

**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

Classification: NULBC PROTECT Organisational

Case Officer: Miss Claire Ryles Tel: 01782 742524

Email: claire.ryles@newcastle-staffs.gov.uk

Reference: SRU 97214

Date: 12 May 2016

Licensing Department
Newcastle Under Lyme Borough Council
Civic Offices
Merrial Street
Staffordshire
ST5 2AG

Dear Sir/Madam

Re: Licensing Act 2003 – Supporting Representation for the Application for the review of a Premises License – Keele Road Stores, 28 Keele Road, Newcastle Under Lyme, ST5 2JX

Newcastle Under Lyme Borough Council, Environmental Health Department wish to submit representations in connection with the review of the premises license at the above named premises.

The Licensing Enforcement Team is part of the Environmental Health Department, and is one of the Responsible Bodies for Newcastle Under Lyme Borough Council Licensing Authority. One of the roles of the Licensing Enforcement Team is to carry out inspections to monitor compliance under the Licensing Act 2003.

On 22 January 2015 a routine inspection was conducted at Keele Road Stores, 28 Keele Road, Newcastle Under Lyme, Staffordshire, ST5 2JX. The person interviewed was Mr Harpal Singh who was the Designated Premises Supervisor (DPS) and Premises License Holder (PLH) of Keele Road Stores.

Mr Singh was asked to produce his staff training records but there were no records available. It was explained to Mr Singh that it was condition of the premises license for all staff to be trained, including a written test, and for the records of training to be kept at the premises.

Mr Singh was asked to produce his refusals register. The register was available, the last entry being 11/10/2014. As it was quite a significant time since the last recorded refusal, it was explained to Mr Singh that it was a condition of the premises license to record all incidents when the sale of an age restricted product is refused and he should remind his staff to use the register on every relevant occasion.

At the end of the inspection the details of the premises license were checked with Mr Singh and his new email address was recorded as

On 30 January 2015 a licensing report was composed and posted to Mr Singh. The report detailed the matters arising from the inspection which needed to be addressed immediately, namely, staff training and use of the refusals register. A copy of this report can be found at **Appendix 1**.

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On the same day an email was sent to the address supplied by Mr Singh, with training materials attached. The email also reminded Mr Singh that all staff should undergo staff training, evidence of which should be kept at the premises. A copy of this email can be found in **Appendix 2**.

On 10 May 2016, Following the application to review the premises license submitted by the Public Protection Team, I carried out a routine visit at the premises with regards to the statutory blue notice which needs to be displayed according to the Licensing Act 2003. During this visit I spoke to a member of staff to explain the process and left my contact details so that Mr Harpal Singh could contact me if necessary.

On 11 May 2016 I received a telephone call from Mr Singh requesting further information about the review process and a follow up inspection to look at the measures which had been put in place. A meeting was arranged for 13 May 2016.

On 13 May 2016 I visited the premises and carried out a full licensing inspection. Mr Singh showed me evidence of staff training, a refusals register and a till prompt. The premises was found to be fully compliant with some recommendations given. A copy of this report can be found in **Appendix 3**.

Although at the most recent inspection, the premises was found to be compliant with the conditions of the license, I must point out that this action was taken after the application to review, following two occasions where alcohol had been sold to underage volunteers and evidence of previous non-compliance. In light of the collective evidence presented in the review application, the PLH and DPS, Mr Harpal Singh has failed in his responsibilities to promote the Licensing Objective, Protection of Children from harm. It is on this basis that the Licensing Enforcement Team fully support the review application and subsequent recommendations submitted by the Public Protection Team.

Yours Faithfully

Miss Claire Kyles
Licensing & Enforcement Team
Environmental Health Department
Direct Line 01782 742524
Mobile 07770544811
Email claire.ryles@newcastle-staffs.gov.uk

Classification: NULBC PROTECT Organisational

Appendix 1

Report from inspection
completed on 22 January
2015

Case Officer: Claire Ryles
Email: claire.ryles@newcastle-staffs.gov.uk
Reference: Licensing Inspection / 014008
Date: 30 January 2015
For the attention of Mr Harpal Singh



Keele Road Stores
Keele Road
Newcastle Under Lyme
Staffordshire
ST5 2JX

Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

Dear Mr Singh

**Licensing Act 2003
Gambling Act 2005
Health Act 2006**

Re: Licensing Inspection of Keele Road Stores

I refer to the inspection of the above premises on 22 January 2015. The purpose of the visit was to assess your compliance with the above legislation.

At the time of my visit there were some issues that will need to be addressed. Please find your Licensing Report Attached.

If you would like to discuss any matters raised at the time of my visit or have any general queries please do not hesitate to contact me on the number provided.

Yours faithfully

Claire Ryles
Licensing Enforcement Team

NOTES ABOUT THE ATTACHED PREMISES INSPECTION REPORT

- You may do works other than those specified in the report but these must be agreed with the inspecting officer and achieve the same minimum standard or objective.
- This report only covers the areas inspected as they were found at the time of the inspection, however it should be noted that this is not an exhaustive report covering all legislation relevant to the company's undertakings as this would not be possible given the time period spent on the premises.
- Under the Freedom of Information Act 2000, a copy of this and any previous report relevant to this premises, may be requested by any person or organisation.

Licensing Enforcement Team Environmental Health

Licensing Inspection Report

Business details

<i>Name of Designated Premises Supervisor</i>	Mr Harpal Singh
<i>Trading name</i>	Keele Road Stores
<i>Business address:</i>	Keele Road Stores, Keele Road, Newcastle Under Lyme, Staffordshire, ST5 2JX

Intervention details

<i>Date, time & intervention type</i>	22 January 2015 Full inspection/ Partial inspection
<i>Specific law under which intervention conducted</i>	Licensing Act 2003 Gambling Act 2005 Health Act 2006
<i>Areas inspected/audited</i>	Whole Premises and Smoking Area
<i>Names of persons seen/interviewed</i>	Mr Harpal Singh
<i>Documents and records examined</i>	Premises license, refusals book

Schedule A –Requirements in accordance with the conditions of your Premise Licensing Schedule.

❖ **1. Inspection Issues**

<i>No.</i>	<i>Item</i>
1.	<p>Your premises license states that, "All staff working at the premises involved in the sale of age restricted products including the sale and supply of alcohol will receive ongoing training. This will be recorded in a staff training register and will also include a written test of knowledge. The training records must be made available to police and officers of responsible authorities on request. These records must be kept at the premises."</p> <p>At the time of my visit there were no staff training records on site. Please could you complete training with your staff and then keep the records at the premises. Supporting documents are enclosed with this letter.</p>

Continued

<i>No.</i>	<i>Item</i>
2.	<p>Your premises license states that, "A refusals register is to be used to record all incidents when a sale is refused."</p> <p>At the time of my visit your last refusal recorded in the book was 11.10.2014. This is quite a significant time ago and I would ask that remind your staff that it is a condition in the license that they must record all refusals.</p>

Appendix 2

Email sent on 30 January
2015

Ryles, Claire

From: Ryles, Claire
Sent: 30 January 2015 12:23
To:
Subject: Licensing Act 2003 - Knowledge Test
Attachments: Knowledge test.docx

Importance: High

Dear Mr Singh

I write in relation to my licensing inspection on 22 January 2015.

I have posted a report to you today along with a copy of the attached document but just wanted to send you an electronic. Please could you complete the training with all of your staff complete and make sure the training records are kept at the premises.

If you have any questions please contact me.

Thanks, Claire Ryles

Licensing Enforcement
Newcastle Under Lyme Borough Council
(01782) 742524

www.newcastle-staffs.gov.uk

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STAFF NAME & SIGNATURE : _____

DPS NAME & SIGNATURE : _____

PREMISES : _____

DATE: _____

SCORE: _____

REFRESHER TRAINING DUE ON: _____

Licensing Act 2003 - Knowledge Test

- 1) When serving alcohol you ask for ID from:
 - a. Anyone who looks under 16
 - b. Anyone who looks under 18
 - c. Anyone who looks under 21
 - d. Anyone who looks under 25

- 2) Who must NOT be served with an alcoholic product?
 - a. A person under 18 years
 - b. Somebody who is drunk
 - c. A person who you suspect is buying for persons underage
 - d. All of the above

- 3) How much alcohol by volume does a product need to have in it to be called an alcoholic drink?
 - a. 1%
 - b. 2%
 - c. 0.05%
 - d. More than 0.5%

- 4) What of the following forms of ID should you NOT accept?
 - a. Passport
 - b. Student Card
 - c. Photographic Driving Licence
 - d. Birth Certificate

- 5) What is the fixed penalty (on the spot fine) for serving alcohol to an under-age customer?
 - a. £30
 - b. £50
 - c. £80
 - d. £100

- 6) A Premises Licence may be suspended or revoked if the store fails more than one test purchase exercise.

True or False

- 7) A Personal Licence holder must inform the Council which issued their licence if:
- They change their name
 - They change their place of work
 - They change their address
 - They are convicted of a relevant offence
- 8) Which of the following is not one of the licensing objectives
- Protection of children from harm
 - Prevention of public nuisance
 - Prevention of binge drinking
 - Prevention of crime and disorder
- 9) If you are trying to ascertain if a person is attempting to buy an age restricted product whilst underage which of the following would you look at?
- Their body language
 - Their physical appearance
 - The product they were buying
 - The payment method used
 - All of the above
- 10) If you suspect a person to be underage and they are attempting to buy an age restricted product, what is the first thing you must do?
- Ask them how old they are
 - Ask them their parents' names
 - Ask them for identification
 - Ask them to return with their parents
- 11) Someone you suspect is underage produces a Proof of Age card. What details would you check?
- Photograph
 - Date of birth
 - PASS hologram
 - Signature of parent
- 12) How should you refuse a person when you suspect they are drunk?
- Argue with them about how many drinks they have had
 - Be abusive to them
 - Be firm but polite
 - Direct them to another off-licence
- 13) A personal licence is valid for?
- 15 years
 - The lifetime of the holder

- c. Until the holder changes their place of work
- d. 10 years

14) What is the age limit for buying Lottery Tickets?

- a. 16
- b. 18
- c. 21

15) What is the age limit for buying tobacco?

- a. 16
- b. 18
- c. 21

16) Who is the Designated Premises Supervisor (DPS) for this premises?

17) Where would you find a copy of the Premises Licence displayed in this premises?

KNOWLEDGE TEST – ANSWERS

1. C OR D

2. D

3. D

4. B & D

5. C

6. TRUE

7. A,C & D

8. C

9. E

10. C

11. A,B & C

12. C

13. D

14. A

15. B

16. DPS to complete

17. DPS to complete

Appendix 3

Report from inspection
completed on 13 May 2016

Case Officer: Claire Ryles
Email: claire.ryles@newcastle-staffs.gov.uk
Reference: Licensing Inspection / 015230
Date: 20 May 2016
For the attention of Harpal Singh

Keele Road Stores
Keele Road
Newcastle Under Lyme
Staffordshire
ST5 2JX



Civic Offices
Merriai Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

Dear Mr Singh

Licensing Act 2003
Gambling Act 2005
Health Act 2006

Re: Licensing Inspection of Keele Road Stores, Keele Road, Newcastle Under Lyme, Staffordshire, ST5 2JX

I refer to the inspection of the above premises on 13 May 2016. The purpose of the visit was to assess your compliance with the above legislation.

I am pleased to confirm that at the time of my visit your premises was found to be compliant with the above regulations and I will not be asking you to carry out any remedial works. There are however some recommendations, details of which can be found in the licensing report attached.

If you would like to discuss any matters raised at the time of my visit or have any general queries please do not hesitate to contact me on the number provided.

Yours faithfully

Claire Ryles
Licensing Enforcement Team
Tel: 01782 742524



Working to be a co-operative council

Contacting the Council:

Switchboard 01782 711711 Fax 01782 711032 DX 20959 Text 07800 140048
Email webmaster@newcastle-staffs.gov.uk www.newcastle-staffs.gov.uk

Office Use Only: UNCLASSIFIED

NOTES ABOUT THE ATTACHED PREMISES INSPECTION REPORT

- You may do works other than those specified in the report but these must be agreed with the inspecting officer and achieve the same minimum standard or objective.
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- Under the Freedom of Information Act 2000, a copy of this and any previous report relevant to this premises, may be requested by any person or organisation.

Licensing Enforcement Team Environmental Health

Licensing Inspection Report

Business details

<i>Name of Designated Premises Supervisor</i>	Harpal Singh
<i>Trading name</i>	Keele Road Stores
<i>Business address:</i>	Keele Road, Newcastle Under Lyme, Staffordshire, ST5 2JX

Intervention details

<i>Date, time & intervention type</i>	13/05/2016 - Full inspection
<i>Specific law under which intervention conducted</i>	Licensing Act 2003 Gambling Act 2005 Health Act 2006
<i>Areas inspected/audited</i>	Whole premises
<i>Names of persons seen/interviewed</i>	Harpal Singh
<i>Documents and records examined</i>	Premises license, training records, refusals register, till system.

Schedule B – Recommendations

<i>No.</i>	<i>Item</i>
1.	<u>Challenge 25</u> Please display extra challenge 25 posters included with this letter.
2.	<u>Training Records</u> Please ensure that all staff know where the training records are kept, so that they can be produced upon request from an authorised Officer.
3.	<u>DPS Authorisation</u> Although all staff have been verbally authorised and have received training I would recommend that you display a notice to show all staff authorised to sell alcohol. A template notice is included with this letter.

**DESIGNATED PREMISES SUPERVISOR (DPS)
LETTER OF AUTHORISATION**

To whom it may concern:

I _____ being the Designated Premises Supervisor (DPS), and the holder of a Personal Licence am the person in a position of authority on the premises known as:

Premises Licence Number:

Personal Licence Number:

Hereby authorise the following named personnel to sell and supply alcohol, to comply with the licensing law and the licence conditions attached to the licence. This being either when I am present on the premises or in my absence when I am away from the premises. I can always be contactable on the following telephone number:

.....
NAMES OF AUTHORISED PERSONS:

I, being a person named below am aware of and accept my responsibilities under the Licensing Act 2003 and will endeavour to comply in accordance with the licensing law and the licence conditions attached to the licence.

Name	Personal Licence Number (If Applicable)	Non Personal Licence Holder (Please Tick)

DESIGNATED PREMISES SUPERVISOR

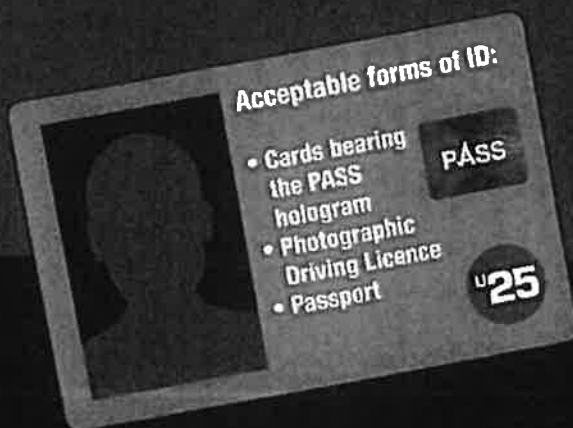
Name:

Signature:

Date:

UNDER 25?

Please be
prepared to show
proof of age when
buying alcohol



drinkaware.co.uk



