

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 01/11/2018 11:31 by 21945

Occurrence: **44080221205 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 16/07/2014 11:55

Entered by: #21945 RACKHAM, P.

Entered time: 16/07/2014 11:55

Remarks:

Email sent to DPS [REDACTED] ref meeting 18/07/2014

Report:

Jose

Thankyou for taking the time to speak with me reference the Test Purchase failure. I can confirm that our meeting is on Friday 18th July 2014 at 1200 at the Civic Offices. Meet me in the main reception area.

Prior to the meeting could you please consider what you are going to be doing as the Designated Premises Supervisor to deal with the concerns that I had during my visit on Saturday.

The member of staff lone working at the store could not understand me clearly or converse with myself or my colleague very well. This concerns me a great deal when you have employed this staff member to sell alcohol responsibly. How is he able to inform people about his obligations under the licensing act 2003 in order to refuse people service and how is he meant to be able to clearly inform people he is refusing them service.

You informed me that the member of staff has had no formal written training. Without documenting the training you provide around the licensing act 2003 you cannot prove this training took place. You also cannot prove that this training was understood by your employee. This not only leaves you open to criticism but also does not show that you are enabling your employees to support the licensing objectives.

No Premises Licence Summary was on display. This is a legal requirement.

Childrens toys and consumable products were placed next to alcohol - How can you protect children from harm when you sell childrens products along side age restricted products?

What I would like to take out of the meeting shall be the following:

What measures are you going to put in place to prevent this from happening again?

What measures have you already put in place to deal with the above?

I am going to suggest that you send all of your staff members on a course run by the council with regards to the Licensing Act 2003. This will provide all your staff members training with reference to their responsibilities under the licensing act 2003. The person to contact is robert.anderson-weaver@portsmouthcc.gov.uk.

I look forward to hearing from you

Many Thanks

RESTRICTED

Pete

Pete Rackham PC 21945 Violent Crime Reduction and Licensing Department

|Tel: DD: [REDACTED]

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

[REDACTED]

[REDACTED]

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 01/11/2018 11:31 by 21945

Occurrence: **44080221205 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 18/07/2014 12:16

Entered by: #21945 RACKHAM, P.

Entered time: 18/07/2014 12:16

Remarks:

DPS attended Civic offices measures now in place to prevent repeat

Report:

DPS attended the meeting

Apologised for the issues with TP Failure and stated that he was very unhappy that he had failed the TP and understood the seriousness of the matter.

I went through the points that concerned me which were:

- Sales assistant could not understand or converse very well in english
- Sale to child
- Soft drinks aimed at children mixed with alcohol
- no summary up
- no training documented for staff

The DPS stated that the sales assistant had attended as a favour to cover the store and worked for a friend in London. He is rarely at the store. His other two staff members were not at work at the time. He stated that he had put in place the following:

- Staff training via Birmingham City Council Licensing website which provided tests and scenarios to check understanding.
- Verbal Training with regards to the licensing act 2003/licensing objectives and what they can and cant do
- Staff signing a document to state they understand the law around the sale of alcohol - I was shown these
- Staff to be sent on council run training courses in September
- Alcohol and soft drinks separated - Photos shown
- Summary Up - Photo shown

The DPS stated that he is doing everything he can. I advised him that anyone covering should go through the same process. I also advised that regarding sale of alcohol he needed people who were strong minded and could converse in english. I stated that persons unable to converse with customers would struggle to feel that they could refuse sales as they did not have the language skills to do so and would be more likely to just sell

The DPS agreed and stated he would be more careful who he sold to in future

21945

RESTRICTED

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 01/11/2018 11:32 by 21945

Occurrence: **44150153519 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 07/05/2015 15:19

Entered by: #21945 RACKHAM, P.

Entered time: 07/05/2015 15:19

Remarks:

Email trail agreeing conditions - Confirmation sent to PCC

Report:

Dear Sir

Thank you for your confirmation. I looked at your proposed conditions and I agree. I would like to do business in a safe environmental society which you trying to provide. so I am happy to proceed.

Thank you very much

Kindly regards

Jose Antony Santiapillai

From: peter [REDACTED]
To: oxygen [REDACTED]
CC: Tracey Greaves [REDACTED] Robert.Anderson-Weaver [REDACTED]
Date: Wed, 6 May 2015 08:25:44 +0100
Subject: Proposed Conditions 3 Portsmouth Road - Police Licensing

Dear Jose

I can confirm that Police have received the application for a Premises Licence at 3 Portsmouth Road, Cosham, Portsmouth.

I provide a set of proposed conditions that Police would like to see placed upon the premises licence should it be granted. Please can you look at the proposed conditions and let me know if you would be happy to have any of these placed upon the premises licence should it be granted.

I can then progress the application from the Police perspective.

Any issues then please do not hesitate to contact me.

Kind Regards

Pete

PC 21945 Pete Rackham
Violent Crime Reduction and Licensing Team
Portsmouth Civic Offices

RESTRICTED

Police Annex B

Proposed Conditions 3 Portsmouth Road

1 A recording CCTV system will be installed and fully operational at all times.
The recording equipment will be stored and operated in an environment where the public have no access, to avoid damage, theft, unauthorised viewing and maintain the integrity of 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. and to produce images to the police within six hours of a verbal request being made by Police Officers or PCSOS 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).

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

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 All staff must receive comprehensive training in relation to age restricted products and the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:

- Sale of alcohol to persons under 18
- Challenge 25 and acceptable forms of Identification
- Signs of Drunkenness
- Refusal register and when/how to use
- The Licensing Objectives

This training shall be documented and records kept on the premises. Police and the Licensing Authority shall have access to an individuals training records upon request.

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 Military ID bearing date of birth, Valid UK Photo card Driving Licence or PASS approved ID.

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

6 A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the Police or Local authority.

7 Spirits shall be kept behind the serving counter and not be made available by self selection.

8 There shall be no free standing stacks of alcohol on display

Police Annex C

Off Licence- Check List

Store Name/Address - Oxygen, 3 Parnmouth Road
Contact Phone Number - [REDACTED]

Time and Date of Inspection - 6/4/16 @ 1202

Please circle answer after the question below:

Page ① and ②
 of premises licence on display

1 - Is there a copy of the Premises Licence Summary on display?	YES <input checked="" type="radio"/> NO
2 - Is the DPS present?	YES <input checked="" type="radio"/> NO
3 - Are staff training records available?	YES <input checked="" type="radio"/> NO
4 - Is there a refusal log in operation? PCC Issue	<input checked="" type="radio"/> YES NO
5 - Is there an authorisation from the DPS to sell alcohol on site?	YES <input checked="" type="radio"/> NO
6 - Is there a Personal Licence Holder on site? Mrs V [REDACTED]	<input checked="" type="radio"/> YES NO
7 - Can the Personal Licence Holder provide their Licence?	<input checked="" type="radio"/> YES NO
8 - Does the premises have an Age Verification Policy? XX	<input checked="" type="radio"/> YES NO
9 - Does the premises have any Proxy Watch signage in place?	<input checked="" type="radio"/> YES NO
10 - Is there an A3 notice relating to Tobacco products and the law?	<input checked="" type="radio"/> YES NO
11 - Are there any beers/lagers/ciders over 6.5% ABV?	YES <input checked="" type="radio"/> NO
12 - Are there alcohol products on the counter?	YES <input checked="" type="radio"/> NO
13 - Does the premises have any Challenge posters on display?	<input checked="" type="radio"/> YES NO

Can the venue produce the Full Premises Licence?	YES <input checked="" type="radio"/> NO
Is the venue compliant with the Premises Licence conditions?	YES <input checked="" type="radio"/> NO
Please use the rest of the page to detail which premises licence conditions are not being complied with and to answer question 11. Please also provide Name, Date of Birth and address/contact details for staff members present at each small independent store.	

XXX

XX Partial completeness - Posters on display "challenge 25" but staff authorisations do not specify acceptable forms of ID - all blank.

XXX only pages 3, 5 and 6 in folder with pages ① and ②
 Still displayed on upper wall

Mrs V [REDACTED] has received no training on CCTV system and unable to operate same. POV

Mrs V [REDACTED] also works at the [REDACTED] at Parc Gate.
 NOT AWARE OF LICENSING OBJECTIVES

PETER - POOL recommend PACE interview please see Ross

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 01/11/2018 11:34 by 21945

Occurrence: **44150153519 Z Prem Licence (Management Occurrence)**

Author: #21945 RACKHAM, P.

Report time: 23/02/2017 08:31

Entered by: #21945 RACKHAM, P.

Entered time: 23/02/2017 08:31

Remarks:

Reply from DPS detailing what measures they will take to prevent repeat

Report:

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

From: jose santiapillai [REDACTED]

Sent: 23 February 2017 08:30

To: Rackham, Peter

Subject: RE: Test Purchase Failure - Portsmouth Road Store - Police Licensing

Dear SIR

Thanks for letting me know that. I also heard from my staff. I will do the training again and make sure that all the staff strictly follow the licensing act. I am already send one more staff for licening course and she is applied for personal license. So please accept my appology this time. I will make sure this won't happen again.

Because of my family issues Im away. once I will be there I will contact you.

Thank you

Kindly regrds

Jose Santiapillai

From: peter. [REDACTED]

Sent: 22 February 2017 15:19

To: oxygen [REDACTED]

Subject: Test Purchase Failure - Portsmouth Road Store - Police Licensing

Dear Jose

I hope you are well?

RESTRICTED

RESTRICTED

On 19th February 2017 a Test Purchase operation was performed in the Cosham Area. Unfortunatley a 16 year old was served alcohol at your premises at 3 Portsmouth Road. As a result the seller was issued with a Fixed Penalty Notice of £90.

What was positive is that it was clear that you appeared to be compliant with your premises licence conditions and also I could see that you had trained your staff member and authorised him to sell alcohol. Another positive was that the refusal log was up to date.

Despite this however I need to be made aware what measures you shall be taking to prevent a further sale of alcohol to children at the premises. You need to be aware that the premises will be re tested within a three month period and that should further sales to children be made then the Police will be forced to consider the need for a closure notice or instigation of the review process or both.

Please can you advise me what measures you will be taking to prevent this.

Should you have any issues regarding the above then please do not hesitate to contact me via the below means and I shall be happy to assist you where I am able to do so.

Kind Regards

Pete

PC 21945 Pete Rackham

Licensing and Alcohol Harm Reduction Team Portsmouth CivicOffices Peter.rackham@hampshire.pnn.police.uk

Licensing Home
Page<<http://intranet/Intranet/Commands/Prevention+and+Neighbourhoods/Strategic+Partnerships/Licensing/>>

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

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 by dialling 101 or email to postmaster@hampshire.pnn.police.uk<<mailto: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.

RESTRICTED