

Appendix B

On behalf of Lancashire Constabulary, I wish to submit the following evidence to support the review application made by South Ribble Borough Council for the premise licence namely, S and D Convenience Store, Leyland Lane, Leyland.

On 28th May 2019, Police received an application to transfer the premise licence and vary the DPS to Mr Sumitkumar Patel. Licensing Officers conducted an interview with the new DPS at the premise on 30th May 2019. The premise licence conditions were run through at this visit and concerns were raised when there was no authority in place for non personal licence holders to sell alcohol in the DPS's absence and also no staff training records and no refusals register. Advice was given and the importance of the documentation being in place stressed and Mr Patel was informed that Police would return within four weeks to check on compliance. The Police made no representations at the time but did have concerns.

At 20:35 on Thursday 4th July 2019, a revisit was made by Licensing Officers to check compliance. The DPS was not present at the time of the visit and there was no authority to sell alcohol in place for the sales assistant on duty. There was no refusals register and no staff training records on the shop premise.

On 31st July 2019, Sgt Horton attended and found authority to sell alcohol in place at the shop and Mr Patel was able to print out a refusal form from the EPOS till system. On sale at the time of the visit were alcoholic slush drinks which were being served in non sealed containers. Mr Patel was advised not to sell these until suitable containers were sourced and approved.

At 18:25 on 16th August 2019, a joint test purchase operation was conducted by Police and South Ribble Borough Council Licensing team. A 16 year old male entered the premise and was able to purchase a bottle of Peroni lager and a Parma Violet flavoured gin slush without being challenged for any identification and no verification checks being made. The gin slush was not in a sealed container. Following the sale, Licensing Officers entered the shop and Mr Patel came down to the shop floor from upstairs. There was no authority in place for the underage seller to make sales of alcohol, only one record of refusal available from the till and no staff training records for the two staff in the shop at the time, both who had been observed selling alcohol. The seller informed Officers that he had not received any staff training but was leaving the following week. Mr Patel was advised about not selling the alcoholic slush and the machine was switched off as there were no sealed containers available at the shop to sell it in. Once again advice was given regarding the poor management of the shop.

At 14:20 on 5th September 2019 Sgt Horton revisited the premise and found that the slush was now being sold in sealed containers and that both training records and refusal book were up to date.

The management of the premise has been poor for the four months that Mr Patel has been trading, there appears to be inadequate training provisions and a lack of concern for the protection of children. Licensing Officers are spending a significant amount of time at the premise and the premise licence operating schedule has insufficient conditions to promote the licensing objectives.

Police believe that the premise would benefit from a number of additional conditions

- One specifically regarding the competency of the DPS.

Appendix B

Section 182 guidance states that:

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

- A CCTV system would be recommended to assist in the detection and prevention of crime and public safety.
- In order to protect children from harm Police suggest a condition that staff should be trained every 3 months in the Challenge 25 scheme and that this should all be recorded. In addition to this, Police believe that the alcoholic slush should be situated behind the till area out of the reach of children.