

## LICENSING PANEL

TUESDAY, 12TH FEBRUARY, 2019, 3.00 PM

WHEEL ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25  
1DH

### AGENDA

**1 Apologies for absence**

**2 Declarations of Interests**

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

**3 Review of Premises Licence**

Report of the Interim Monitoring Officer/Assistant Director of Legal Services attached.

(Pages 3 - 76)

Heather McManus  
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Licensing Panel Councillors  
Barbara Nathan, Jane Bell and Harry Hancock

The minutes of this meeting will be available on the internet at  
[www.southribble.gov.uk](http://www.southribble.gov.uk)

Forthcoming Meetings  
Time Not Specified Date Not Specified -

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REPORT TO	ON
Licensing Sub Committee Panel	12 February 2019



TITLE	REPORT OF
Review of Premises Licence:- Harleys Convenience Store	Interim Monitoring Officer/Assistand Director of Legal Services

Is this report confidential?	No
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## 1. PURPOSE OF THE REPORT

To provide an overview of the application and inform Members of the relevant parts of statute and guidance relating to the review application.

## 2 CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	
Health and Wellbeing	x
Place	x

Projects relating to People in the Corporate Plan:

People	
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## 3. RECOMMENDATIONS

Members are requested to:

- 3.1 note the content of the report; and conduct the hearing in accordance with the hearing procedure and,
- 3.2 determine what steps are appropriate to promote the Licensing objectives.

## 4. BACKGROUND TO THE REPORT

4.1 On the 15<sup>th</sup> April 2018 an underage test purchaser was sold a quantity of alcohol, the seller on this occasion was the Premises Licence holder and Designated Premises Supervisor Jacqueline Bramley.

4.2 On the 1<sup>st</sup> May 2018 the premises was visited by Licensing Officers and deficiencies were noted with the age related training documentation that should have been in place and the poor standard of the refusal register, written advice was given along with a sample training package.

Attached to the premises license are the following conditions;

#### *SALE OF ALCOHOL*

1. *The Premises licence holder shall ensure that no supply of alcohol is made under the premises licence-*
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence; or*
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended (section 19 of the Licensing Act 2003).*
2. *The Premises licence holder shall ensure that every supply of alcohol under the premises licence must be made or authorized by a person who holds a personal licence (section 19 of the Licensing Act 2003).*
3. *(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.*  
*(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.*

#### *ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE*

1. *Staff training shall occur at six monthly intervals and shall be recorded and updated accordingly. It shall cover street drinking, ID procedure, proxy sales, licensing hours and other relevant matters regarding the Licensing Act 2003 and the licensing objectives.*
2. *A copy of the staff training shall be made available to any Responsible Authority upon request.*
3. *The premises shall have CCTV coverage, and notices shall be displayed advising customers of this.*
4. *Persons who appear to be under the age of 25 attempting to purchase alcohol shall be required to provide ID. Acceptable ID shall be; Passport, Photocard Driving Licence and PASS accredited cards.*

5. *Liaison with the local Police shall occur as and when required.*
6. *A refusals register for those attempting to purchase alcohol shall be kept.*
- 4.3 On the 25<sup>th</sup> October 2018 the premises was subject to a further test purchase and failed. There were numerous aggravating factors with this particular test, the first was the age of the volunteer, she was at the younger end of the scale in that she was only 14 at the time of the test. Further aggravating factor included the number of premises that were tested on the evening totaled 11 and Harley was the only one to fail and the final issue was there was no documented staff training in place for the seller Chris Scott, the son of the Licence holder.
- 4.4 Following the failure a request for CCTV footage was made to cover the time period just before and after the sale, examination of the footage revealed numerous suspicious and furtive transactions, large amounts of cash seemed to change hands between various customers and Chris Scott. Chris Scott appeared to produce something for the cash he was given but the item or product was concealed from the CCTV, the transactions were slick, guarded and raised suspicion as to what was actually being supplied. Due to the short amount of footage that was produced the concern was heightened as there were at least 3 or 4 transactions within a 30 minute time period that looked suspicious.
- 4.5 On the 6<sup>th</sup> November 2018 Jacqueline Bramley was interviewed in accordance with the Police and Criminal Evidence Act 1984, during the interview she accepted that there was no training in place for Chris Scott and when confronted with a picture of the volunteer who was used on the 25<sup>th</sup> October she agreed that she looked well under 18 and would have expected any of her staff to put in a challenge.
- 4.6 Discussions after the interview centered on Chris Scott and the concerns held by both the Licensing Authority and the Police. Mrs Bramley disclosed that she had suffered serious health problem since May 2018 which had prevented her from running the business, she confirmed that she had limited choice but to allow Chris to run the shop or the business may fail.
- 4.7 On the 12<sup>th</sup> December 2019 the police visited the premises and again found deficiencies with the staff training documentation, again a staff member was selling alcohol with the pre requisite training package being completed or available for inspection.
- 4.8 Following this latest report the Licensing Authority applied to review the Premises Licence.

The Licensing Authority served the review on the 18<sup>th</sup> December 2018 which was duly served on all the Responsible Authorities and a hand delivered copy was served at the Premises Licence Holders address. A copy of the Review Application and supporting documents are attached to this report as Appendix A

## **5 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES**

- 5.1 The Lancashire Constabulary have submitted a written representation attached as Appendix B.

## **6. DECISION TO BE MADE BY THE LICENSING ACT PANEL**

Determination of an application under Section 52 of the Licensing Act 2003

6.1 Numerous paragraphs of the Section 182 Guidance are worthy of mention;

*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.*

*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.*

*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.*

The Council must carry out its licensing functions with the intention of promoting the licensing objectives.

The licensing objectives are:-

- a) The prevention of crime and disorder;
- b) Public safety;
- c) The prevention of public nuisance; and
- d) The protection of children from harm.

The Panel are asked to consider the seriousness of the issues disclosed and deal with this application by taking account of;

1. Its own policy; and
2. Secretary of State Guidance (section 182 of the Licensing Act 2003).

## **8. FINANCIAL IMPLICATIONS**

See comments of Statutory Finance Officer below.

## 9. LEGAL IMPLICATIONS

The Licensing Authority are under a statutory duty to facilitate the Review Hearing. When determining this hearing the Council must comply with the rules of natural justice.

Any party to the proceedings have the right to appeal the decision to the Magistrates Court.

## 10. COMMENTS OF THE STATUTORY FINANCE OFFICER

There are no financial implications at this stage as the report is to consider the licence review application.

## 11. COMMENTS OF THE MONITORING OFFICER

The panel must carry out its functions with the intention of promoting the licensing objectives and any action taken should be necessary and proportionate in the circumstances.

## 12. OTHER IMPLICATIONS:

▶ <b>HR &amp; Organisational Development</b>	None
▶ <b>ICT / Technology</b>	None
▶ <b>Property &amp; Asset Management</b>	None
▶ <b>Risk</b>	None
▶ <b>Equality &amp; Diversity</b>	

## 13. APPENDICES

Appendix A - Review Application and associated documents.

Appendix B – Lancashire Constabulary Representation

Report Author:	Telephone:	Date:

Justin Abbotts	01772 625330	25 <sup>th</sup> January 2019
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## South Ribble Borough Council

**Application for the review of a premises licence or club premises certificate under the  
Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**I** David Whelan

(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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Harleys Convenience Store 251 Station Road Bamber Bridge	
<b>Post town</b> Preston	<b>Post code (if known)</b> PR25 4XA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Jacqueline Bramley

<b>Number of premises licence or club premises certificate (if known)</b>
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**Part 2 - Applicant details**

I am

Please tick ✓ 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)

3) a member of the club to which this application relates (please complete (A) below)

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

Please tick ✓ yes

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

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

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

Licensing Authority Civic Centre West Paddock Leyland PR25 1DH
Telephone number (if any)
E-mail address (optional)

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

### Introduction

**15<sup>th</sup> April 2018**

A 16 year old test purchase volunteer was sent into the premises by the Police at 12.55hrs, the volunteer was a young male who was sold 4 cans of Kronenburg lager. At the time of the sale there were no other customers in the shop but the sale was witnessed by L.O Warburton who confirmed that no challenge was made by the seller. The seller was Jacqueline Bramley, the licence holder and DPS.

Mrs Bramley was cautioned by PC 2388 Stewart at the time and replied "I'm Sorry". A witness statement from PC Stewart is found as **Document 1**

**1<sup>st</sup> May 2018**

The premises was visited by Officers of South Ribble Council in order to check the conditions of the licence, the purpose of the visit was a direct follow up to the failed test purchase on the 15<sup>th</sup> April. The majority of the conditions on the licence seem to be focussed on preventing underage sales;

1. *Staff training shall occur at six monthly intervals and shall be recorded and updated accordingly. It shall cover street drinking, ID procedure, proxy sales, licensing hours and other relevant matters regarding the Licensing Act 2003 and the licensing objectives.*
2. *A copy of the staff training shall be made available to any Responsible Authority upon request.*
3. *Persons who appear to be under the age of 25 attempting to purchase alcohol shall be required to provide ID. Acceptable ID shall be; Passport, Photocard Driving Licence and PASS accredited cards.*
6. *A refusals register for those attempting to purchase alcohol shall be kept*

The inspection revealed that there were no written training records and the refusal register was very rudimentary, in that it was in a un paginated note pad where the pages could easily be torn out. Advice was given to keep a dated diary to record refusals and an undertaking was given to provide the licence holder with a comprehensive training package which could easily be implemented.

The advice was followed up in writing on the 3<sup>rd</sup> May with a copy of the training package held by the Council. A copy of this letter is found as **Document 2**.

**25th October 2018**

The test purchaser was instructed to buy alcohol from a premises licenced by South Ribble Borough Council, namely Harleys Convenience Store, 251 Station Road, Bamber Bridge, Preston PR5 6LD. The instruction was given in accordance with Section 152 ( 4) of the Licensing Act 2003 in that child was sent by a constable who was acting in accordance with his duty.

The test purchaser in the case was a 14 year old female who entered the premises at 19.17hrs and was sold 4 cans of Fosters larger for which she paid £5.50.

No challenge was made by the seller and our submission would be that any person would not have believed the volunteer to be over the age of 18.

Section 146 (4) of the Licensing Act 2003 states;

Where a person is charged with an offence under this section by reason of his own conduct is a defence that –

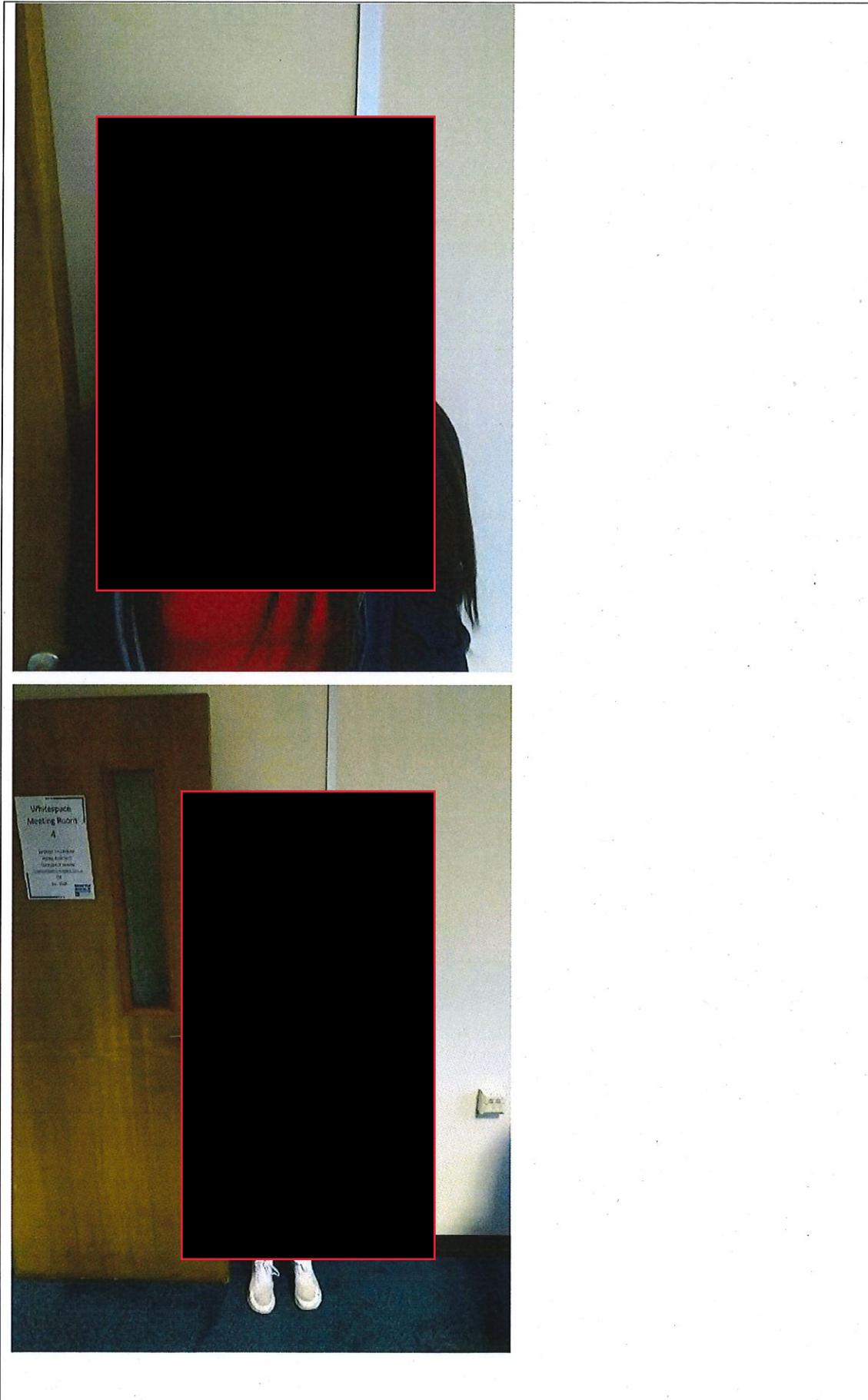
- a) He believed that the individual was aged 18 or over, and
- b) Either-
  - (i) He had taken all reasonable steps to establish the individuals age, or
  - (ii) Nobody could have reasonably have suspected from the individuals appearance that he was aged under 18.

On the night in question a total of 11 premises were tested and Harleys was the only one to fail, we say that this supports our earlier comment that no one would have believed the volunteer in this case to be over the age of 18.

The seller was Cristopher Scott, the son of the Licence holder, to aggravate matters further there were no training documents in place for Chris Scott.

Photos of female volunteer d.o.b 06/01/2004 are found on the following page

3 Witness Statements relating to the failed test purchase and associated exhibits are found under the title of **Document 3**, statements from Mark Marshall, Chris Ward and PCSO Coll are contained within this Document Section.



CCTV was requested from the premises to evidence the underage sale, approximately 30 minutes of footage was supplied and having viewed the footage there are numerous furtive transactions that take place. It is not entirely clear what is being supplied across the counter but the cash exchanges seem to be high denomination between £50-£60 per transaction, given the nature of the goods sold at the shop ( small low cost items ) and the extremely guarded way that the goods are supplied, the footage supplied gives rise for great concern. A copy of the CCTV is supplied with this review and marked a **CCTV Disk 1**.

## **6<sup>th</sup> November 2018**

The premises licence holder was interviewed at the offices of South Ribble Council in connection with the underage sale, the offence being contrary to Section 146 (1) of the Licensing Act 2003. If due diligence is in place such as training records a defence is available for a licence holder. As there was prima facie evidence that no training records for Christopher Scott were in place an interview was arranged to obtain the licence holder account.

A full copy of the interview transcript will be provided in advance of the hearing, it is not available at the time of writing as the recording is currently with an audio typist who is preparing the document.

Mrs Bramley made a full and frank admission to not having training records in place, she also accepted that the young 14 year old volunteer looked well under the age of 18 and she would have expected any of her staff to challenge her before selling alcohol. She added that she had been suffering from serious health issues since May 2018 and had left the business in the hands of her son to run.

After the interview a discussion took place highlighting the concerns held by both the Council and the Police, Mrs Bramley was shown the furtive transactions from the CCTV footage, it was agreed that if someone could step in and run the business other than her son then this would reduce some of the concerns shared by the Police and the Local Authority.

Some days later Mrs Bramley confirmed that she would be reducing Chris' hours and putting in a replacement staff member, this was confirmed by her in e mail sent to Justin Abbotts.

A copy of the interview invite letter is found as **Document 4** and the e mail is labelled as **Document 5**

## **12<sup>th</sup> December 2018**

An e mail was received on the 12<sup>th</sup> December from the police stating that they had visited Harleys and dealt with a staff member who had no documented training in place, they also highlighted some suspicious transactions on a till receipt. Looking through the photographs taken by the police a staff rota highlighted that Jackie (licence holder) is working every morning from 06.30-10.30. She stated after the interview that she had been signed off from work till January 2019 and raised the fact that she would find it difficult to monitor the business from home. However this shift rota indicates that she has had some regular day to day involvement and given the numerous opportunities she has had to properly implement the requirements of

her premises licence a reasonable person would have assumed that staff training documentation would be a top priority.

A copy of the police e mail and the photographs are marked as **Document 6**

### **Conclusion.**

To summarise the concerns with this premises they relate to the irresponsible and unlawful sale of alcohol to children, the failure to implement licensing conditions despite assistance warnings and repeated opportunities and the ongoing concern with the lack of proper management and supervision of staff.

After hearing the emotional response from the licence holder on her formal interview of the 6<sup>th</sup> November 2018 it was decided after due consideration with Legal Services not to prosecute her, the health conditions disclosed by the licence holder were of a serious nature and the Authority were both understanding and empathetic to the fact that oversights in these circumstances were understandable. However a clear warning was given that the concerns needed to be rectified and that involved as much as possible removing Chris Scott from being in control of the business.

The visit on the 12<sup>th</sup> December 2018 demonstrates that the problems are much wider than Mr Scott and the possibility of other formal action such as a prosecution against him will not entirely rectify the issues.

Some relevant Sections of the Guidance should be considered;

Please see Para 11.23 of the Section 182 Guidance;

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.

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue.

This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

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

Please tick ✓ yes

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

If yes please state the date of that application

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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**

**Part 3 – Signatures** (please read guidance note 4)

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

Signature

*David Whelan*

Date 18<sup>th</sup> December 2018

Capacity Head of Legal Services

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<i>David Whelan Interim Monitoring officer South Ribble Borough Council, Civic Centre, West Padlock</i>	
Post town <i>Leyland</i>	Post Code <i>PR25 1DH</i>
Telephone number (if any) <i>01772 625247</i>	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

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**Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Julie Stewart**

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Age if under 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.

Dated the **14th** day of **June 2018**Tick if witness evidence is visually recorded   
*(supply witness details on rear)*

Signature

I am Police Constable 2388 Stewart of the Lancashire Constabulary. I am currently employed as Licensing Officer in Preston Licensing Department.

At 12:00 on Thursday 15<sup>th</sup> April 2018 I was on uniformed duties working with Licensing Officer Beverley Warburton and a 16 year old male volunteer.

At 12:55 on the same date I observed the test purchaser entering Harleys Convenience Store, 251 Station Rd, Bamberbridge. LO Warburton followed closely behind. Within a couple of minutes, the volunteer walked out of the shop with 4 cans of Kronenburg lager closely followed by LO Warburton.

The volunteer told me that the female seller had not asked him for ID or his age. He described the female seller as being a white female in her late forties of large build and stated she was the only person other than himself and Beverley in the shop.

Both myself and LO Warburton then entered the shop and approached the counter where I saw a female as described. At the time there were no customers in the shop and only one female working.

I approached the female and introduced myself. I informed her of the sale and she gave her name as Jacquelyn BRAMLEY. BRAMLEY told me that it was her shop and that she was the Designated Premise Supervisor.

Signature

Signature witnessed by

Your ref: PREMA0284

Our ref: PREMA0284

Please ask for: The Licensing Team

Extension: 5337

Direct Dial Tel: 01772 421 491 (Gateway)

Fax: n/a

email: [Licensing@southribble.gov.uk](mailto:Licensing@southribble.gov.uk)



Date : 03<sup>rd</sup> May 3, 2018

Harleys Convenience Store  
251 Station road  
Bamber Bridge  
Preston  
PR5 6LD

Licensing Services  
Environmental Health Department  
Civic Centre  
West Paddock  
Leyland PR25 1DH

[www.southribble.gov.uk](http://www.southribble.gov.uk)  
tel. 01772 421491  
[licensing@southribble.gov.uk](mailto:licensing@southribble.gov.uk)

Dear Mrs. Bramley

Premises Name: Harleys Convenience Store  
Premises Number: PREMA0284

On 01 May 2018 at 11:35 hours Licensing Officers carried out an inspection to establish whether the licensable activities at the above Premises were carried out in accordance with the Premises Licence issued.

The purpose of the inspection was also to determine if conditions set out in your Premises Licence where being strictly adhered to.

**During the inspection the Officers recorded the following information:**

1. The Premises Licence Summary was on display in accordance with Sections 57(2) & (3) of the Licensing Act 2003. Part of the Licence conditions require you to have staff training records available relating to the responsible sale of alcohol, the condition on your Licence states;

*Staff training shall occur at six monthly intervals and shall be recorded and updated accordingly. It shall cover street drinking, ID procedure, proxy sales, licensing hours and other relevant matters regarding the Licensing Act 2003 and the licensing objectives.*

*Recommendation:*

The observations were that no written records or documentary proof was available to demonstrate compliance with this condition. As promised I enclose an example of some staff training to demonstrate that you have a good system and would comply with the above conditions. During the visit we made a recommendation the refusal log be documented in a dated dairy.

We thank you for your co-operation in the inspection and should you wish to discuss any issues with a Licensing Officer please contact us by email at [licensing@southribble.gov.uk](mailto:licensing@southribble.gov.uk) or by telephone on 01772 421491.

Yours faithfully

*Justin Abbotts*

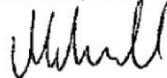
Licensing Officer

WITNESS STATEMENT

Statement made by; Name	Mark Marshall
Age (if over 18 enter 'over 18)	
Occupation of Witness	Head of Licensing
Licensing Officer presence	

This statement consisting of 3 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 16 / 11 / 2018

Signature 

Signature witnessed by: .....

Statement Page 1 of 3

I am Mark Marshall and I am currently employed as the Head of Licensing for South Ribble Borough Council. As such I am duly authorised to enforce the provisions of the Licensing Act 2003.

On the evening of the 25<sup>th</sup> October 2018 I took part in a joint test purchase operation with Lancashire Police.

At approximately 5pm PCSO 7574 Jen Coll came to the Council Offices with a 14 year old female volunteer, we sat in a meeting room where I was in the company of Justin Abbot and Chris Ward, both Licensing officers employed by the Authority.

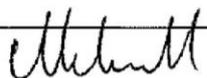
I briefed the volunteer regarding the expected conduct and detailed what safety arrangements would be in place for her which was for her to be closely monitored by staff engaged on the operation.

I took 2 photographs of the volunteer and was told that her height was 5ft 3, I exhibit the 2 photographs taken during the briefing as MM01 and MM02.

We left the council building at approximately 17.45 hrs with the intention of working through a pre arranged list of premises which I exhibit as MM03.

Signature of person making the statement

Signature witnessed by: .....



We arrived at the first premises at 17.50hrs, this premises passed the test so we continued to work though the list.

At 19.17hrs the volunteer entered Harleys Convenience Store, 251 Station Road, Bamber Bridge in an attempt to purchase alcohol. Harleys Convenience Store is licensed by South Ribble Borough Council to sell alcohol by retail, a copy of the premises licence is exhibited as MM04.

At 19.22hrs the volunteer left the premises after being sold 4 cans of Fosters larger for which she paid the seller £5.50.

We continued to conduct further testing of premises on the list that were located nearby then returned to Harley at 19.55hrs.

I entered the premises in the company with PCSO Coll and Chris Ward where there was a young male in a dark green padded jacket behind the counter. I identified myself and explain the reason for the visit detailing that alcohol had been sold at 19.17hrs to a 14 year old female, I then showed the male behind the counter a photograph of the female volunteer that was stored on my phone.

The male recalled the girl so I immediately cautioned him, without any questions being put to the male he said " I HOLD MY HANDS UP, IM NOT GOING TO DISAGREE, I WAS RUSHING. I WAS VERY BUSY I SHOULD HAVE ASKED HER . I noted his replies contemporaneously in my pocket note book and gave the seller an opportunity to read and sign my notes. The seller signed my notes a copy of which I exhibit as MM05. I then took the sellers details as Christopher Steven Scott13/04/92 of 32 Bolton Road , Chorley.

We then sought to establish if there was any training records in place for staff and were shown a file where a blank training document with Chris's name was found, PCSO Coll obtained some photographs of this blank document. In addition a refusal register was found behind the premises

Signature of person making the statement



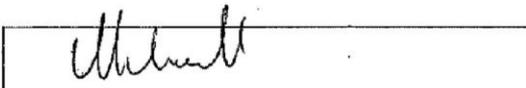
Signature witnessed by: .....

which also had next to no refusals documented, Chris Ward obtained photographs of the refusal register. I then explained that the full facts of the matter would be reported.

The final result of the test purchase operation was that a total of 11 premises were tested and only 1 premises failed, all the premises that successfully passed the test were notified in writing on the 30<sup>th</sup> October 2018.

Statement continued Page ...3.... of 3.....

Signature of person making the statement



Signature witnessed by: .....

RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: Jennifer Louise COLL

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Community Support 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: [Signature] (witness) Date: 08/11/2018

I am Police Community Support Officer 7574 COLL, currently based at PRESTON police station of LANCASHIRE Constabulary. I am one of the PCSOs who work on the UNIVERSITY ward of PRESTON and in the South Licensing department at Preston Police Station.

This is my statement regarding a test purchase I assisted South Ribble Borough Council with on THURSDAY 25th OCTOBER 2018.

In my statement I will mention South Ribble officers Mark MARSHALL, Chris WARD and Justin ABBOTTS and South Ribble Police Cadet [Name] R is a 14 year old female.

I collected [Name] from her home address of [Address] at around 16:30. I met with [Name] guardian Julie MAYOR who signed the parental consent form exhibited as JLC/7574/01.

[Name] and myself attend the South Ribble Borough Council office at around 17:10 and met with MARSHALL, WARD and ABBOTTS. There was a briefing where [Name] was told what she would be doing, she gave all her details to MARSHALL and told what premises would be visited that evening. [Name] was happy to continue with the test purchase.

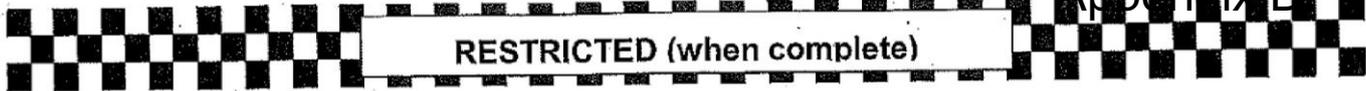
[Name] went into HARLEY'S CONVENIENCE STORE, 251 STATION ROAD, BAMBER BRIDGE PRESTON PR5 6LE at 19:17 hours on THURSDAY 25th OCTOBER 2018.

[Name] came out of the premise after purchasing 4 cans of Fosters for £5.50. [Name] came out and said a male was behind the till he looked around 27/28 years old, tanned skin, dark short hair and was wearing a green jacket.

Myself, MARSHALL and WARD went back into the premise at around 19:55 hours, to speak to the male who has sold the alcohol. We spoke to a male who introduced himself as Christopher Steven SCOTT 13/04/92 of 32 BOLTON ROAD CHORLEY PR7 3ES. SCOTT was asked about the sale of alcohol to MEYAR and he admitted it under caution saying "I HOLD MY HANDS UP, I ADMIT IT I WAS BUSY I WAS GOING TO ASK HER FOR ID".

Signature: [Signature] Signature Witnessed by [Signature]

RESTRICTED (when complete)



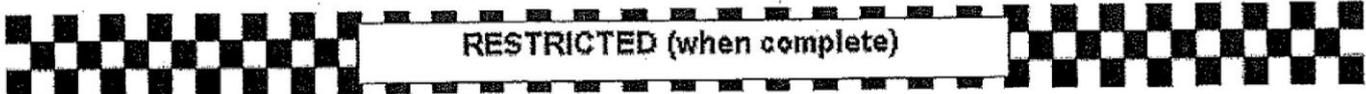
I took a photograph of the male who introduced himself as Christopher Steven SCOTT 13/04/92 as he had no identification on him. I have exhibited this; JLC/7574/02. When SCOTT was asked about his training records he produced a folder which was a blank document with Chris's name on but the document hadn't been filled in. I have exhibited this page one, JLC/7574/03 and page two JLC/7574/04. I asked SCOTT to produce the CCTV footage of the sale of alcohol made to [redacted] and that I would collect it the next day. SCOTT said he was unable to work the CCTV system but would get his mum to sort it for the morning.

The test purchase finished around 20:45 hours and I returned [redacted] back to her home address of [redacted] at around 21:15 hours.

I went back the next day FRIDAY 26th OCTOBER 2018 at 10:50 hours and spoke to SCOTT again, he had a driving licence on him for his identification and I have exhibited this as JLC/7574/05. SCOTT was unable to produce the CCTV footage that morning and said his mum would have to get it as there was only access to the CCTV footage from her home address.

I have had no further dealings with SCOTT after this incident.

Signature..........Signature Witnessed by .....



WITNESS STATEMENT

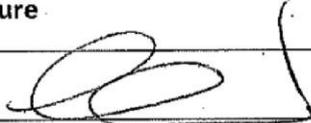
Statement made by; Name	Chris Ward
Age (if over 18 enter 'over 18)	
Occupation of Witness	Licensing Officer
Licensing Officer presence	

This statement consisting of 2 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the ..... / ..... / 20.....

Signature

Signature witnessed by: .....



Statement Page ...1... of .....3

I am Chris Ward and I am currently employed as a Licennsig Officer for South Ribble Council. As such I am duly authorised to enforce the provisons of the Licensing Act 2003.

On the evening of the 25<sup>th</sup> October 2018 I took part in a joint test purchase operation with Lancashire Police.

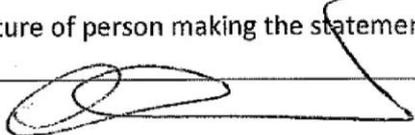
At approximately 5pm PCSO 7574 Jen Coll came to the Council Offices with a 14 year old female volunteer, we sat in a meeting room where I was also in the company of Justin Abbot and Mark Marshall, both employed by the Authority.

Mr MarshallI breifed the volunteer regarding the expected conduct and detailed what safety arrangemnets would be in place for her which was for her to be closely monitored by staff engaged on the operation. After the briefing session the young volunteer signed a documnet agreeing to the code of conduct expected during the exercise, I exhibit a copy of the agreeemnet as CW01.

We left the council building at approximately 17.45 hrs with the intention of working through a pre arranged list of premises.

Signature of person making the statement

Signature witnessed by: .....



We arrived at the first premises at 17.50hrs, this premises passed the test so we continued to work though the list.

At 19.17hrs the volunteer entered Harleys Convenience Store, 251 Station Road, Bamber Bridge in an attempt to purchase alcohol. Harleys Convenience Store is licensed by South Ribble Borough Council to sell alcohol by retail.

At 19.22hrs the volunteer left the premises after being sold 4 cans of Fosters larger for which she paid the seller £5.50.

We continued to conduct further testing of premises on the list that were located nearby then returned to Harley at 19.55hrs.

I entered the premises in the company with PCSO Coll and Mark Marshall where there was a young male in a dark green padded jacket behind the counter. Mr Marshall cautioned the male, and noted his reply in his pocket note book.

I asked for a refusal register and was handed a standard note book, which had tear out style pages, I looked through the book and noted that there was hardly any refusals recorded, the only documented refusals appeared to be for cigarettes, an energy drink, a lighter and rizzla papers, the book was checked back to April 2018. I was concerned to see the inadequacy of the refusal register especially given that three of the items are not technically age restricted. I took some photographs of the refusal register which I exhibit as CW02



Statement continued Page ...2.... of 2.....

Signature of person making the statement



Signature witnessed by: .....

## EXHIBIT LIST

Page No. 1 of 1

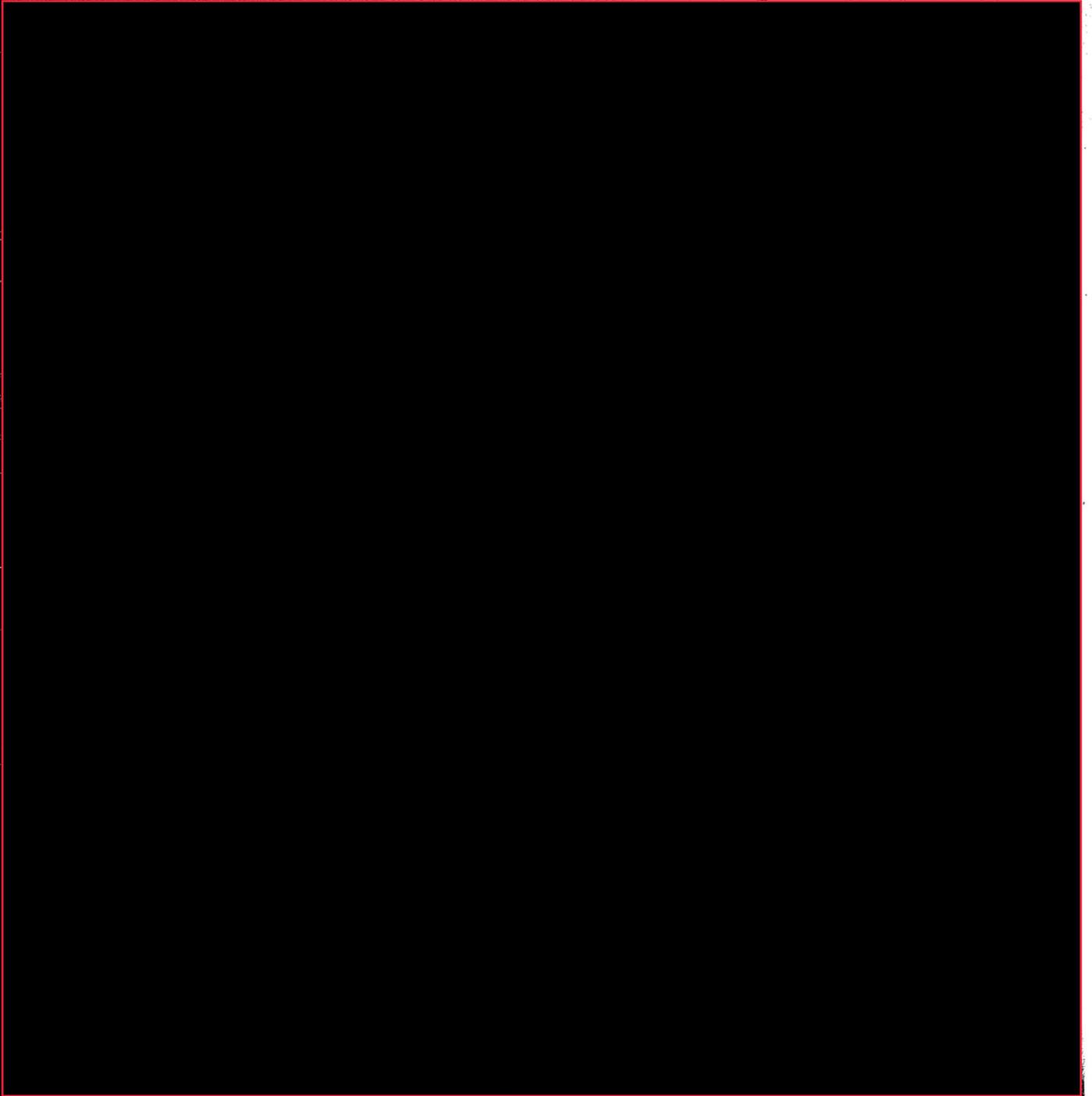
South Ribble Borough Council v ..... Scott.....

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\* Tick if exhibit attached

property reference	Item (indicate if copy)	Exhibit reference no.	Person producing and current location of exhibit	*
	Photo of Volunteer	MM01	Person producing Mark Marshall Current location: Attached to file	
	Photo of Volunteer	MM02	Person producing Current location	
	List of premises tested	MM03	Person producing Current location	
	Copy of Premises Licence	MM04	Person producing Current location	
	Copy of PNB entry	MM05	Person producing Current location	
	Parental consent form (copy)	JLC/7574/01	Person producing PCSO Jen Coll Current location Attached to file	
	Photo of Christopher Scott	JLC/7574/02	Person producing Current location	
	Training document for Chris Scott	JLC/7574/03	Person producing Current location	
	Training document for Chris Scott	JLC/7574/03	Person producing Current location	
	Driving licence (Chris Scott) Copy	JLC/7574/05	Person producing Current location	
	Volunteer Agreement	CW01	Person producing Chris Ward Current location Attached to file	
	Copy of refusal register	CW02	Person producing Current location	

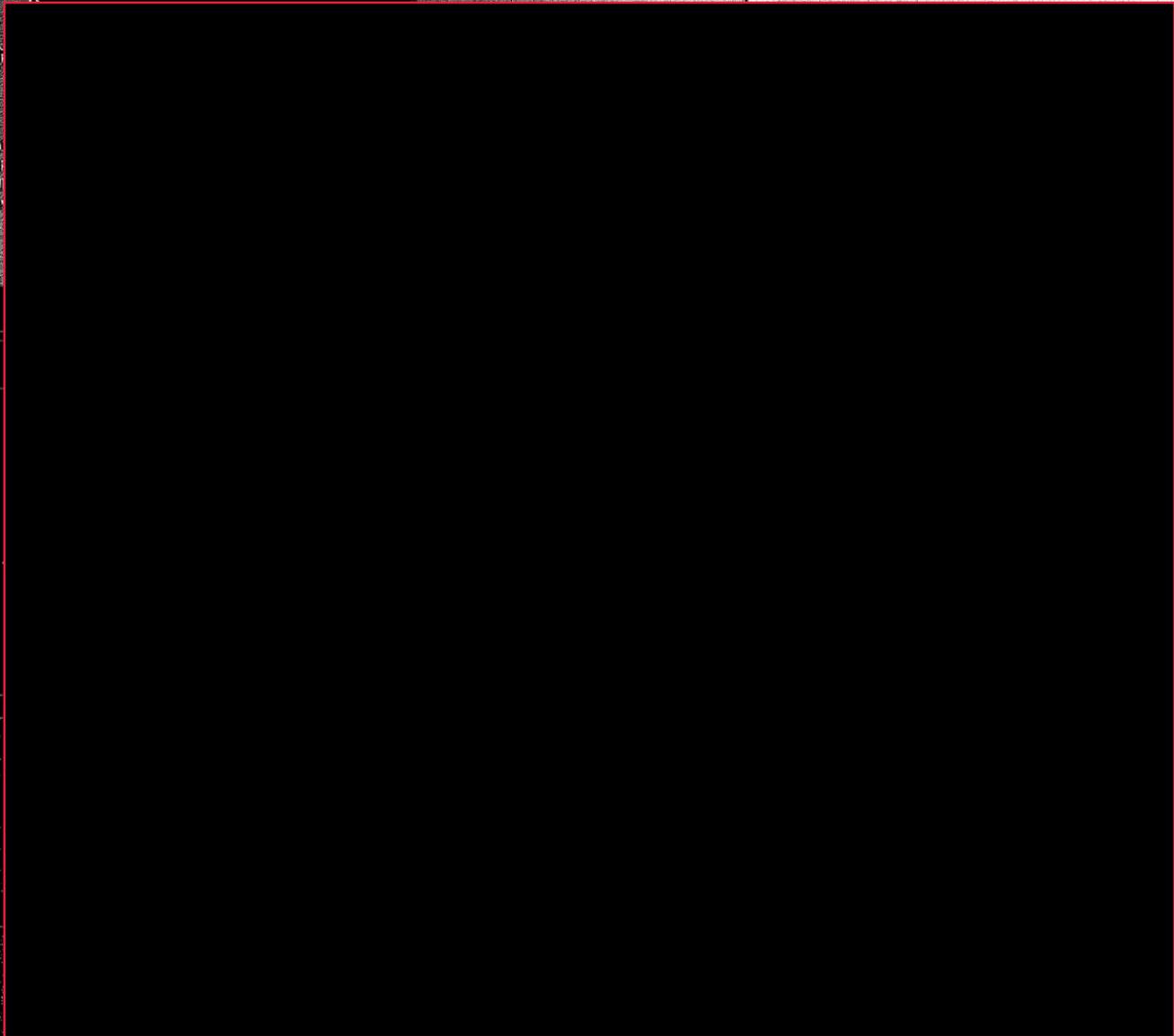
Date of completion: ..... 16<sup>th</sup> November 2018.....



Appendix B

Whiteside  
Meeting Room

TO BOOK THIS ROOM  
CONTACT  
TEACHING RESOURCE CENTER  
58  
EST. 1995



**Alcohol under age sales test purchase -25/10/2018**

**List of Premises**

- School lane Super Saver - School Lane Bamber Bridge
- Siva A & P Convenience Store – Station Road, Bamber Bridge
- Harleys - Station Road, Bamber Bridge
- Premiere Station Road, Bamber Bridge
- Londis - 39 Leyland Road, Penwortham
- Spar Hawkhurst Road, Penwortham
- Thoroughgoods Leyland Road, Penwortham
- Booze stop, Leyland Road, Penwortham
- Moss Lane Convenience store, Moss Lane Leyland
- Singh Stores – Bannister Driver, Leyland
- Booze Brothers

**Licensing Act 2003  
Premises Licence**

**PREMA0284**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Harleys Convenience Store**

251 Station Road, Bamber Bridge, Preston, Lancashire, PR5 6LD.

Telephone 01772 875148

WHERE THE LICENCE IS TIME LIMITED THE DATES

Comences **22/01/18**

expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption	OFF the premises only Monday to Sunday	6:00am	11:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jacqueline Bramley

32 Bolton Road, Chorley, Lancashire, PR7 3ES.

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

Jacqueline BRAMLEY

32 Bolton Road, Chorley, Lancashire, PR7 3ES.



Civic Centre, West Paddock,  
Leyland, Lancashire PR25 1DH  
Tel: 01772 625526  
Fax: 01772 622287  
Email: [licensing@southribble.gov.uk](mailto:licensing@southribble.gov.uk)  
Website: [www.southribble.gov.uk/licensing](http://www.southribble.gov.uk/licensing)

## Licensing Act 2003 Premises Licence

# PREMA0284

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA1338

Issued by Chorley

### ANNEXES

#### ANNEX 1 - MANDATORY CONDITIONS

##### SALE OF ALCOHOL

1. The Premises licence holder shall ensure that no supply of alcohol is made under the premises licence-  
(a) at a time when there is no designated premises supervisor in respect of the premises licence; or  
(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended (section 19 of the Licensing Act 2003).
2. The Premises licence holder shall ensure that every supply of alcohol under the premises licence must be made or authorized by a person who holds a personal licence (section 19 of the Licensing Act 2003).
3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) The policy must require individuals who appear to 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.

#### ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. Staff training shall occur at six monthly intervals and shall be recorded and updated accordingly. It shall cover street drinking, ID procedure, proxy sales, licensing hours and other relevant matters regarding the Licensing Act 2003 and the licensing objectives.
2. A copy of the staff training shall be made available to any Responsible Authority upon request.
3. The premises shall have CCTV coverage, and notices shall be displayed advising customers of this.
4. Persons who appear to be under the age of 25 attempting to purchase alcohol shall be required to provide ID. Acceptable ID shall be; Passport, Photocard Driving Licence and PASS accredited cards.
5. Liaison with the local Police shall occur as and when required.
6. A refusals register for those attempting to purchase alcohol shall be kept.

#### ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

N/A

#### ANNEX 4 - PLANS

Plans to form part of this license, see attached.

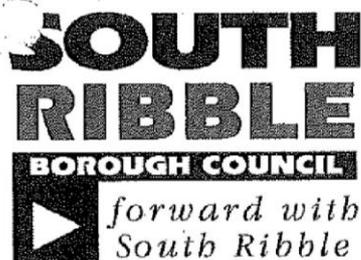


Civic Centre, West Paddock,  
Leyland, Lancashire PR25 1DH  
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Website: [www.southribble.gov.uk/licensing](http://www.southribble.gov.uk/licensing)

Licensing Act 2003  
Premises Licence

**PREMA0284**

Signature of Authorised Officer



Civic Centre, West Paddock,  
Leyland, Lancashire PR25 1DH  
Tel: 01772 625526  
Fax: 01772 622287  
Email: [licensing@southribble.gov.uk](mailto:licensing@southribble.gov.uk)  
Website: [www.southribble.gov.uk/licensing](http://www.southribble.gov.uk/licensing)

## Licensing Act 2003 Premises Licence Summary

# PREMA0284

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Harleys Convenience Store

251 Station Road, Bamber Bridge, Preston, Lancashire, PR5 6LD.

Telephone 01772 875148

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Commences **22/01/18**

expires **no expiry**

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption	OFF the premises only Monday to Sunday	6:00am	11:00pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	Midnight

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

#### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Jacqueline Bramley

32 Bolton Road, Chorley, Lancashire, PR7 3ES.

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

#### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jacqueline BRAMLEY

#### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

N/A

*MMOS*

1917

1922

1932

1960

1945

1948

1955

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I held my hands up I'm  
not going to disagree, I was  
rushing

I was very busy I should have  
asked her

*[Signature]*

[REDACTED]  
 [REDACTED]  
 [REDACTED]

Licensing Unit, Police Station, Lancaster Road North, Preston PR1 2SA  
 Tel: 01772 209785 Fax: 01772 209798  
 Julie.stewart@lancashire.pnn.police.uk



**Lancashire  
 Constabulary**  
 police and communities together

[REDACTED]  
 [REDACTED]  
 [REDACTED]

**AGREEMENT WITH PARENT/GUARDIAN AND CHILD FOR TEST  
 PURCHASING PROGRAMME**

Name:

Address: [REDACTED]

The purpose of this agreement is [REDACTED] and carer and young person are aware of what the Lancashire Constabulary intend to do, why and what safeguards will be used.

1. The young person will be fully trained in what to say and do. The young person will be told to tell the truth about their age unless previously agreed that the operation is deemed "exceptional".
2. At least one officer will supervise the young person at all times
3. The young person will not be asked to make test purchases in any areas where he/she is likely to be recognised.
4. In any exercise, the young person's welfare is paramount. The nature of the young person's involvement in the exercise will not be revealed whilst they are on the premises, unless the officer is of the opinion that their welfare is at risk.

The officer will intervene at any time where the young person's welfare is at risk

5. The Police will not reveal the young person's identity in any subsequent publicity.
6. This exercise may result in legal action.
7. The Police will endeavour to ensure that the young person will not be required to attend court as a witness. However, in exceptional circumstances, this may still occur
8. The parent/carers will provide a witness statement to confirm the date of birth of the young person, if required.

**Exhibit**

**JUL/7574/01**

PARENTAL CONSENT FORM

Name of young person: [REDACTED]

Female

Address: [REDACTED]

Date of Birth: 06/01/04

Nature of Exercise: TEST PURCHASE OF ALCOHOL

Time of Collection & Return of Child - collect

Date(s) 25/10/2018

Contact telephone numbers: [REDACTED]

Area in which work will take place: SRBC

Areas to be avoided (i.e. areas where child is likely to be recognised)

I Julie Major .....am the parent/Guardian of the above mentioned child and I agree that he/she will be available to assist the Lancashire Constabulary as detailed above. I have discussed the details of this exercise with PCO 7574 Coll.....(Police Officer/Support Staff).

Signed [Signature].....(Parent/Guardian)

Signed [Signature].....(Child)

Signed [Signature].....(PS/PC/Support Staff) Date 25/10/2018

Officer in Charge of Team: Julie Stewart PCO 7574 Jen Coll

Mobile Telephone Numbers: 07771332201

Note: One copy of this form to be left with parent/guardian and one to be retained by police.

10/12/18 20/12/18 tidine



**EXHIBIT JLC/1574/02**

**Knowledge Check (sheet one)**

1. Name the four Licensing Objectives?

(1)

(2)

(3)

(4)

2. As a member of bar staff your acts or omissions could directly impact on which licensing objective?

3. Explain in a sentence what challenge 25 is?

4. Name two acceptable forms of identification that would be accepted?

(1)

(2)

5. List two different verification signs on a UK Driving Licence?

(1)

(2)

6. Name two important checks that you need to make with a UK Passport?

(1)

(2)

Cyril Scott

Check (sheet one) contd

What is the maximum fine if convicted of selling alcohol to a person under 18?

What are two ways that you could be dealt with by the authorities if you are caught selling to an under 18 person?

How does the Licensing Act 2003 provide protection for people who have taken reasonable steps to establish a person's age, and what is the one thing that you will need to have done to meet this test?

What is the one threat in relation to serving alcohol to children?

Name of the person who has undertaken the training.....

Name of the person undertaking the training.....

Name of the person overseeing training.....

Signature of the person overseeing training.....

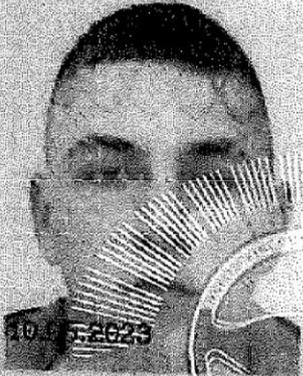
Name of the member.....

Signature of the member.....

EXHIBIT JLC/7574/04



# DRIVING LICENCE



- 1. SCOTT
- 2. CHRISTOPHER STEVEN
- 3. 13.04.1992 ENGLAND
- 4a. 09.07.2015    4c. DVLA
- 4b. 10.05.2023



9. AM/B/f/k/q

**EXHIBIT JUC/7574/05**



Alcohol under age sales test purchase -25/10/2018

Documented instructions to test purchase volunteer-

Agencies- Police, SRBC Licensing Authority

Date: 25th October 2018

Time: 17.30

I am ..... 01/2004 ..... assisting on an underage operation attempting to purchase alcohol from a licensed premises. This is the final stage of the training and you will then be asked to attempt to purchase alcohol from a list of licenced premises.

Questions

1. Can you explain what it is that you have been asked to do for us today?

*I have been asked to buy alcohol.*

2. Can you explain what you have been told to do when purchasing the alcohol?

*I will go in the shop and look for either a bottle or cans of alcohol. Then I will either choose alcohol from one of the fridges or shelves and take it to the till or ask the assistant if it is behind the till. If they sell it to me I pay for it and leave.*

3. If a member of staff asks you how old you are, what will you say?

*I will tell them my true age.*

4. If you are asked for proof of age, what will you do?

*I will say I don't have any*

5. Do you have any of your own money with you today?

*No*

6. If you are sold alcohol or any age restricted items what will you do with this?

*I will walk out of the premises and give it to one of the authorised officers outside with any change or money that is left over.*

Signature *ke*

DOB. ....

01/04

Witnessed by

*[Signature]*  
FC50 7574

Robbie Johnsons  
£275 - WWS 500  
Friday Latest.

HAR 6363  
11 Items  
195.90 -

Date - 06/10/18

Time - 14:35

What was asked for: fags

Brief description: young lad all in black  
Tracksuit about 17.

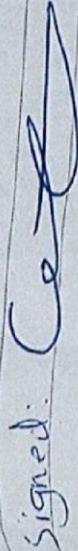
Signed ~~Robbie Johnsons~~

DATE - 15/08/18

Time - 16.20

What was Asked for - Sterling dual fags

Brief description - young lad about 16 All in Black with Grey Trainers

Signed: 

DATE: - 24 / 7 / 18

TIME: - 16:40

what was asked for: - Monster  
energy drink

Brief description: - young girl,  
red hoodie, blue jeans, told me  
she was 14.

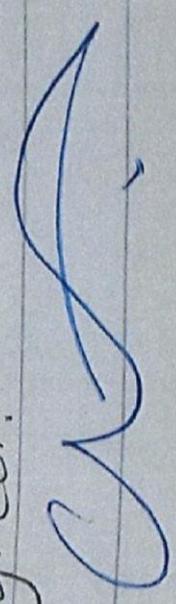
Signed: - Meads

Date: - 20. 7. 18

Time: - 16. 35

What was asked for: -  
Fags

Brief description: -  
all Grey Frach Suit  
found very young.

Signed: -  


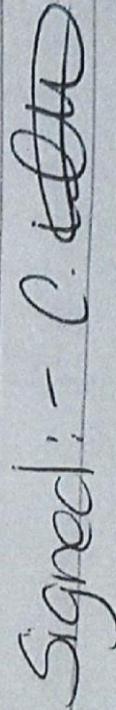
DATE - 13/5/18

TIME - 13:57

What was asked for:-  
Lighter

Brief description: 2 girls  
Blonde hair, braided hair  
gym wear.

NO ID.

Signed:- C. 

Date: - 21-6-18

Time: - 15.28pm

What was asked for:-  
Fags

Brief description:-  
Taw, Tracksuit, Friend walking  
Outside. No ID.

Signed:- 



Date: 30<sup>th</sup> October 2018

Your ref: Our ref: n/a

Please ask for: M.Marshall

Extension: 5401 Direct Dial Tel: 01772 421491 (Gateway)

Fax: n/a email: [Licensing@southribble.gov.uk](mailto:Licensing@southribble.gov.uk)

▶  
Mrs Jacqueline Bramley  
32 Bolton Road  
Chorley  
PR7 3ES  
▶

Civic Centre, West Paddock,  
Leyland, Lancashire PR25 1DH  
Tel: 01772 421491  
Fax: 01772 622287  
email: [info@southribble.gov.uk](mailto:info@southribble.gov.uk)  
website: [www.southribble.gov.uk](http://www.southribble.gov.uk)

Dear Madam

**Re; Underage Sale of Alcohol, 25<sup>th</sup> October 2018 .**

You may be aware that on the evening of the 25<sup>th</sup> October your premises, Harleys Convenience Store, 251 Station Road, Bamber Bridge failed a test purchase. The operation was conducted by the police and the local authority who used a 14 year old female volunteer. 10 other premises were tested on the evening but only Harleys sold.

The volunteer purchased 4 cans of Fosters, the seller was Chris Scott. At 19.55hrs we returned to the store to notify the seller of the sale and to examine the training records. No records could be produced to demonstrate that Chris had been adequately trained.

You were advised about your obligation to provide training in letter sent on the 7<sup>th</sup> May 2018 where an example of proof of age training was enclosed.

Section 146 (1) of the Licensing Act 2003 creates an offence for any person who sells alcohol to an underage person and Section 146 (6) states;

*Where a person (the accused) is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.*

As the Premises Licence Holder you will ultimately profit from both lawful and unlawful sales of alcohol so in order to demonstrate that you exercised all due diligence in relation to avoiding unlawful sales I write to invite you to an interview.

I am required to speak with you formally in connection with this matter and invite you to an interview which will take place at 1.00pm on the 6<sup>th</sup> November 2018 at the Civic Centre offices on West Paddock in Leyland.

The interview is voluntary but will be an important opportunity for you to offer your account in relation to the allegations, the interview will also be tape recorded and carried out in accordance with the Police and Criminal Evidence Act 1984. You have the right to be accompanied by a solicitor during the interview.

On arrival please ask for Mark Marshall at the reception and I will come and meet you.

Yours Faithfully.

**Mark Marshall**

Head of Licensing

**South Ribble Borough Council**

☎: 01772 625401

📍: Civic Centre, West Paddock, Leyland, PR25 1DH

🌐: [southribble.gov.uk](http://southribble.gov.uk) ✉: [mmarshall@southribble.gov.uk](mailto:mmarshall@southribble.gov.uk)



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**Abbotts, Justin**

---

**From:** Jackie Bramley <jackiebramley@yahoo.co.uk>  
**Sent:** 15 November 2018 08:30  
**To:** Abbotts, Justin  
**Subject:** Re: Personal Licence Course Booking Details

Hi Justin

Thanks for the info, I'm bringing her next week to train her then starting her on the Monday if that's ok  
many thanks

Jackie

[Sent from Yahoo Mail for iPad](#)

On Wednesday, November 14, 2018, 2:16 pm, Abbotts, Justin <jabbotts@southribble.gov.uk> wrote:

Hi Jackie,

Please find attached details of the personal licence course as requested.

<https://www.southribble.gov.uk/content/personal-licence-courses-leyland-preston-chorley-and-north-west-area>

Could you please confirm what date the reduced hours will take effect for Chris.

Many Thanks

Justin.

**Marshall, Mark**

**From:** Marshall, Mark  
**Sent:** 12 December 2018 16:34  
**To:** Ward, Christopher; Abbotts, Justin  
**Subject:** FW: Harley's - Station Road Bamber Bridge  
**Attachments:** Harleys - authority to sell.jpg; Harleys - tick list.jpg; Harleys till receipts.jpg; Harleys training documents.jpg; Till rota.jpg

**From:** Coll, Jennifer [mailto:Jennifer.Coll@lancashire.pnn.police.uk]  
**Sent:** 12 December 2018 14:45  
**To:** Marshall, Mark <mmarshall@southribble.gov.uk>  
**Cc:** Licensing <Licensing@southribble.gov.uk>  
**Subject:** Harley's - Station Road Bamber Bridge

Hello,

Just for your information, I went into Harley's last night with Trading Standards it was on their list to visit. Chris wasn't in the premise. Kimberley Grime 31/01/94 was working, she said she started around 4weeks ago. She said she had done her training, however no training documents for her was found (I have attached all the training records there were there).

There was no authority to sell in place for Kimberley she didn't know what it was, I have attached a recent copy of the authority to sell.

I also got the till receipt from last night (I have attached it) there were sales for £140, £60 and another £60 all at 16:11. Doesn't seem a big enough premise for that kind of money to go through at that time. There was a tick list near the stockroom door

I also took a picture of the till rota.

Many thanks,

Jen Coll | PCSO 7574 | University Ward | Neighbourhood Policing Team | Preston Licensing Team | Preston Police Station, Lancaster Rd N, Preston, PR1 2SA  
01772 209515 | 07779972936 | [7574@lancashire.pnn.police.uk](mailto:7574@lancashire.pnn.police.uk)



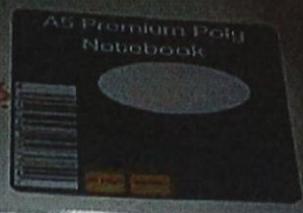
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Lancashire Constabulary monitors its emails, and you are advised that any e-mail you send may be subject to monitoring.

This e-mail has been scanned for the presence of computer viruses.

NO ID - NO  
Alcohol,  
Cigarettes &  
Smoking products



18/1/18

I Jacquelyn Bramley - DPS FOR:

Harleys convenience store  
251 station Road  
Bamber Bridge  
PR5 6LE

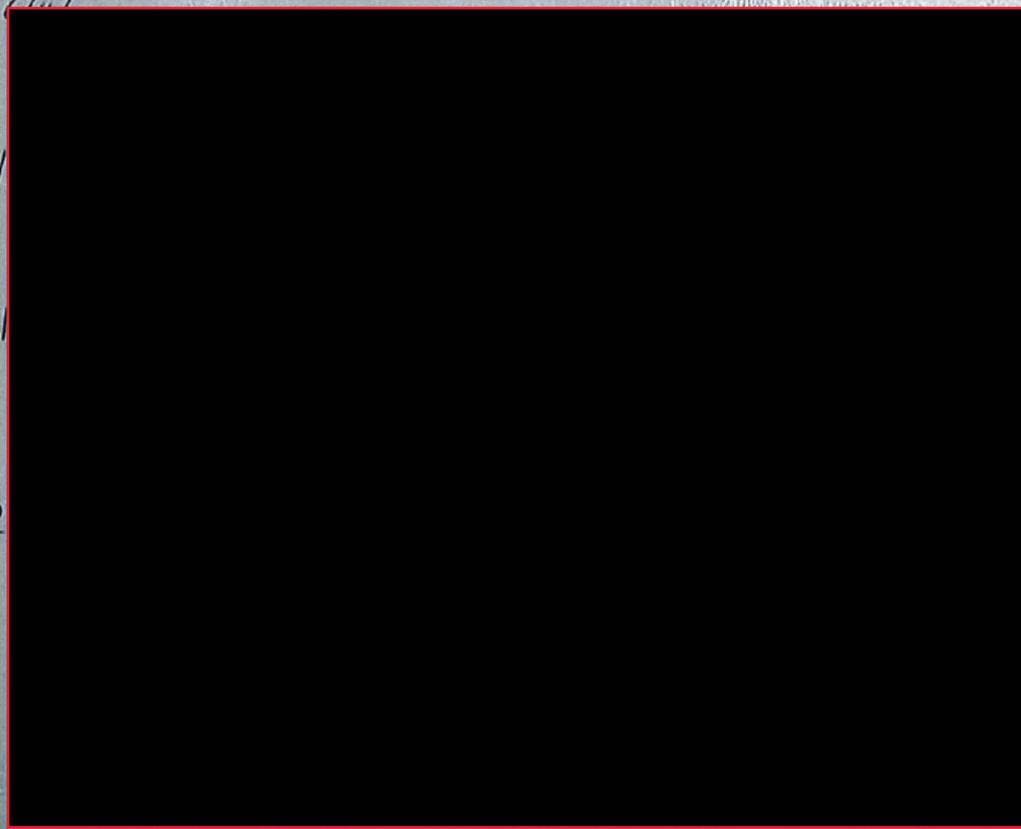
Personal Licence NO:- PA1338

Give my authority for

18/1/18

Christopher Scott - DOB - 13/4/1992

 18.1.18



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DEPT1 £0.15  
TOTAL £0.15  
CASH £0.15  
CLERK 1 010530 000000

11/12/2018 TUE 16:11

DEPT1 £20.00  
DEPT1 £120.00  
TOTAL £140.00  
CASH £140.00  
CLERK 1 010531 000000

11/12/2018 TUE 16:11

DEPT1 £60.00  
TOTAL £60.00  
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CLERK 1 010532 000000

11/12/2018 TUE 16:11

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CLERK 1 010532 000000

REPRINT

11/12/2018 TUE 16:14

DEPT1 £1.35  
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TOTAL £2.54  
CASH £20.00  
CHANGE £17.46  
CLERK 1 010533 000000

11/12/2018 TUE 16:32

DEPT1 £1.70  
TOTAL £1.70  
CASH £2.00  
CHANGE £0.30  
CLERK 1 010534 000000

11/12/2018 TUE 16:36

DEPT1 £0.40  
TOTAL £0.40  
CASH £0.40  
CLERK 1 010535 000000

11/12/2018 TUE 16:37

DEPT1 £1.10  
DEPT1 £8.35  
TOTAL £9.45  
CASH £10.00  
CHANGE £0.55  
CLERK 1 010536 000000

11/12/2018 TUE 16:39

DEPT1 £0.30  
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CLERK 1 010537 000000

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20:05  
 11/12/2018 TUE  
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11/12/2018 TUE  
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20/1/18  
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Tasha Reader

Chris Scott

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SHOP ROTA.

DAY:-	6.30-10.30am	10.30am - 5pm	5pm - 10/11pm	Extras + NOTES
MONDAY	JACKIE.	Emily	chris.	
TUESDAY	JACKIE	Emily till 4pm	Kim 6pm - 10pm	stef 4pm - 6pm.
WEDNESDAY	JACKIE	Emily	Courtney	
THURSDAY	JACKIE	Emily	STEF.	
FRIDAY	JACKIE	Emily till 4pm	Kim 6pm - 11pm.	stef 4pm - 6pm.
SATURDAY	STEF :- 7.30 - 3pm - Courtney 3pm - 11pm.			
SUNDAY	stef 8.30am → 5pm	chris	5pm - 10pm.	

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## Appendix C

**PERSON INTERVIEWED:** Jackie Bramley (JB)  
**DATE OF BIRTH:** 7/11/69  
**ADDRESS:** 32 Bolton Road, Chorley  
**PLACE OF INTERVIEW:** Council Offices,  
 South Ribble Borough Council  
**DATE OF INTERVIEW:** 6/11/18  
**TIME COMMENCED:** 1.05 pm  
**TIME CONCLUDED:** 1.18 pm  
**TAPE REFERENCE No:**  
**INTERVIEWING OFFICER(S):** Mark Marshall (MM), Justin Abbotts (JA)  
**OTHER PERSONS PRESENT:** N/A

---

Time	Person Speaking	Text
0.00	MM	The time by my watch is 1.05 pm, on the afternoon of the 6 <sup>th</sup> of November, 2018. We're in an Interview Room at the Council Offices on West Paddock, the Council Offices of South Ribble Borough Council. For voice... the interview is being tape recorded and may be used in evidence if your case is brought to trial. For voice identification purposes I've got to introduce everyone in the room. My name is Mark Marshall, currently Head of Licensing for South Ribble Council. My colleague today is...?
	JA	Justin Abbotts, Licensing Officer.
	MM	And if you can give me your name, your date of birth and your current home address, please?
	JB	Yeah. It's Jaqueline Bramley, 7 <sup>th</sup> of the 11 <sup>th</sup> , 69. 32 Bolton Road, Chorley.
	MM	Okay. And just confirm at this time, Jackie, there's no other persons present in the room.
	JB	No.
	MM	Okay. Right, it's a voluntary interview. You're not under arrest and you're free to leave at any time, and that door is open, it will take you out into the reception. Also you're entitled to have legal representation during the interview. You chose not to have a solicitor present today. If you wish the interview to be terminated in order to seek legal advice we can arrange for that to take place and you can

## Appendix C

		go away and get a solicitor and perhaps come back...
	<b>JB</b>	Yeah.
	<b>MM</b>	Another time if you so wish. So, you're entirely here at your own will.
	<b>JB</b>	Hmm-mm.
	<b>MM</b>	Before we, um, go into the interview, I've got to caution you in that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be used in evidence. Do you understand that caution?
	<b>JB</b>	I do, yeah.
	<b>MM</b>	Can you explain the caution back to me in your own words so I'm happy you understand it?
	<b>JB</b>	So whatever I say can be used in court.
	<b>MM</b>	Hmm.
	<b>JB</b>	Yeah.
	<b>MM</b>	It's a little bit more involved, believe it or not. But one of the crucial things is anything you say now...
	<b>JB</b>	Hmm-mm.
	<b>MM</b>	Is kind of a key moment in time really which will be used as the sort of relevant...
	<b>JB</b>	Yeah.
	<b>MM</b>	Information. So, if you do say something now but then later change it...
<b>2.00</b>	<b>JB</b>	Change it, yeah, yeah.
	<b>MM</b>	That could potentially have what's called an adverse inference, in that they may not believe your story...
	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	If you change it down the line. So that's one of the crucial things...
	<b>JB</b>	Okay.
	<b>MM</b>	That you need to just be aware of. Um, you've chosen no legal representation.
	<b>JB</b>	Yeah.
	<b>MM</b>	Are you happy continuing without a solicitor present?
	<b>JB</b>	Yeah, yeah, of course.
	<b>MM</b>	Okay. Um, at the conclusion of the interview I will give you a note

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		which details how you can access a copy of these tapes, so that will be given to you or take during the... er, the termination of the interview. The reason for the interview today is on the 25 <sup>th</sup> of October, which was last Thursday, there was an underage sale of alcohol to a young test purchase volunteer, a 14 year old girl, that took place at Harley's. You're the premises licence-holder at that particular premises?
	<b>JB</b>	Yeah, I am.
	<b>MM</b>	Er, Section 146 of the Licensing Act, as I've set out in the letter, does create an offence for...
	<b>JB</b>	Yeah.
	<b>MM</b>	A licence-holder...
	<b>JB</b>	Yeah, yeah, yeah.
	<b>MM</b>	As well as the seller. Um, you'll have a defence, potentially, if you've exercised all due diligence, and the purpose of the interview today...
	<b>JB</b>	Hmm-mm.
	<b>MM</b>	Is just to act... just explore what due diligence you had in place...
	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	When you were leaving the shop in the hands of other people.
	<b>JB</b>	Yeah.
	<b>MM</b>	So that's the purpose of the interview. So, um, before we get going can you just tell us about the shop, when it came into your possession and, you know, what the day-to-day running of that premises is?
	<b>JB</b>	Um, yeah. Er, right, we opened last January, um...
	<b>MM</b>	January 2018?
	<b>JB</b>	Yeah.
	<b>MM</b>	Yeah. And just for the benefit of the tape, obviously they don't know what it is.
	<b>JB</b>	Oh, it's a convenience store, yeah.
	<b>MM</b>	Right, okay. And it sells what?
	<b>JB</b>	Er, it sells, um, alcohol...
	<b>MM</b>	Yeah.
	<b>JB</b>	Cigarettes, bread, milk...
	<b>MM</b>	Okay.

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	<b>JB</b>	Things.
	<b>MM</b>	That's fine, yeah.
	<b>JB</b>	Things like that. Um, we'd never had a business before so obviously we've made a few mistakes, unfortunately.
	<b>MM</b>	Right.
	<b>JB</b>	Um, and also, um, like what I say about the shop?
	<b>MM</b>	It's just really when you got it...
	<b>JB</b>	Yeah.
	<b>MM</b>	Type of shop...
	<b>JB</b>	Yeah.
	<b>MM</b>	And who's in the day-to-day control.
	<b>JB</b>	Right. It was supposed to me that was in day-to-day control.
	<b>MM</b>	Okay.
<b>4.00</b>	<b>JB</b>	Um, but at the moment it's not.
	<b>MM</b>	Okay.
	<b>JB</b>	But it will be again.
	<b>MM</b>	Yeah. So, if we just expand on that slightly.
	<b>JB</b>	Yeah.
	<b>MM</b>	Um, so January, um, you were running it?
	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	When did you cease? Because I understand, without prying into your medical history at all...
	<b>JB</b>	Yeah. No, I'll tell you. I'm not...
	<b>MM</b>	I don't want to...
	<b>JB</b>	I can give you proof and everything, I don't...
	<b>MM</b>	But I just understand from the Police that you did have a few medical problems.
	<b>JB</b>	I've had a liver transplant which was an emergency which I didn't know I had a liver problem.
	<b>MM</b>	When... when did that happen?
	<b>JB</b>	Um, I started getting ill not long after you lot come in to see me.
	<b>MM</b>	Right, okay.
	<b>JB</b>	Um...

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	<b>MM</b>	So, from January up to about May?
	<b>JB</b>	Was it May? Yeah, yeah, um...
	<b>MM</b>	You were running it, were you?
	<b>JB</b>	Yeah, and I'd got... I'd started him first the training manual.
	<b>MM</b>	Yeah.
	<b>JB</b>	But obviously then I took ill. I was in hospital for weeks.
	<b>MM</b>	Right.
	<b>JB</b>	Um, I had total liver failure. They told me I were going to die, um, and then they put me on the urgent transplant list.
	<b>MM</b>	Right.
	<b>JB</b>	So I underwent a liver transplant.
	<b>MM</b>	Yeah.
	<b>JB</b>	And, er, that was 12 weeks ago I finally had a transplant, and I'm only just... my surgeon's just [inaudible] now.
	<b>MM</b>	Back on your feet.
	<b>JB</b>	Well, I'm not allowed back at work.
	<b>MM</b>	Right.
	<b>JB</b>	But because obviously I've had a transplant I'm on quite a strong suppressants for my immune system. So for three months I had to stop in the house do I didn't get infections.
	<b>MM</b>	Yeah.
	<b>JB</b>	Stuff like that. Um, I went to see... I go to Leeds every other week to see my surgeon.
	<b>MM</b>	Okay.
	<b>JB</b>	And he has just allowed me back out a bit now. I'm going back to work in January. Um, so I have completed now the training...
	<b>MM</b>	Yeah.
	<b>JB</b>	This last couple of weeks now I've been up and about.
	<b>MM</b>	That's fine.
	<b>JB</b>	Um...
	<b>MM</b>	I really want to know, really from May then...
	<b>JB</b>	Yeah.
	<b>MM</b>	Up until... so you've pretty much been out of the shop since May?

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	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	Who's been running it since May?
	<b>JB</b>	My son.
	<b>MM</b>	Right.
	<b>JB</b>	He got thrown in at the deep end because he didn't know anything about the shop.
	<b>MM</b>	Your son is...?
	<b>JB</b>	Christopher [Stott].
	<b>MM</b>	Chris.
	<b>JB</b>	Yeah.
	<b>MM</b>	So, had he had any sort of training, or...?
	<b>JB</b>	Er, briefly, because we were going to go through that whole training regime together...
	<b>MM</b>	Hmm.
	<b>JB</b>	You know, just before we got ill... before I got ill, sorry. Um, I basically told him what to look for.
<b>6.00</b>	<b>MM</b>	Hmm.
	<b>JB</b>	I'd got the booklet from my course...
	<b>MM</b>	Hmm.
	<b>JB</b>	Which was a bit... it's... yeah, it's good, but it's quite [inaudible].
	<b>MM</b>	Is Chris a personal licence-holder?
	<b>JB</b>	No, no.
	<b>MM</b>	Is there any reason why he hasn't gone...?
	<b>JB</b>	Because he...
	<b>MM</b>	Got a personal licence?
	<b>JB</b>	Because he didn't feel [inaudible] enough to pass the test.
	<b>MM</b>	Right. And has he told you that?
	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	When did he tell you that?
	<b>JB</b>	This was when we were discussing the shop, when before we got the shop.
	<b>MM</b>	Right.
	<b>JB</b>	We didn't think he'd be able to pass the course...

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	<b>MM</b>	Okay.
	<b>JB</b>	Because he's not very good academically, you know what I mean?
	<b>MM</b>	Okay. And you were still quite comfortable leaving it in his hands even though he's intimidated that he doesn't even think he could pass this basic licensing course?
	<b>JB</b>	Yeah, just the writing. It's... it's the writing.
	<b>MM</b>	Right.
	<b>JB</b>	You know, the [inaudible]. It's not exactly... you can talk to him, he can understand things.
	<b>MM</b>	Yeah.
	<b>JB</b>	Obviously.
	<b>MM</b>	Okay.
	<b>JB</b>	He's not a total idiot, but he can't sit a test.
	<b>MM</b>	Right. So you were about to put the training in.
	<b>JB</b>	Yes.
	<b>MM</b>	But you didn't quite get there.
	<b>JB</b>	No.
	<b>MM</b>	That's fine. And understandably you've had a lot of health issues.
	<b>JB</b>	Well obviously it's been a strain on the family as well, you see, because they did say I was going to die for a couple of weeks.
	<b>MM</b>	Oh, obviously.
	<b>JB</b>	I had to get my children in...
	<b>MM</b>	I see.
	<b>JB</b>	Explain to them that...
	<b>MM</b>	I understand.
	<b>JB</b>	Probably...
	<b>MM</b>	Yeah.
	<b>JB</b>	Probably have weeks left to live. If you need to speak to my doctor I can give you all...
	<b>MM</b>	No, no, no. No, it's...
	<b>JB</b>	Hmm.
	<b>MM</b>	What you've said to me sounds perfectly reasonable. I just wanted to get your views on, you know...?

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	<b>JB</b>	Yeah.
	<b>MM</b>	A couple of things that have been happening at the shop and I just...
	<b>JB</b>	To be honest I'm surprised the shop's still stood, with me having to go into hospital so suddenly...
	<b>MM</b>	Right.
	<b>JB</b>	Because Chris didn't know about the bread deliveries...
	<b>MM</b>	Right.
	<b>JB</b>	The milk deliveries, so he basically got thrown in the deep end and...
	<b>MM</b>	Okay. Last Thursday...
	<b>JB</b>	Yeah.
	<b>MM</b>	We've tested 11 premises.
	<b>JB</b>	Hmm-mm.
	<b>MM</b>	Yours was just the one that failed out of the 11.
	<b>JB</b>	Hmm.
	<b>MM</b>	Which obviously aggravates the issue.
	<b>JB</b>	Yeah, of course, yeah.
	<b>MM</b>	Because if 10 are getting it right and one's getting it wrong...
	<b>JB</b>	Hmm, hmm, hmm.
	<b>MM</b>	We have to look at the one that's got it wrong. Now, this is the young girl that we used. This photo was taken...
	<b>JB</b>	Yeah, I've seen that [inaudible].
	<b>MM</b>	How old would you say she looks?
	<b>JB</b>	Probably I'd say she was 16.
	<b>MM</b>	Okay. Just for the benefit of the tape, I'm just showing a head and facial shot of the volunteer. I'm going to mark it up in front of Jackie as MM01, okay?
	<b>JB</b>	Hmm-mm.
	<b>MM</b>	I'm going to sign it underneath, and if I can just ask you to sign it underneath, just to show that that's the photocopy I've shown you, and in your view you've said that you think she's 16. So you would have challenged her for ID?
<b>8.10</b>	<b>JB</b>	I... I would, yeah.
	<b>MM</b>	Would you expect your staff to have asked her for...?
	<b>JB</b>	I would, yeah.

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	<b>MM</b>	ID? That's fine. And just to go back to the position with Chris, we took some photos of the training records.
	<b>JB</b>	Yeah.
	<b>MM</b>	Now I can see you had some in place because two of the staff...
	<b>JB</b>	I... I had started, yeah.
	<b>MM</b>	Yeah. But Chris's unfortunately wasn't in place.
	<b>JB</b>	No.
	<b>MM</b>	And because Chris was the seller...
	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	Um, but that... that... again, just for the benefit of the tape I'm going to mark these up as MM02 and MM03. Two photographs are these...
	<b>JB</b>	Yeah.
	<b>MM</b>	Of the training documents that were taken at Harley's Convenience on the night.
	<b>JB</b>	Yeah.
	<b>MM</b>	Um, and they're labelled up as... as staff.
	<b>JB</b>	Yeah, yeah, yeah.
	<b>MM</b>	And you can see they're... they're blank.
	<b>JB</b>	Yeah, yeah, which...
	<b>MM</b>	Which you're... you're able to confirm as well that you hadn't quite...?
	<b>JB</b>	Yeah, [inaudible]. No, I hadn't quite...
	<b>MM</b>	That training in place, yeah?
	<b>JB</b>	No, I hadn't quite finished, no.
	<b>MM</b>	For understandable reasons...
	<b>JB</b>	Yeah.
	<b>MM</b>	As you say, er, because of the medical problems. I'm going to just sign both again and just get you to sign them under there.
	<b>JB</b>	Okay.
	<b>MM</b>	Okay? Just so I can't refer to different photos...
	<b>JB</b>	Yeah.
	<b>MM</b>	That you've not had an opportunity to see. Right, so I think really you've covered pretty much everything I need to know. So just to recap, er, on some of the issues. You went, er, sick in May.

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	<b>JB</b>	Yeah.
	<b>MM</b>	And pretty much left the running of the shop to Chris. You did confirm at the beginning of the interview that it was roughly just after the first visit that we did.
	<b>JB</b>	It was, when I started... well, I started getting bits of illness, it was... which I couldn't... but then I... it was sort of went really quick and [shockingly]...
	<b>MM</b>	Well we sent you a letter after that [inaudible] which was sent on the 3 <sup>rd</sup> of May. I'm presuming you got the letter because you've got the training...
	<b>JB</b>	Yeah.
	<b>MM</b>	Because we put the training in.
	<b>JB</b>	Yeah, yeah.
	<b>MM</b>	So you recognise that letter?
	<b>JB</b>	Well, I can't remember but...
	<b>MM</b>	Right.
	<b>JB</b>	I had a lot of medication, so...
	<b>MM</b>	Yeah, yeah, of course.
	<b>JB</b>	But yeah, yeah.
	<b>MM</b>	And, er, your son Chris has been running the shop pretty much on his own.
	<b>JB</b>	I mean, that wasn't a conversation we had, because I got rushed into hospital sort of just like, er...
	<b>MM</b>	Yeah, just...
	<b>JB</b>	[Inaudible].
<b>10.00</b>	<b>MM</b>	He's just salvaging...
	<b>JB</b>	It was horrendous, you know what I mean.
	<b>MM</b>	Yeah, keeping on top of what... what you've got running. Has he got any other people that work with him in the shop?
	<b>JB</b>	No, he's got some people that will stop and watch the shop while he goes to get stock.
	<b>MM</b>	Right.
	<b>JB</b>	Because obviously there's only been him, um...
	<b>MM</b>	Right.
	<b>JB</b>	Um, and because I was in Leeds Hospital...

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	<b>MM</b>	Yeah.
	<b>JB</b>	Obviously my partner couldn't help him because he was with me. Um, none of the other family could help because obviously my daughter doesn't drive, er, and stuff like that, um...
	<b>MM</b>	There's two other bits of training records in that file, relating to two other staff members. Do you know who they are or not?
	<b>JB</b>	Yeah. They don't work there any more.
	<b>MM</b>	They've gone, have they?
	<b>JB</b>	Yeah, they've gone, yeah.
	<b>MM</b>	So when did you put those bits of training in place? Was that just after we went?
	<b>JB</b>	The two... yeah, the two girls was after you went, because Chris really didn't do many hours in the shop then.
	<b>MM</b>	What were those girls called that were working for you?
	<b>JB</b>	Er, one was called Lauren.
	<b>MM</b>	Lauren.
	<b>JB</b>	And one was called Natasha.
	<b>MM</b>	Natasha. So you sorted them out, er, it was just Chris that was left to do.
	<b>JB</b>	Yeah. Right, so Chris...
	<b>MM</b>	But Chris had been on his own pretty much since May-ish.
	<b>JB</b>	Pretty much, yeah. Um, and he didn't used to do a lot of work in the shop, do you know what I mean?
	<b>MM</b>	Right.
	<b>JB</b>	So, um, that's why I'd left Chris till last on the training. That's what the plan was, do you know, er...?
	<b>MM</b>	Yeah.
	<b>JB</b>	Because he was hardly ever there. So it was like well I'll leave him till last, make sure I get it done.
	<b>MM</b>	Okay.
	<b>JB</b>	But then with everything else taking over, um, I only got out of hospital, er, the beginning of August.
	<b>MM</b>	Right.
	<b>JB</b>	Um, and I've been a prisoner for three months. Um, it's only because I'm doing so well...

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	<b>MM</b>	Do you know any other personal licence-holders that you could have perhaps...?
	<b>JB</b>	No.
	<b>MM</b>	Transferred the DPS position into? There's only you?
	<b>JB</b>	No, not a single one, no. I mean, to be quite honest I didn't give the shop a second thought while I was in hospital.
	<b>MM</b>	No, of course not.
	<b>JB</b>	But, I know it's not much defence but it was...
	<b>MM</b>	Yeah. But now you've got to pick up the pieces because...
	<b>JB</b>	Of course I have, yeah, yeah.
	<b>MM</b>	Thankfully you're back on your feet.
	<b>JB</b>	No, I have, yeah, yeah.
	<b>MM</b>	And...
	<b>JB</b>	Yeah.
	<b>MM</b>	At some stage in the future you'll want to go back and...
	<b>JB</b>	Oh, January I was...
	<b>MM</b>	Yeah.
	<b>JB</b>	Planning to go back.
	<b>MM</b>	Have you got any questions, Justin?
	<b>JA</b>	No, I think you've covered everything that... that, er, I would have... I would have asked.
<b>12.01</b>	<b>MM</b>	Right. We're just dealing with the underage sale...
	<b>JB</b>	Right.
	<b>MM</b>	For the purposes of this interview. Um, and as far as I'm concerned now you've put... and we've put everything to you.
	<b>JB</b>	Yeah.
	<b>MM</b>	The volunteer which you've confirmed...
	<b>JB</b>	Yeah.
	<b>MM</b>	Looked 16 in your view and you'd expect any staff member to challenge and test. You confirmed that, er, two records were in place for previous staff, Lauren and Natasha.
	<b>JB</b>	I mean his training now has been done.
	<b>MM</b>	Yeah. But at the time...

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	<b>JB</b>	No, at the time it hadn't been, and we do have signs up all over the shop...
	<b>MM</b>	Right.
	<b>JB</b>	Saying: "No ID no sale."
	<b>MM</b>	But you've got a fair excuse in terms of the medical emergency you were subject to.
	<b>JB</b>	Yeah. And I... and I can produce any...
	<b>MM</b>	Yeah, that's fine.
	<b>JB</b>	Documents. I'll give you my surgeon's...
	<b>MM</b>	That's... that's... no, no problem. Right, if there's nothing further from you, Justin then, I'm going to give, um, Jackie a copy of, er, the notes about how you can access a copy of the, um, tapes.
	<b>JB</b>	Yeah.
	<b>MM</b>	Or CD.
	<b>JB</b>	Yeah.
	<b>MM</b>	I think this one is possibly... yeah, it's an address that we just need to cross out...
	<b>JB</b>	Okay.
	<b>MM</b>	And give you the South Ribble address on...
	<b>JB</b>	All right.
	<b>MM</b>	On there. So we shall sort that out.
	<b>JB</b>	All right.
	<b>MM</b>	Um, right, the time by my watch – unless you want to add or clarify anything...?
	<b>JB</b>	Just what happens now, really?
	<b>MM</b>	We can discuss that after the tape, yeah.
	<b>JB</b>	Oh, okay, yeah, yeah, fine.
	<b>MM</b>	Um, right. You've got nothing to add in relation to this particular matter?
	<b>JB</b>	I have no great excuses, so that's...
	<b>MM</b>	Right, okay. So the time by my watch now is, er, 18 minutes past 1.00, and I'm stopping the tapes.
		<b>END OF INTERVIEW</b>

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