

Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward
Licensing Sub-Committee A	Thursday 23 rd May 2013	B3	Finsbury Park
Delete as appropriate		Non-exempt	

Subject: PREMISES LICENCE REVIEW APPLICATION
RE: DENIZ SUPERMARKET, 520 HOLLOWAY ROAD, LONDON, N7 6JD

1. Synopsis

- 1.1 This is an application by Trading Standards for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2 The grounds for review are related to the licensing objectives:
 - i) Protection of Children from Harm

2. Recommendations

- 2.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.
- 2.2 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.
- 2.3 The steps stated in Sections 52(4) of the Act are as follows:
 - a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
 - b) to exclude a licensable activity from the scope of the licence;

- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;
- f) the Committee also have the option to leave the licence in its existing state;
- g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

3. Background

- 3.1 The premises are currently licensed for the sale of alcohol for consumption off the premises Monday to Sunday for 24 hours a day.
- 3.2 Papers are attached as follows:-
 - Appendix 1: application form from Trading Standards;
 - Appendix 2: current premises licence;
 - Appendix 3: Representations;
 - Appendix 4: suggested conditions and map of premise location
- 3.3 The Licensing Authority has received a representation from Metropolitan Police and the Public Health responsible authority.
- 3.4 The premises licence was reviewed by Trading Standards on 3 May 2011; this review was on the grounds of the prevention of crime and disorder, for illicit alcohol. On the 4 July 2011 the premises licence was suspended for three months by the Councils licensing Sub Committee. The licence holder accepted this decision, and the licence was suspended on 14 July 2011 for three months.

4. Planning Implications

- 4.1 There are no planning issues with this premise.

5 Conclusion and reasons for recommendations

- 5.1 The Council is required to consider this application for review in the light of all relevant information from the applicant and the licence holder. It may attach such conditions necessary to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

Date 15/5/13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: The Licensing Team

Tel: 020-7527-3031

Fax: 020-7527-3057

E-mail: Licensing@islington.gov.uk

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 Fordham, Service Manager Trading Standards

(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 on Part 1 below (delete as applicable)~~

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description: Deniz (1) Supermarket 520 Holloway Road	
Post town: London	Post code: N7 6JD

Name of premises licence holder or club holding club premises certificate: Bulent Dag

Number of premises licence or club premises certificate: 146987 - 15102011

Part 2 - Applicant details

I am

Please tick ✓ yes

an interested party (please complete (A) or (B) below)

a person living in the vicinity of the premises

a body representing persons living in the vicinity of the premises

a person involved in business in the vicinity of the premises

a body representing persons involved in business in the vicinity of the premises

a responsible authority (please complete (C) below)

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

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

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

Name and address	David Fordham Service Manager (Trading Standards) Public Protection Division 222 Upper Street London N1 1XR
Telephone number:	020 7527 3458
E-mail:	<u>david.fordham@islington.gov.uk</u>

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

Please tick one or more boxes

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

-
-
-
-

This application to review relates to the objectives to protect children from harm and Licensing Policies 25 and 10 (in the 2013-17 Licensing Policy). It particularly relates to two sales of alcohol to underage volunteers working with Trading Standards and the implied failure to exhibit a high standard of management at the business.

Deniz 1 Supermarket has been owned by equal partners Bulent Dag and Mehmet Macit (described by Mr Dag as his Uncle) since 2008. Mr Dag is also the Licensee and Designated Premises Supervisor (DPS), roles which he has fulfilled since 2006 (initially under the previous owner). Mr Dag is not involved in any other business.

On 24th January 2011, a large amount of illicit wine was seized by HMRC officers from the premises. Mr Dag was initially given the opportunity to appear at an Officer Panel meeting to conclude this matter, but he failed to attend without prior warning and the decision was made to review the licence instead. On 04th July 2011, a Licensing Sub-Committee suspended the licence for three months and added conditions requested by Trading Standards. The length of the suspension may be explained by the comments in the Reasons for Decision that suggest the Sub-Committee were of the opinion that Mr Dag did not appreciate the seriousness of the offence. The decision was not appealed.

On 30th June 2012, Mr Dag sold a 275ml bottle of WKD Vodka Blue (4% abv) to a 16 year old boy who was assisting Trading Standards. Mr Dag immediately admitted that he had made a mistake, but explained that at the time of the sale he had just returned from the cash and carry and was very busy – he only served because the other staff were helping to unload the delivery – and admitted that he had not concentrated properly when serving the volunteer. Mr Dag was asked about refusals records, which are required to be kept as conditions of the licence. He admitted they were not being kept.

On 2nd August 2012, Mr Dag was interviewed by Doug Love of Trading Standards and Dan Whitton of Licensing. He admitted when shown a photograph of the volunteer that, although he thought the volunteer may have been 19, he was wrong not to have requested proof of age. He also said he had been very tired as he had very recently become a father (this was mentioned elsewhere in the interview, not used as an excuse).

In the interview, Mr Dag produced training records for the three staff he named as employees. He also stated that he trained them personally and concentrated on preventing underage sales as he recognised that this was where the problems were most likely to arise. He said he was now considering sending all staff on the BII Level 2 Award for Personal Licence Holders training (successful completion of which would allow them to apply for a personal licence). Mr Love gave him a Turkish language summary of the Trading Standards advice and suggested that it may be useful to use as refresher training for his staff.

Mr Dag was also able to produce refusals records that he had started keeping since the sale – 15 refusals had been recorded during July.

The decision was made not to review the licence immediately and Mr Dag was sent a letter on 13th August stating that if he was found to be satisfactorily complying with all licence conditions in a forthcoming visit, the matter would be dealt with by way of an Officer Panel meeting.

On 13th September 2012, Mr Love visited Deniz 1 with Niall Forde, Licensing Officer. All licence conditions were checked and, with the exception of a couple of notices (Annex 2, 6 & Annex 3, 16), there was good compliance. The notices were quickly displayed, as required.

As there was good compliance, Mr Dag was invited to an Officer Panel meeting on 27th September. He was given advice and a warning and a letter, dated 02/10/12, was sent by Mr Love to confirm what he was told. The letter stated that more test purchases would be attempted and reinforced the advice, including that to use 'Challenge 25' and ensure all staff are thoroughly trained.

On 22nd December 2012, a test purchase attempt was made and another sale was made. Mr Dag's partner, Mehmet Macit, sold two 568ml (1 pint) bottles of Magners Original cider (4.5% abv.) to a volunteer boy, aged 17y & 3m. Katherine Forrest, the observing officer and Mr Love spoke with Mr Macit after the sale. His English is poor, but a member of the shop staff with good English helped

with interpretation. He said that he thought he was 19 or 20 years old and pointed out that he was very tall; he said he had been trained by the 'old manager'; he did not mention PASS proof of age cards when asked about acceptable proof of age; he stated he had been verbally trained, including on the need to challenge anyone buying age-restricted products if they looked under 25, but had not signed anything after the training. He could not explain why he served someone he believed to be 19 or 20 if he had been told to 'Challenge 25'.

While the officers were in the shop after the sale, they were shown that the Turkish translations given to Mr Dag at the interview had been used as refresher training – they were shown four copies signed & dated (all on 07/08/12) by Abuzer Tumen, Mazlum Derali, Nusret Toren and Bulent Dag, himself. However, Mr Macit had not signed a copy – he was away when the others signed it.

The refusals log was also examined. Eleven entries had been made since the start of November, by a variety of staff – Mr Dag had made four entries; Mr Macit, three; Abuzer Tumen and Nusret Toren, two each.

It should be noted that the only three recorded test purchases apart from those above resulted in refusals to sell (two in 2008 and one in 2009). Also, no illicit alcohol or tobacco was discovered when Mr Love checked the stock during the visit on 13th September 2012.

Section 13(4) of Licensing Act 2003 and Regulation 7 of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 makes a local weights and measures authority a responsible authority for the purposes of the legislation. Islington Council is a local weights and measures authority and that function is carried out by the trading standards team.

Here is a summary of events supporting this application

2008 / 09	Refusals to sell	Three attempted test purchases of alcohol all resulted in refusals
24/01/11	Seizure of wine	Large quantity of illicit wine seized. Spirit and tobacco checked and found to be OK. At an LS-C in July 2011, the licence was suspended for three months.
30/06/12	Underage sale and breach of conditions	Bulent Dag sold to a 16 year old boy. No refusals book being kept.
27/09/12	Officer Panel	Mr Dag attends an Officer Panel meeting re the sale, after a check revealed compliance with licence conditions
22/12/12	Underage sale	Mehmet Macit, Mr Dag's partner, sold to a boy, aged 17y and 3m. No training records kept for Mr Macit.

Recommendations

There have been two recent sales of alcohol to underage people, one made by each partner in the business. One of those partners is also the licensee and designated premises supervisor. There may be mitigating circumstances for the first sale – Mr Whitton, the observing officer, has confirmed that a delivery was being unloaded and that the shop staff were busy at the time of the sale.

However, the two sales do suggest that, even if the licensee is to be credited with taking some positive action, not enough has been done to build a culture within the business where young people are challenged for proof of age on every occasion. It would appear that "Challenge 25" is still not being fully understood or applied, as if it was, both volunteers would have been asked to provide proof of age as (as admitted) they looked under 25.

Employed staff had been trained and records of this training kept; further they had been given refresher training after the sale in June. However, there were no training records for Mr Macit, the seller in December, and he was away when the refresher training was undertaken. Mr Macit himself said he had been trained by 'the old owner'. This was a clear failure by Mr Dag to fulfil his responsibilities as Licensee and DPS.

I recommend that the Committee considers, as a minimum, a further suspension of the licence to enable re-training and also to act as a deterrent. I consider this to be proportionate and in line with the Home Office Amended Guidance issued under Section 182 of the Licensing Act 2003 (section 11.28)

In addition, I would ask the Committee to consider amending the conditions to update them to the wording currently proposed by Trading Standards. This will require the deletion of current conditions 13, 14, 15 & 17 in Annex 3, and their replacement with those shown below:

- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the display of posters.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.

- The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year

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

N/A

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

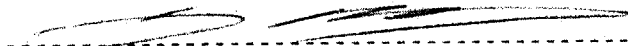


IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

27th February 2013

Capacity

Service Manager (Trading Standards)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

The ground(s) for review must be based on one of the licensing objectives.
Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

The application form must be signed.

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.



ISLINGTON

Trading Standards Team
Public Protection Division
222 Upper Street
London N1 1XR

Tel : 020 7527 4028
Email : doug.love@islington.gov.uk

Website : www.islington.gov.uk

Our ref: OP270912

Date: 02/10/12

Bulent Dag
Deniz 1 Supermarket
520 Holloway Road
London
N7 6JD

Dear Mr Dag,

Warning Letter

Thank you for attending the Licensing Officers' Panel meeting last week.

You were called to the meeting after you sold an alcoholic drink to a 16 year old boy who was assisting Trading Standards. Evidence of some breaches of the conditions on your licence was also observed on the day.

Since the sale you have voluntarily attended a PACE interview and subsequent (unannounced) checks of your business showed you were now complying with licence conditions.

The Panel recognised the improvement in compliance and encouraged you to maintain the good start. Specifically:

- **Adopt a 'Challenge 25' policy** and instruct your staff to require anyone they think may be younger than 25 to produce proof of age. This gives you a margin of error, so adopting this should prevent you inadvertently selling to someone under 18 without checking for proof of age.
- **Ensure all staff are thoroughly trained** about the law and how to avoid sales of age-restricted goods to children and that **records are kept** of their training. The DVD and the Training Record Book in the guidance pack will help you do this.
- **Regularly remind staff of their training** and record these reminders – for instance when you asked them to read and sign the Turkish language summary of our advice – in the book, also. It is a fact that even staff who have been trained and know the law sometimes make mistakes and I would advise you to keep raising the subject until you are certain that it has become second nature for your staff to assess the age of anyone buying age restricted goods; to challenge them to produce proof of age; and to check the proof of age is suitable
- **Ensure that refusals are recorded.** There is a 'Refusals book' in the pack which should be used to record brief details every time a sale is refused.
- **Monitor the use of the Refusals records.** If it is not being used by one of your staff, you will know they are either ignoring the instruction to use it, or not following their training by challenging young buyers properly. Regular and obvious monitoring of the book may also

provide regular reminders to your employees of the requirements to challenge for proof of age and refuse sales where appropriate.

This letter concludes the matter, but please be warned that there will be more test purchases attempted over the next few months. If there is another sale, the business partners may be prosecuted and / or the licence may be reviewed.

Please provide any information to us that may help us identify anyone who tries to sell you illegal alcohol or tobacco – for example, telephone numbers, vehicle registrations; CCTV recordings may all be useful. I'd also be happy to receive information about other shops selling these goods. This will help us find them and help protect honest businesses from unfair competition. Any information we receive will, of course, be treated in complete confidence – we will never say who it came from.

If anything in this letter requires further explanation or you need further advice, please contact me. I would much prefer to help businesses by working with them to ensure the law is kept, rather than taking action when it is broken.

Yours sincerely,

Doug Love
Islington Trading Standards



ISLINGTON

Environment and Regeneration

Trading Standards Service
Public Protection Division
222 Upper Street
London N1 1XR

Licensing Team
Public Protection Division
222 Upper Street
London
N1 1XR

T 020 7527 3874
F 020 7527 3038
E doug.love@islington.gov.uk
W www.islington.gov.uk

Please reply to: Doug Love
Our ref:
Your ref:

Date: 27/02/13

Dear Sir or Madam

S51 LICENSING ACT 2003: Application for review of premises licence

Deniz 1 Supermarket, 520 Holloway Road, N7 6JD

Islington Trading Standards wishes to apply to have the premises licence of the business trading as Deniz 1 Supermarket reviewed. In June and December 2012 the business sold alcohol to underage test purchasers working with Trading Standards.

The enclosed document is our formal application for the review. Copies have also been submitted to the people and agencies listed below.

Please contact **Doug Love** (details above) in relation to this matter.

Yours faithfully

David Fordham
Service Manager Trading Standards

The Licence holder for the business
Licensing Office of Islington Police
London Fire and Emergency Planning Authority
Health & Safety Team (G Weaver)
Development Control Team, Islington Council
Noise & Pollution Team, Islington Council
The Child Protection Team, Islington Council
Public Health
Licensing Team, Islington Council

Licensing Act 2003

**Representation from NHS North Central London (Islington Public Health) on behalf of health bodies providing services in Islington
Deniz1,580 Holloway Road, N7 6JD**

I am submitting a representation in respect of the above premises in respect of a sale of alcohol to a person aged under 18 years during a Trading Standards test operation at the above premises. These premises are located in the Holloway and Finsbury Park cumulative impact area.

This representation is on behalf of NHS North Central London's Islington Public Health Department, which as a health body is a responsible authority.

The impact of alcohol on young people is particularly great in Islington with some of the greatest levels of alcohol-related problems in London, including:

- The highest rate of alcohol-specific hospital admissions for under 18s in London
- A significantly higher rate of alcohol-related ambulance callouts for under 18s compared to the London average

The grounds for the representation are:

- The protection of children from harm

The relevant policies in Islington's Licensing Policy

- Licensing policy 13: Standards of management and the sale of alcohol to underage children
- Licensing policy 25: Children and alcohol

The Chief Medical Officer's guidance on alcohol advises that an alcohol free childhood is the healthiest and best option. This is because there is well documented evidence of the association between alcohol consumption and harm to children and young people aged under 18.ⁱ

Alcohol use in young people, especially in those who drink heavily is associated with a range of health risks including:

- injury,
- poisoning,
- depression and
- damage to the developmental process.ⁱ

It is also associated with an increased likelihood of having sex and at a younger age, unprotected sex, teenage pregnancy, and the likelihood of contracting sexually transmitted infections.ⁱ

Alcohol use in young people is also associated with risk behaviours including:

- injuries from accidents or from fighting,
- perpetrating or being the victim of alcohol-related crime and violent crime,
- involvement in anti-social behaviour, and
- poor school attendance and poor performance at school.ⁱ

There is evidence that early age of drinking onset is associated with an increased likelihood of developing alcohol misuse or dependence in adolescence and adulthood, and with dependence at a younger age.

48% of young people aged between 11 and 15 reported buying alcohol from any source in the 2010 *Smoking, drinking and drug use among young people in England* survey. Of these, 16% had bought alcohol from an off licence and 12% from a shop or supermarket.ⁱⁱ This demonstrates that off-licences (and shops licenced to sell alcohol) can play a significant role in underage access to alcohol.

There is international evidence to suggest that higher levels of alcohol outlet densities are associated with increased access to alcohol by young people through commercial outlets as well as through peer and family networks.ⁱⁱⁱ

The sale of alcohol to under 18s is an issue in the borough and between 30th June 2012 and 8th March 2013, Islington Trading Standards reported sales to under-18s being made in 39 out of 130 test purchases (30%).

The licensing policy emphasises restricting access to alcohol for children under 18 as a high priority in Islington in order to help reduce the anti-social behaviour and health issues associated with underage drinking.

The impact of underage drinking in Islington

Alcohol-Specific hospital admissions

Over the period between 2008/09 and 2010/11, there were 72 young Islington people aged under 18 admitted to hospital with an alcohol-specific condition (i.e. a condition caused by alcohol, rather than one exacerbated by alcohol). This figure does not include those who only attended Accident and Emergency and were not admitted.

When expressed as a rate, this equates to 70.9 per 100,000 population aged under 18. This was the highest rate among the London boroughs, and was significantly higher than in London as a whole, where the rate was 35.7/100,000, although not significantly higher than the England rate 55.8/100,000.

Whilst the rate in Islington has increased between 2005/06 – 2007/08 and 2008/09 – 2010/11, the rate in England has declined, with a small decline also seen in London over the same period.

Alcohol-related ambulance incidents

Between February 2012 and January 2013 there were 44 alcohol-related ambulance callouts for young Islington people aged between 13 and 17, a crude rate of 5.5 per 1,000 13-17 year olds. This is significantly higher than the London rate of 3.5 per 1,000. Of those alcohol-related ambulance callouts, 34 of 44 resulted in young person being conveyed to hospital.

Conclusion

Islington experiences some of the highest levels of alcohol-related harm among children and young people in London, and sales of alcohol to under-18 year olds is a significant source of alcohol for young people.

Rates of hospital admissions as a result of alcohol among young people are high, and have increased in recent years.

The Islington Licensing Policy states that licensees supplying alcohol to underage young people can expect the Licensing Authority to impose additional controls and sanctions and repeat offenders run the risk of their licence being reviewed. Islington Public Health, fully supports the review of this licence.

Recommendation

NHS North Central London's Islington Public Health Department recommends that:

1. The committee takes account of the impact of alcohol-related harm to under-18s in Islington in considering the recommendations made by Trading Standards.

ⁱ Chief Medical Officer. Guidance on the Consumption of Alcohol by Children and Young People. Department of Health, 2009

ⁱⁱ Fuller, E. (Ed) Smoking, drinking and drug use among young people in England in 2010. NHS IC, 2011

ⁱⁱⁱ Chen M-J, Gruenewald PJ, Remer, LG. Does Alcohol Outlet Density Affect Youth Access to Alcohol? Journal of Adolescent Health, 2009;44(6):582-589

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 **Robin CLARK** URN:

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer 181475**

This statement (consisting of: ... **1** 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 anything in it which I know to be false, or do not believe to be true.

Signature: Date: **14.12.2012**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Robin Clark and I am a Police Sergeant with the Metropolitan Police Service. I currently work as a Licensing officer at Islington Police Station. I have been given this specific responsibility by the Borough Commander who is acting under the written delegated authority of the Commissioner of Police for the Metropolis. A copy of this authority has been lodged with Islington Council Legal Department.

This statement is submitted in response to the review application made by the Mr David Fordham of Islington Council Trading Standards Service regarding the premises Deniz 1 Supermarket, 520 Holloway Road, N7 6JD.

I have read the information provided by Mr Fordham of Islington council and agree with his concerns over the management of the business, the fact that they have continued to sell to youths under the age of 18 without making any challenge is very worrying. This shop is situated in an area that suffers from anti social behaviour, youth gang issues and street drinking problems, as such Islington police would expect a high standard of management of licensed premise in this area and in my opinion the management of this premise fails to meet that standard. The review has been brought under the objective of protection of children from harm but it could be argued that by selling to children you also fail to prevent crime and disorder and to protect the public from nuisance. A high proportion of crime and disorder is caused by children who have consumed alcohol as they are not equipped to deal with the physical or emotional affects of alcohol. As such I submit that having been given a chance to remedy the poor management of the business they have failed to do so and revocation would be a proportionate measure in this case.

Signature: Signature witnessed by:

Continuation of Statement of **Robin CLARK**.....

[Empty rectangular box for content]

Signature: Signature witnessed by:

2003(1)

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:
Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **Yes.** If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter:
(obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **45NI 181475 Robin CLARK** Station: **NI**

Time and place statement taken:

Suggested conditions

As per current licence save for any amended by the new suggested conditions.

Suggested conditions in respect of the trading standards review application.

1. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the display of posters.
2. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
3. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
4. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

