJ on this matter and I have re-trained U [REDACTED] again and send him for the personal licence course. U [REDACTED] felt very sorry stating that he understands the seriousness of the duties in his job role and this mistake will never happen again.

VJ is an experienced person who has worked in other off-licences in the city for more than 8 years and when I sent him for the BIIAB exam he has scored 40/40 with 100% pass marks. Rob Anderson quoted him that "VJ is helpful and happy with the knowledge of what he is speaking regarding licencing objectives". I have told off VJ for not to apply for a personal licence after passing the exam and VJ felt sorry of his negligence of not putting the application by thinking that he understands the law to protect the licencing objectives saying that he has never failed the test (or) never made any underage sale and I do believe the condition of becoming a personal licence holder is to protect licencing objectives.

In November 2017 all the points made by trading standards including the suggestions related to the Vodka shots, grinders, getting personal licence holders, outside CCTV, documentation of Re-Fresher training logs, registering refusals in refusal log, new DPS because of my health condition. And with an immediate effect, I have instructed not to have any vodka shots (Due to some major refusals happen on this item), grinders (the store hasn't made any single sale on it and this is the first time supplier put them in store which is also returned) anymore and not to get from the instore visiting suppliers.

In February 2018 from the delivery U [REDACTED] put the Tetra beer on the chiller without checking the % and even not removing it completely from sales area after informing him is a mistake, he shouldn't have taken his own decision by putting the items back on the shelf even though there is no potential interest in selling this product in the store. Premier promotions and other cash & carry deliveries will be get delivered monthly to the store including alcohol products without considering stores licencing conditions and some cash and carry's do replace the items with similar kind of products when they do not have what we ordered online. I have made a request to the premier promotions delivery department to not to send any alcohol product through the monthly promotions delivery and I will pick up from the booker's depot when I go to cash and carry to not to reoccur this mistake again by any means and instead of letting my staff process the ordering I will be doing the order process to restrict in feature.

On 17th March 2018 Police conducted a test purchase operation and both U [REDACTED], R [REDACTED] present at the premises also rejected the sale of alcohol which proves that U [REDACTED] understands the importance of protecting licencing objectives and also shows that U [REDACTED] learned a lesson from the previous failure.

In March 2018, after getting notified about the submission of premises review application by trading standards,

- Stopped selling alcohol at the store in the past 3 weeks at least 10 hours a day by displaying appropriate signs to the customer till both U [REDACTED], R [REDACTED] received personal licences
- I have done a refresher training for all my staff which is documented
- Checked refusal logs on a weekly basis which is also documented
- CCTV is now secured properly
- Both U [REDACTED], R [REDACTED] now holding personal licences and

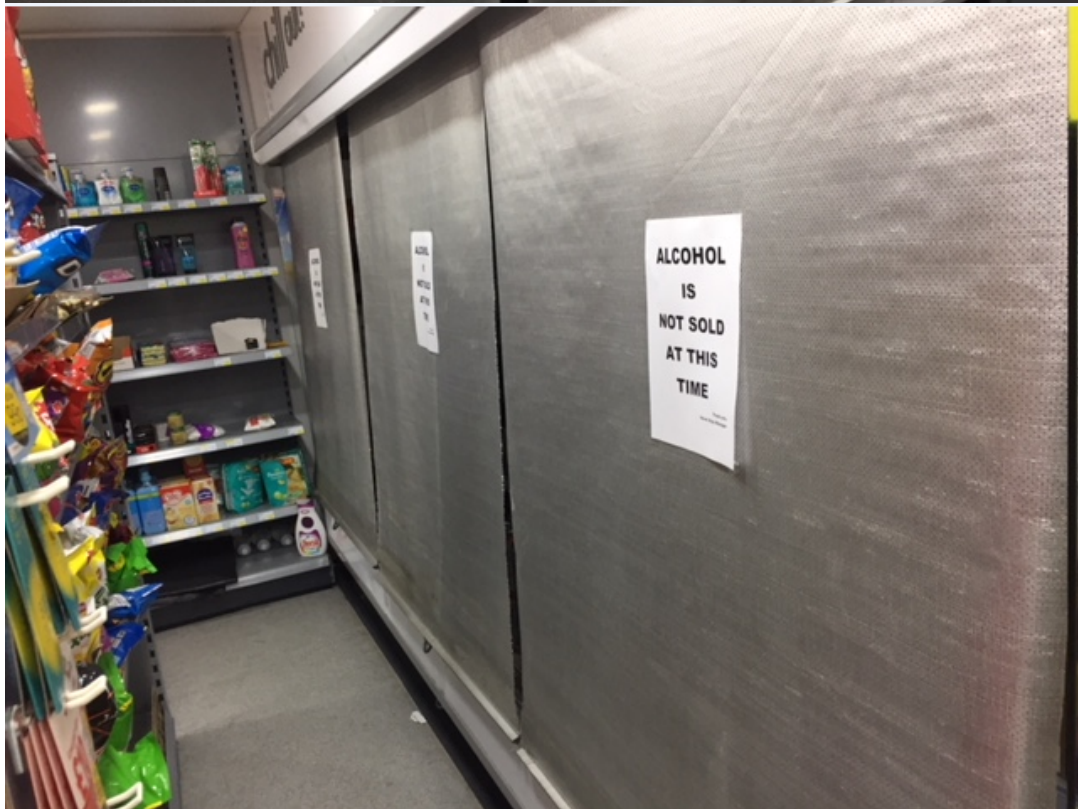
unfortunately, VJ's granddad expired so he is not available now so when he comes back he will also apply for a personal license and during his personal licence application process he will only work at the store after 22:00 hours to accompany me

- Recruited an experienced and capable person (Simon Bennett) be a DPS (Designated Premises Supervisor) of the premises to carry out day to day duties
- All the stock purchasing both online / cash and carry will be done by me and also changed the passwords of online ordering sites and have instructed my staff that they are not allowed to put any deliveries to the store

Please allow the premises to continue to trade.











PERSONAL LICENCE

18/02195/LAPERS



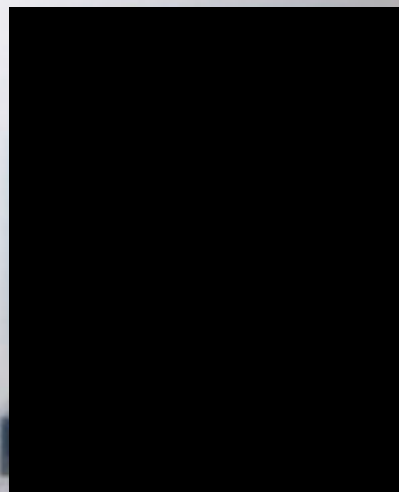
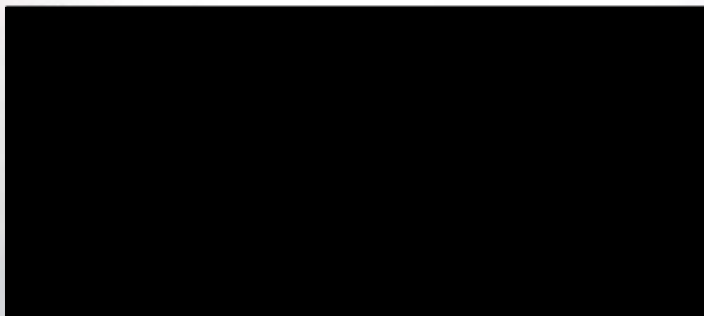
Portsmouth
CITY COUNCIL

Name:

Mr [REDACTED]

U [REDACTED]

Address:



Issued:

29 March 2018

Portsmouth City Council
Issued 29 March 2018
Portsmouth City Council
Issued 29 March 2018
Portsmouth City Council
Issued 29 March 2018

This page is intentionally left blank

PERSONAL LICENCE
18/02096/LAPERS



Portsmouth
CITY COUNCIL

Name: Mr R [REDACTED]

Address: [REDACTED]

Issued: 16 March 2018

Portsmouth City Council Portsmouth
Portsmouth City Council Portsmouth
Portsmouth City Council Portsmouth

This page is intentionally left blank