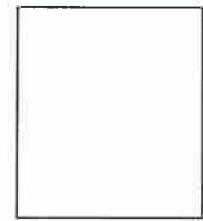




SHEFFIELD CITY COUNCIL Committee Report



Report of:	Chief Licensing Officer, Head of Licensing
Date:	Tuesday 30 th January 2018
Subject:	Licensing Act 2003 Application for the Review of a premises licence
Author of Report:	Clive Stephenson
Summary:	To consider an application for the review of a premises licence submitted by South Yorkshire Police.
Recommendations:	That members carefully consider the application for review along with any other representations made and take such steps that the Committee consider necessary for the promotion of the Licensing Objectives
Background Papers:	Attached documents
Category of Report:	Open

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

- 5.1 The Licensing Act 2003 at section 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the 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;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

- 5.5 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

- 5.6 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published Statement of Licensing Policy and any guidance issued by the Secretary of State under Section 182.

6.0 HEARINGS REGULATIONS

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.

6.3 Attached at Appendix 'C' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

7.0 APPEALS

7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

8.0 RECOMMENDATIONS

8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.



Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

Appendix A

The Application

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[Insert name and address of relevant licensing authority and its reference number (optional)]

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, Ian Armitage (for and on behalf of the Chief Constable, South Yorkshire Police) 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 one – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description. SHEFFIELD CONVENIENCE STORE, 111 WEST STREET	
Post town Sheffield	Post code (if known) S1 4EQ
Name of premises licence holder or club holding club premises certificate (if known) SENTHILNATAAL PERIYASAMY	
Number of premises licence or club premises certificate (if known) CWC14-00070	

Part 2 – Applicant details

I am

please tick yes

1) an interested party (Please complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) A body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

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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)

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

Surname First names

Please tick yes

I am 18 years old or over

Current address

Post Town Post Code

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

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

A3

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Force Headquarters Carbrook House Carbrook Hall Road Sheffield S9 2EH
Telephone number (if any) 01142523163
E-mail (optional) ian.Armitage@southyorks.pnn.police.uk

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

Please tick one or more boxes Y

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

Please state the ground(s) for the review (please read guidance note 1)

The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives:-

Prevention of Public Nuisance
Protection of Children from Harm
Public safety
The prevention of crime and disorder

Please provide as much information as possible to support the application (please read guidance note 2)

14/06/17 2230 PREMISES FAILED TP OP.

BETWEEN FAIL AND OFFICERS ATTENDING TO ISSUE FPN AND PERSON WHO HAD SERVED HAD LEFT THE PREMISES AND NO ONE COULD GIVE HIS DETAILS AND STATED THAT HE WAS TRAINING.

THERE WERE TWO PEOPLE PRESENT IN THE PREMISES ONE WAS A HALLAM UNI STUDENT AND THE SECOND WAS FOUND TO BE ILLEGAL AFTER HIS VISA HAD EXPIRED AND NOT RENEWED.

On Monday 17th July 2017, a police test purchase operation took place within Sheffield City Centre. During that operation, a police volunteer under the age of 18 years old entered the premise and purchased a bottle of wine. The member of staff did not request any form of identification in order to verify the age of the volunteer nor ask their age. The offender was dealt with by way of a fixed penalty notice. In their interview with the officer, their defence was "I didn't know that wine was an age restricted product".

At 19.36 on the 28th of November 2017 South Yorkshire Police ran another test purchase operation at Sheffield convenience store, again the store failed this test. A FPN was issued to a staff member at 19.50. In interview the staff member replied to the question, do you remember selling this item " I remember selling the item to the boy who was with a girl the boy had a beard"

This is the third test purchase failure in the space of five months.

AS

Please tick Y yes

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

If yes please state the date of the application

Day Month Year

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

AG

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities
In addition, the premises licence holder or club holding the club premises certificate,
as
Appropriate
- I understand that if it do not comply with the above requirements my application
Will be rejected

IT IS AN OFFENCE, LIABLE ON CONVITION 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 (please read guidance not 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date.....

.....

Capacity

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) Ian Armitage SYP Licensing Team Carbrook House, Carbrook Hall Road	
Post town Sheffield	Postcode S9 2EH
Telephone number (if any) 01142523163	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Ian.Armitage@southyorks.pnn.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about the application.

AS7

PREMISES CHRONOLOGY

Name of premises: Sheffield Convenience store

Address: 111 West Street Sheffield

Date of intel input	Time of incident	Comment	Reference
14/6/2017	22.30	PREMISES FAILED TP OP. BETWEEN FAIL AND OFFICERS ATTENDING TO ISSUE FPN AND PERSON WHO HAD SERVED HAD LEFT THE PREMISES AND NO ONE COULD GIVE HIS DETAILS AND STATED THAT HE WAS TRAINING. THERE WERE TWO PEOPLE PRESENT IN THE PREMISES ONE WAS A HALLAM UNI STUDENT AND THE SECOND WAS FOUND TO BE ILLEGAL AFTER HIS VISA HAD EXPIRED AND NOT RENEWED. No FPN ISSUED DUE TO THE MALE WHO SOLD THE ALCOHOL LEAVING THE STORE AND THE COUNTRY	
15/6/2017		1 On the 15 th of June 2017. Pc Briggs and John O'Malley the alcohol licensensing manager at South Yorkshire Police attended the location to recover the cctv from the night before, and a male identified himself as a Manikandaprabhu Periyafamy 17/10/1984 who is a personal license holder for the premises. Both Pc Briggs and Mr. O'Malley found the male to be obstructive to them whilst they went about their duties.	

17/07/2017	14.48	The premises was tested within a month of the last failure, the premises failed once more and a FPN was issued to the member of staff a RAJU PANDURANGA . FPN number 01480300474720 by PC 3163	
06/08/2017		On 06/08/2017 between 02:11 and 03:34 hours, an unknown person has used a stolen bankcard in 11 separate transactions to purchase goods from the store. An Officer attended the convenience store, requested CCTV on 08/08/2017, and was told by the storeowner he would download it. They then re-attended on 28/08/2017 to collect and was told it was not ready. The storeowner was contacted who said he would sort it. On 30/08/2017, a phone call was received from the owner who asked the officer to go and speak to him. They attended the store and he informed them that he had seen the footage but was unable to download it as it had disappeared. He told me that he would try to retrieve it but has not contacted me and have been unable to contact him.	
13/9/2017		Cheryl Topham from SYP licensing dept. and Julie Hague from Sheffield safeguarding attended to discuss a meeting reference an action plan being put in place to assist the premises with any issue.	
11/10/2017		All managers and staff to undertake formal staff training in respect of safeguarding children and vulnerable people and in relation to alcohol sales and other high-risk products provided by SSCB, This be completed on the 12/10/2017.	
20/10/2017		A MEETING WAS HELD AT CARBROOK WITH CHERYL TOPHAM, JULIE HAGUE, JOHN O'MALLEY, PATRICK ROBSON (SOLICITOR REPRESENTING SHEFFIELD CONVENIENCE STORE) AND MR PERIYASAMY (PLH/DPS). THIS MEETING WAS TO SIGN UP THE	

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		<p>ACTION PLAN THAT HAD BEEN AGREED VIA EMAIL IN THE FIRST INSTANCE. IT HAS BEEN AGREED THAT AS OF MID NOVEMBER, THEY CAN DROP OFF NEEDING A PERSONAL LICENSE HOLDER PRESENT ON A SUNDAY AND HOPEFULLY SIGN OFF IN FULL MID DEC. MEETING TO SIGN OFF THE ACTION IS ON 18TH DEC. I HAVE ADVISED MR PERIYASAMY THAT CHECKS WILL BE MADE ON SPEC AT THE SHOP TO ENSURE THE ACTIONS ARE BEING COMPLIED WITH. A TRAINING PROGRAMME HAS BEEN DEvised IN CONJUNCTION WITH THE SOLICITOR, WHICH I HAVE A COPY OF AND THIS IS KEPT IN THE PREMISES LOG IN G DRIVE ALONG WITH THE SIGNED ACTION PLAN.</p>	
25/10/2017	17.33	<p>IAN ARMITAGE ATTENDED THE PREMISES TO CHECK POINTS ON THE ACTION PLAN ARE BEING ADHERED TO. CHALLENGE ADOPTED WITH SIGNAGE REFUSALS BOOK SEEN WITH ENTRIES. THERE WERE SOME GAPS WHERE SIGNATURES SHOULD BE SO ADVISED RE THIS. ON IANS ARRIVAL AT 1733, THERE WAS NO PERSONAL LICENSE HOLDER PRESENT, WHICH THE ACTION PLAN STATES THERE SHOULD BE; THE PREMISES LICENSE HOLDER ARRIVED AT 1750 AFTER BEING STUCK IN TRAFFIC. 50 MINS AFTER THE TIME SPECIFIED OF WHEN A PLH SHOULD BE ON THE PREMISES. IAN CHECKED THE ID OF THE MEMBER OF STAFF WORKING, ALL OK. NO IMMIGRATION ISSUES. IAN CHECKED THE FILE RELATING TO STAFF AT THE PREMISES, ALL IN ORDER.</p>	
12/11/2017	00.50	<p>LICENCE CHECK. DPS PRESENT SENTHILNATAAL PERIYASAMY. HE WAS NOT IN POSSESSION OF HIS PERSONAL LICENCE OR A COPY OF HIS CURRENT PREMISES LICENCE. HE PROVIDED A PHOTO OF HIS PERSONAL LICENCE BUT SAYS HE KEEPS IT IN A FILE AT HOME. HE STATES HE HAS NO PREMISES LICENCE AS THE COUNCIL HAVE NOT</p>	

		PROVIDED THIS TO HIM IN 8 MONTHS.	
24/11/2017	23.00	IAN ARMITAGE ATTENDED LOCATION TO CHECK THE DPS WAS ON SITE RE THEIR ACTION PLAN, ON MY ARRIVAL THE DPS A SENTHILNATAAL PERIYASAM WAS JUST ENTERING THE PREMISES AFTER BUYING SOME GOODS FROM A LOCAL SUPERMARKET, HE STATED THAT HE HAD BEEN OFF THE PREMISES A MATTER OF 5 MINUTES. OTHER WISE ALL IN ORDER AT THIS TIME	
28/11/2017	19.36	South Yorkshire Police held a test purchase operation on the 28/11/2017 in the Sheffield city centre area, Sheffield Convenience store was tested at 19.30 and once again, staff failed and sold alcohol to a young person. The staff member was issued a fixed penalty notice number 0148000542032, this was issued to a Miss Disha Anand the ticket was issued by PC 1973.	

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BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

- **Sheffield Convenience Store**
- **111 West street Sheffield S1 4EQ**
- **Senthilnataal Periyasamy**

Respondent

WITNESS STATEMENT OF

Ian Armitage

I am the Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, and Sheffield.

Due to the premises failing Three (3) test purchases and breaches of their license conditions in a 5 month period, it has been decided to apply for a review of the current license.

This statement records all their Test Purchasing, Intervention and Reports of Underage Sales...

- 1 On the 14th of June 2017 the premises was tested in a South Yorkshire Police test purchase operation. At 22.30 a police volunteer entered the premises and sought to buy alcohol, this was sold to the volunteer by a member of staff in the premises without asking for any ID to prove the volunteer was 18 year old, this is contrary to section 146 of the 2003 licensing act. The member of staff was approached by PC 3206 and informed that he had committed a offence and a

fixed penalty notice would be issued, on checking the males ID it was found that the male was actually a illegal immigrant and he was arrested for this offence. After the males arrest a third male who had been rang by a member of staff turned up and stated it was his uncles shop who was in India, and he couldn't work the shops cctv system.

- 2 On the 15th of June 2017. Pc Briggs and John O'Malley the alcohol licensing manager at South Yorkshire Police attended the location to recover the cctv from the night before, and a male identified himself as a Manikandaprabhu Periyafamy 17/10/1984 who is a personal license holder for the premises. Both Pc Briggs and Mr. O'Malley found the male to be obstructive to them whilst they went about their duties.
- 3 After the last failure on the 14/6/2017, the staff were informed that there would be another test purchase operation held within three months of the last failure. This was held on the 17/07/2017 at 14.48hrs. A police volunteer entered the premises and sought to purchase alcohol, again the volunteer was served alcohol and was not asked for ID or proof of age, the volunteer purchased a bottle of Gallo wine at the cost of 6 pounds 49 pence, this is contrary to section 146 of the 2003 licensing act. At 14.54 PC 3163 entered the premises and notified a RAJU PANDURANGA MUNDLAPATI that he had committed a offence by selling alcohol to a person under the age of 18.

Mr. Mundlapati was then issued a FPN by Pc 3163. The member of staff was issued with an information pack, containing information about safeguarding, and the sale of alcohol to underage persons, courses available to licensed premises to train staff in the above subjects.
- 4 On the 6/08/2017 between 02.11 and 03.34 a unknown person used a stolen bank card on 11 occasions to purchase goods from the store. On the 08/08/2017 a officer attended to view cctv and was told they would download it for the officer, the officer reattended on 28/08/2017 and was told the cctv footage was not ready

on 30/08/2017 the officer received a phonecall asking the officer to attend the store. The officer was told by the staff member that he had seen the footage but could not download it as it had disappeared, the staff member said he would try and retrieve it but despite the officer trying to contact the store for this footage, nothing as been forthcoming to this date. The stores licensing conditions state that, **A colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. CCTV footage shall be downloaded and provided to South Yorkshire Police on request. Members of the management team will be trained in the use of the system.** I feel that this one incident alone shows the lack of managerial skill,that the management at the premises show.

- 5 Due to recent issues My Colleague, Cheryl TOPHAM and Julie Hague of Sheffield Children safeguarding team attended the premises on 13/9/2017 to discuss the possibility of a meeting, so an action plan could be discussed and offer any help to address the premises issues. They also reminded the manager about the training available to them free of charge, the details of the training was in the packs handed to staff members at the time of the test purchase failures.
- 6 All managers and staff to undertake formal staff training in respect of safeguarding children and vulnerable people and in relation to alcohol sales and other high risk products provided by SSCB This was completed on 12/10/2017
- 7 On 20/10/2017 A MEETING WAS HELD AT CARBROOK WITH Cheryl TOPHAM, JULIE HAGUE, JOHN O'MALLEY, PATRICK ROBSON (SOLICITOR REPRESENTING SHEFFIELD CONVENIENCE STORE) AND MR PERIYASAMY (PLH/DPS). THIS MEETING WAS TO SIGN UP THE ACTION

PLAN THAT HAD BEEN AGREED VIA EMAIL IN THE FIRST INSTANCE. IT HAS BEEN AGREED THAT AS OF MID NOVEMBER THEY CAN DROP OFF NEEDING A PERSONAL LICENSE HOLDER PRESENT ON A SUNDAY AND HOPEFULLY SIGN OFF IN FULL MID DEC. MEETING TO SIGN OFF THE ACTION IS ON 18TH DEC. I HAVE ADVISED MR PERIYASAMY THAT CHECKS WILL BE MADE ON SPEC AT THE SHOP TO ENSURE THE ACTIONS ARE BEING COMPLIED WITH. A TRAINING PROGRAMME HAS BEEN DEvised IN CONJUNCTION WITH THE SOLICITOR. A copy of the action plan will be attached to the application.

- 8 ON 25/10/2017 AT 17.33 I ATTENDED THE PREMISES TO CHECK POINTS ON THE ACTION PLAN ARE BEING ADHERED TO. CHALLENGE 25 SIGNS IN PLACE BUT I SUGGESTED THAT MORE SHOULD BE AROUND THE SALE POINT.
- 9 REFUSALS BOOK SEEN WITH ENTRIES. THERE WERE SOME GAPS WHERE SIGNATURES SHOULD BE SO ADVISED RE THIS.
- 10 ON MY ARRIVAL AT 1733 THERE WAS NO PERSONAL LICENSE HOLDER PRESENT WHICH THE ACTION PLAN STATES THERE SHOULD BE, THE PREMISES LICENSE HOLDER ARRIVED AT 1750 AFTER BEING STUCK IN TRAFFIC. 50 MINS AFTER THE TIME SPECIFIED OF WHEN A PLH SHOULD BE ON THE PREMISES.
- 11 I CHECKED THE ID OF THE MEMBER OF STAFF WORKING, ALL OK. NO IMMIGRATION ISSUES. I CHECKED THE FILE RELATING TO STAFF AT THE PREMISES, ALL IN ORDER.
- 12 On Tuesday 28/11/2017 South Yorkshire Police held a test purchase operation in Sheffield city centre. At 19.36 a 17 year old police volunteer attended the premises with the intention to purchase alcohol. The volunteer approached the sales point and purchased a bottle of WKD BLUE valued at £2.99, at no time did

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the sales assistant ask the volunteer for any ID or challenged them about the age of the volunteer. At 19.50 PC 1973 entered the premises and notified the sales assistant that she had committed a offence under the 2003 Licensing act, namely selling alcohol to a underage person. PC 1973 then issued a FPN to a Miss Disha Anand 28/09/1993 the number of the fpn is 01480300542032.

13 I am concerned that although , on paper , the DPS is a Mr. Senthilnataal Periyasamy he has never been at the premises on any visit, and lives in Chester so can not have a hands on approach to management and is not able at short notice to be involved or respond to any incident. I believe that Sheffield convenience Store are operating without a responsible management team.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated..

DEVELOPMENTAL PLAN
Licensing Act 2003

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1. Date	13 th Sep 2017
2. Premises	Sheffield Convenience Store
3. Designated Premises Supervisor	SENTHILNATAAL PERIYASAMY
4. Premises Licence Holder	SENTHILNATAAL PERIYASAMY
5. South Yorkshire Police representative	Cheryl Topham
6. Sheffield Safeguarding Officer	Julie Hague

Outline and Purpose

This action plan is an agreement between all the parties identified above to provide a framework of assistance and guidance to ensure compliance with the licensing objectives in respect of licensable activities conducted at Sheffield Convenience Store, West Street, Sheffield.

This Action Plan is suggested to the Premise Licence Holder (PLH) and Designated Premises Supervisor (DPS) as a means of reducing police and safeguarding concerns regarding recent failed test purchase operations at the premise whereby under 18's have gained access and purchased alcohol. The action plan has been composed with a view to promoting and supporting better compliance with the licensing objectives and/or any conditions imposed by the Licensing Authority.

The failure by the DPS/PLH to abide by the action plan, or any of its components without due cause or reasonable excuse together with raised concerns as to the non-compliance with any conditions of a licence or with the licensing objectives, may result in an application by the Police to the Licensing Authority, to review the the licence.

Background

On Wednesday 14th June 2017 a police test purchase operation took place within the Sheffield City Centre. During that operation a volunteer under 18 years entered the premises and purchased Koppaberg fruit cider. The member of staff did not request any form of identification in order to verify the age of the volunteer nor ask their age. When officers went in the shop to speak to the member of staff to issue the Fixed Penalty Notice, he had left. The other staff members there either couldn't or wouldn't give the officers his personal details so they could issue the FPN at a later date.

When officers went in the shop to deal with the seller on the 14th June, there were two people present, one was a hallam uni student and the second was found to be illegal after his visa had expired and not renewed.

A third male turned up stating the shop was for sale who was in India and no one could

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operate the cctv.

The male who was in the country illegally was arrested and he asked if he could change. He was followed downstairs where there was a made bed (double mattress) microwave, toiletries and other items to suggest that someone had been living in the basement which we suspect was the male arrested.

No license could be produced as they stated that they had not received it as yet.

On 15th June officers attended the shop again to attempt to review CCTV in relation to the staff member who sold on the Test Purchase on 14th June. The staff member on duty said he was a Personal License Holder but could still not operate CCTV to show officers

On Monday 17th July 2017 a police test purchase operation took place within Sheffield City Centre. During that operation a police volunteer under the age of 18 years old entered the premise and purchased a bottle of wine. The member of staff did not request any form of identification in order to verify the age of the volunteer nor ask their age. The offender was dealt with by way of a fixed penalty notice. In their interview with the officer their defence was "I didn't know that wine was an age restricted product".

On 06/08/2017 between 02:11 and 03:34 hours an unknown person has used a stolen bank card in 11 separate transactions to purchase goods from the store. An Officer attended the convenience store and requested CCTV on 08/08/2017 and was told by the store owner he would download it. They then re-attended on 28/08/2017 to collect and was told it was not ready. The store owner was contacted who said he would sort it. On 30/08/2017 a phonecall was received from the owner who asked the officer to go and speak to him. They attended the store and he informed them that he had seen the footage but was unable to download it as it had disappeared. He told me that he would try and retrieve it but has not contacted me and have been unable to contact him.

Methodology

South Yorkshire Police will facilitate the improved compliance by regular consultation with the DPS (if necessary) to ensure the elements of the action plan are satisfied and to address any delays or issues relating to its implementation.

Further meetings will take place including the DPS/PLH and a South Yorkshire Police representative on a regular basis after the implementation of the action plan to review its progress.

Upon the satisfactory completion of the action plan, the DPS/PLH will be informed, in writing, of its formal discharge or other actions to be taken.

Number	Action required	Date to be Achieved by	Completion Date	Remarks
1	A Challenge 25 must be adopted, with posters displayed to this effect throughout the premise/entrance/ Point of Sale	With immediate effect		
2	To request proof of age from anyone subject to no 1. above.	With immediate effect		
3	All managers and staff to undertake formal staff training in respect of safeguarding children and vulnerable people and in relation to alcohol sales and other high risk products provided by SSCB	Next available course 11.10.17	Completed – 12/10/17	Contact Julie Hague on (0114) 2736753 or e mail Julie.hague@sheffield.gov.uk date to be offered 11/10/17
4	All training records to be kept up to date and produced on request by the police or the council. Training records must specify the name and role/qualification of the trainer, date delivered, a summary of the content of the training or learning outcomes, the name of the learner and date training received. A staff training programme must be in place, including induction training and refresher training and these sessions must be recorded as above.	Within 3 months		
5	An up to date refusals book to be kept and produced to the police or council on request. This must be checked regularly by management and	With immediate effect		

	signed off by them.			
6	<p>Unless in the event of an emergency or an occasion as notified to the Police (anticipated of being no more than once a month), a Personal Licence holder will be on site:</p> <ul style="list-style-type: none"> o Between 17:00 and 22:00 Sundays , Thursdays and Wednesdays; o From 20:00 until 04:00 the following mornings on Fridays and Saturdays. 	With immediate effect		
7	<p>Details of all staff who work there to be kept on site including name, address, DOB, Nationality and work permit details. Also see their original passport and permission to work, keep photocopies of any documentation on site. Do these checks every 6 months.</p>	With immediate effect		

The signatories below agreed this action plan and all its components

1. Date	
2. Designated Premises Supervisor	

Staff training pack
on
under age sales

Sheffield Convenience Store, 111 West Street, Sheffield, S1 4EQ

Training on under age sales

This training is for all members of staff selling alcohol and age restricted products.

A) Training aim

To ensure every staff member is aware of which products cannot be sold to underage persons and to use the Challenge 25 age verification system to establish a customer's age where appropriate.

B) Trainer brief

1. Allocate at least 15 minutes to spend with each staff member.
2. Follow the training steps with each staff member – this is to be 'one on one' only.
3. Ensure everyone signs the training sign off sheet at the end of the training and place this with the training records.

C) Training steps

Under no circumstances can alcohol be sold to persons aged under 18 years old. This is the law and there are no exceptions to this. Staff must take all possible steps to make sure that this does not happen.

1. Consequences of underage sales

Discuss the consequences of allowing underage sales to take place at the shop and that preventing underage sales is vitally important in promoting the licensing objectives of the:

- prevention of crime and disorder; and
 - protection of children from harm.
- a. Legal implications
 - i. Fixed penalty notice (£90) for seller;
 - ii. Prosecution for seller;
 - iii. Disciplinary for seller – potentially resulting in dismissal;
 - iv. Prosecution for business; and
 - v. Review of premises licence for not promoting the above licensing objectives.
 - b. Fines
 - i. Fixed penalty notice for seller;
 - ii. Prosecution for seller – Court can impose unlimited fine; and
 - iii. Prosecution for business – Court can impose unlimited fine.
 - c. Social responsibility
 - i. Children are more vulnerable when drunk;
 - ii. They may supply to even younger children; and
 - iii. They may be more inclined to commit anti-social behaviour.

2. Age restricted products

Discuss age restricted products sold at the premises and show the trainee where these are located.

Product	Minimum age to buy
Alcohol	18
Cigarettes / tobacco	18
Solvents	18
Gas lighter refills	18

3. Challenge 25 policy

Discuss the Challenge 25 policy and what this entails i.e. that ID must be checked for customers that look under 25 when selling them an age restricted product and that the sale will be refused if no acceptable ID is produced.

All staff must follow the Challenge 25 Scheme without exception. It is a condition on the premises licence and therefore a legal obligation.

Point out the Challenge 25 posters around the shop – use this opportunity to review their location and appropriateness.

4. What forms of ID are acceptable as proof of age?

Discuss what forms of ID are acceptable as proof of age. These must contain:

- photo of customer;
- date of birth of customer; and
- either hologram or ultraviolet feature.

Discuss what forms of ID are accepted as proof of ID by the business:

- passports;
- photo driving licences; and
- proof of age scheme cards carrying the PASS hologram.

Explain that even then the seller must be vigilant that the ID is not fake or borrowed from an older sibling or friend etc.

Explain advisable steps to take when ID has been produced:

- compare photo to the person's face;
- check eye colour of the customer matches the photo;
- check the date of birth to ensure customer is over 18;
- check ID is current and valid. If a card, licence or passport has expired then it is not valid ID;
- ask to see other forms of ID e.g. does the signature on a debit or credit card match the signature on the ID produced;
- check for tampering. Are there raised edges around the photo indicating a picture has been added on top of the original?
- signs of fake ID
 - number or words fuzzy or misspelt;
 - photo has red eye;
 - holograms flake when scratched; and
 - bubbles under lamination.

Further tips for checking a driving licence:

- look for the letters DVLA;
- check the surname and numbers are raised;
- ensure the card has a hologram;
- check the driving licence words (the word 'permit' is an indicator of fake); and
- check the date of birth (a person can have a driving licence before 18).

Explain to the staff member that if in doubt, refuse service.

5. Completing the refusals log

Demonstrate how to complete the refusals log in the event of a refused sale. Explain this must be completed after every refused sale to prove due diligence in the face of potential prosecutions. Explain it should be kept near the till.

Completing the refusals log is a condition on the premises licence and therefore a legal obligation.

6. Reiterate that under 18s must not be sold age restricted products

Explain that if the shop is caught selling products to underage customers the individual seller and business could all be in trouble as covered at the start of the training.

Explain the authorities regularly conduct test purchases to check compliance.

Explain that staff should also be alert to the risk of 'proxy sales' – that is an adult (or other person) buying the product on behalf of the under 18.

Reiterate that if in doubt, refuse the sale.

7. Trainee to complete quiz

Print off a copy of the quiz and ask the staff member to complete it.

For any wrong answers provide feedback and ensure errors are understood. If necessary, repeat the training.

If they get more than one answer wrong, take them through the training and quiz again.

Place the completed quiz with the staff member's training records.

8. Trainee to complete 'Age verification policy - staff declaration'

Print off a copy of the 'Age verification policy staff declaration' and have the trainee read it carefully. Answer any questions they may have.

Request them to add their name and date and sign the form.

Place the completed declaration with the staff member's training records.

9. Refresher training

'Refresher' training must take place for each staff member at least once every 12 months and records must be kept of this. The process is the same as the initial training provided to a staff member.

Completion of refresher training is a condition on the premises licence and therefore a legal obligation.

Quiz – underage sales

Trainee name	
Date	
Premises name	Sheffield Convenience Store, 111 West Street, Sheffield, S1 4EQ

Score:
_____ / 10

Circle your answer(s). One point per correct answer.

Question	A	B	C	D
Circle the age restricted products...	Beer/cider	Cigarettes	Wine	Spirits
To buy alcohol a person must be aged...	16	17	18	21
To buy cigarettes and tobacco a person must be aged...	16	17	18	21
To buy a potentially intoxicating solvent a person must be aged...	16	17	18	21
If I am caught selling alcohol to an underage person I could be fined by the Court up to...	£10	£100	£5,000	There is no limit to the fine
If I suspect someone is under age I must...	Ask for ID	Ask how old they are	Sell them the product anyway	Call for my manager
The Challenge 25 policy means...	I must request ID from anyone appearing over 25	I must ask for ID from customers at least 25 times per day	I must request ID from anyone appearing under 25	I must accept any one of 25 types of ID if produced
If I have seen their ID and I am still in doubt I must...	Refuse the sale	Ask for more ID	Sell them the product anyway	Call for my manager
The customer has produced ID which is not a passport, driving licence or PASS card, I must...	Accept the ID	Refuse the sale	Sell them the product anyway	Call for my manager
If I refuse a sale I must...	Take no further action	Complete the refusals log book	Call the police	Ban the customer

Trainee signature: _____



Age verification policy - staff declaration

Staff member name	
Premises name	Sheffield Convenience Store, 111 West Street, Sheffield, S1 4EQ

The sale of alcohol to a child (a person aged under 18) is an offence which may lead to a prosecution and fine. Such a sale could also lead to a Review of the premises licence and could result in the licence being suspended or revoked.

Senthilnataan Periyasamy operates an 'age verification policy', in terms of which you must require production of an acceptable proof-of-age document if you are in any doubt as to whether a person seeking to buy alcohol, cigarettes or any other age restricted product is less than 25 years of age.

Only the following documents are acceptable for proof-of-age purposes:

- passports;
- photo driving licences; and
- proof of age scheme cards carrying the PASS hologram.

If no such document is produced or if you have a suspicion that the document presented is not genuine, or has been tampered with or has been altered, then you must refuse the sale.

Declaration:

I confirm that I received the training on prevention of under aged sales and understand:

- **what age restricted products are sold at the store;**
- **the Challenge 25 policy and what this means;**
- **what forms of ID are acceptable as proof of age;**
- **that when I refuse a sale the refusals log book will be completed as soon as reasonably practicable.**

I understand that failure to comply with my training and selling an age restricted product to a person under 18 will be treated as gross misconduct and may lead to my dismissal from my employment.

Signed:

Name:

Dated:

Appendix B

Current Premises Licence

Licensing Act 2003 Premises Licence

Issue No: 1

SY002516 PR

LOCAL AUTHORITY



Licensing Service
Place Portfolio
 Block C Staniforth Road Depot
 Staniforth Road
 Sheffield
 S9 3HD
 Tel: 0114 2734264
 Email: licensing@sheffield.gov.uk
 Website: www.sheffield.gov.uk/licensing

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

Part 1 - Premises Details

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

Sheffield Convenience Store

111 West Street, Sheffield, S1 4EQ

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
I. Late night refreshment (Outdoors)			
	Sunday	11:00pm	5:00am
	Monday	11:00pm	5:00am
	Tuesday	11:00pm	5:00am
	Wednesday	11:00pm	5:00am
	Thursday	11:00pm	5:00am
	Friday	11:00pm	5:00am
	Saturday	11:00pm	5:00am
J. Supply of alcohol for consumption OFF the premises only			
	Sunday	Midnight	Midnight
	Monday	Midnight	Midnight
	Tuesday	Midnight	Midnight
	Wednesday	Midnight	Midnight
	Thursday	Midnight	Midnight
	Friday	Midnight	Midnight
	Saturday	Midnight	Midnight



ANNEXES

Annex 1A - Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

Where a licence authorises the sale of alcohol then no supply of alcohol may be 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.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
 - “children” means persons aged under 18; and
 - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Condition effective from 28th May 2014:

1.A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2.For the purposes of the condition set out in paragraph 1-

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;



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Licensing Act 2003 Premises Licence

Issue No: 1

SY002516 PR

ANNEXES continued ...

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

Annex 1C - Mandatory Conditions effective from 1st October 2014:

- 1.-(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.-(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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 either-
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-



BS

Licensing Act 2003 Premises Licence

Issue No: 1

SY002516 PR

ANNEXES continued ...

- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. A Colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 30 days and Police and Authorised Officers of the Council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. CCTV footage shall be downloaded and provided to South Yorkshire Police on request. Members of the management team will be trained in the use of the system. A copy of the specification dated July 2016 will be available at all times for inspection of the Police and Authorised Officers.
3. Log register / record of refusals book and training will be used and kept behind the counter.

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

1. Challenge 25 to be in operation at the premises.
2. The glass curtain restricting access to alcohol is to be in position at all times the shop is open.

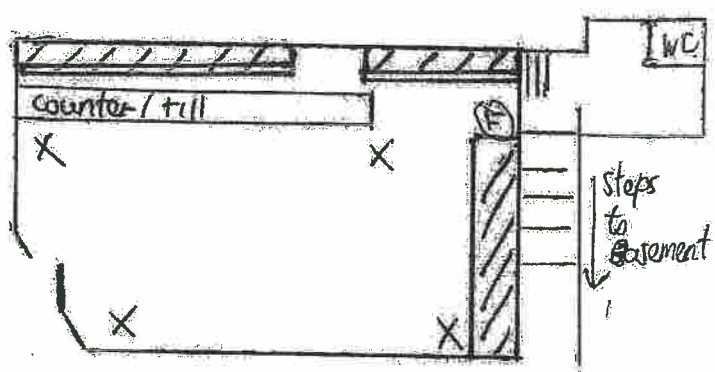
ANNEX 4 - Plans

Sheffield Convenience Store, 111 West Street
Date: 02/12/2016



Sheffield Convenience store, 111 West Street
Sheffield S1 4EQ

Date: 02/12/16



KEY	
⊙ F	- fire Extinguisher
X	- camera points
▨	- proposed area of alcohol
Scale 1:100 1cm = 1m	

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Licensing Act 2003

Issue No: 1

Premises Licence Summary SY002516 PR

LOCAL AUTHORITY



Licensing Service
Place Portfolio
 Block C Staniforth Road Depot
 Staniforth Road
 Sheffield
 S9 3HD
 Tel: 0114 2734264
 Email: licensing@sheffield.gov.uk
 Website: www.sheffield.gov.uk/licensing

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

Premises Details

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

Sheffield Convenience Store

111 West Street, Sheffield, S1 4EQ

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
I. Late night refreshment (Outdoors)			
	Sunday	11:00pm	5:00am
	Monday	11:00pm	5:00am
	Tuesday	11:00pm	5:00am
	Wednesday	11:00pm	5:00am
	Thursday	11:00pm	5:00am
	Friday	11:00pm	5:00am
	Saturday	11:00pm	5:00am
J. Supply of alcohol for consumption OFF the premises only			
	Sunday	Midnight	Midnight
	Monday	Midnight	Midnight
	Tuesday	Midnight	Midnight
	Wednesday	Midnight	Midnight
	Thursday	Midnight	Midnight
	Friday	Midnight	Midnight
	Saturday	Midnight	Midnight



Licensing Act 2003

Issue No: 1

Premises Licence Summary SY002516 PR

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	Midnight	Midnight
Monday	Midnight	Midnight
Tuesday	Midnight	Midnight
Wednesday	Midnight	Midnight
Thursday	Midnight	Midnight
Friday	Midnight	Midnight
Saturday	Midnight	Midnight

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you MUST ONLY operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

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

Senthilnatail Periyasamy
20 Whitchurch Road, Great Broughton, Chester, CH3 5QA.

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

Senthilnatail PERIYASAMY

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

Restricted

LICENCE DATES

This premises licence shall be in force from 26 January, 2017
Issued on 13 June, 2017



Steve Lonnia
Head of Licensing Services
On behalf of Sheffield City Council (Issuing licensing authority)

Appendix C

Hearing Notices / Regulations / Procedures

Notice of hearing to consider an application for review of premises licence and any relevant representations

Senthilnataal Periysamy
C/O Patrick Robson
John Gaunt & Partners
Sheffield

Emailed – PRobson@john-gaunt.co.uk

The Sheffield City Council being the licensing authority, on 6th December 2017 received an application for a review of a Premises Licence in respect of premises known as Sheffield Convenience Store 111 West Street Sheffield S1 4EQ

During the consultation period the Council has received representations from the South Yorkshire Police and Sheffield City Council Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **Tuesday 30th January 2018 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 8th January 2018

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:
The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

South Yorkshire Police Licensing
Carbrook House
Sheffield

Emailed - Sheffield.Liquor-Licensing@southyorks.pnn.police.uk

The Sheffield City Council being the licensing authority, on the 6th December 2017 received an application for a review of Premises Licences in respect of premises known as Sheffield Convenience Store 111 West Street Sheffield S1 4EQ

During the consultation period the Council received representations from South Yorkshire Police Licensing and Sheffield City Council's Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday the 30th January 2018 at 10.00am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

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Dated 8th January 2018

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD.

Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Julie Hague
Sheffield Childrens Safeguarding Board
Sheffield City Council

Emailed - Julie.hague@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 6th December 2017 received an application for a review of Premises Licences in respect of premises known as Sheffield Convenience Store 111 West Street S1 4EQ

During the consultation period the Council received representations from South Yorkshire Police Licensing and Sheffield Safeguarding Children Board

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday the 30th January 2018 at 10.00am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2)
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 8th January 2018

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD. Email – licensing@sheffield.gov.uk

04

NOTES

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify, but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

05

Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
 - (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
 - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants and other parties to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) There will then be a private session for members to take legal advice and consider the application.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Appendix D

Safeguarding Children Board Representation.

Copy



22nd June 2017

The Designated Premises Supervisor
Sheffield Convenience Store
114 West Street
Sheffield S1 4EP

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: The Designated Premises Supervisor Sheffield
Convenience Store, q114 West Street, Sheffield S1 4EP**

I am writing to inform you that 2 places have been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or other responsible Manager at the above premises. The workshop is free of charge and will take place as follows:

Date: Wednesday 5th July 2017

Time: 1pm to 4pm

Venue: Conference Room, Floor 1, Howden House, Union Street, Sheffield S1 3SH

On arrival at Howden House please report to 'First Point Reception' and you will be escorted to the training room.

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.

CONTINUED .../

D4

- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol/cigarettes must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 3rd July 2017 to confirm the name of the persons who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely

**JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board**



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7.12.17

The Licensing Authority
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot, Sheffield S9 3HD

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sirs

REPRESENTATION IN RESPONSE TO AN APPLICATION TO REVIEW THE PREMISES LICENCE: SHEFFIELD CONVENIENCE STORE, 111 WEST STREET, SHEFFIELD S1 4EQ

I am writing to make a representation on behalf of the Safeguarding Children Board (SSCB) as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is the evidence that alcohol has been repeatedly sold to children under the age of 18 years at this premises.

There are well established health and personal safety risks to children and young people in relation to alcohol and the Safeguarding Children Board takes a serious view of premises at which the management fails to demonstrate due diligence in relation to the protection of children from harm.

The Safeguarding Children Board has attempted to support the operator and engage in partnership work in order to improve operational standards at the premises: In response to a failed test purchase operation on 14.6.17, the Designated Premises Supervisor was provided information about how to obtain free multi agency training provided by the Safeguarding Children Board; this was provided by South Yorkshire Police as a routine response to failed test purchase operations. In addition to this, the Designated Premises Supervisor was sent a letter offering free staff training on 5.7.17, however despite the information pack and subsequent offer letter, no one attended the training (documents at annex 1 (a) and (b) refer). On 17.7.17 I attended a further test purchase operation with South Yorkshire Police and was present when Sgt Burdett issued a fixed penalty notice to a member of staff because the premises had failed, having sold a bottle of wine to a young female under the age of 18 years. I noted that the member of staff had stated that he didn't know that wine was an age restricted product and that he should not have sold to the young female. Due to concerns about staff training and levels of management competence, I attended a meeting at the premises with the Designated Premises Supervisor and Ms Topham of South Yorkshire Police on 13.9.17. During this meeting a remedial action plan was discussed in principle and a detailed explanation was given to the Designated Premises Supervisor about what is required in order to operate a recognised age verification scheme, including staff training and adequate supervision of staff. It was emphasised that a robust age verification and staff training scheme is essential in order to protect children, to uphold the licensing objectives and to protect the business.

D2

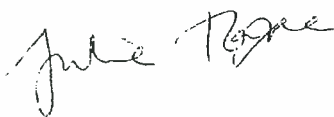
On 27.9.17 a training offer letter was sent to the Designated Premises Supervisor and on 12.10.17 the DPS, Mr Senthilnataal Periyasamy and a member of staff, attended the multi agency training.

On 20.10.17 I attended a meeting with representatives of South Yorkshire Police, Mr Senthilnataal Periyasamy and his solicitor Mr Patrick Robson. All aspects of the action plan were discussed and an agreement was negotiated. However, on 26.10.17 I was informed by Ian Armitage of South Yorkshire Police, that during an unannounced visit on 25.10.17 it had been noted by Mr Armitage that the premises was not fully compliant with the agreed action plan.

The Safeguarding Children Board is concerned that despite the Designated Premises Supervisor having received verbal and written advice, an information pack and multi agency training, operational standards have failed to improve, to the extent that a further sale of alcohol was made to a child under the age of 18, on 28.11.17.

In light of the support given to the premises management and ongoing concerns regarding persistent underage sales of alcohol to children, the Safeguarding Children Board is writing to request that the Licensing Sub Committee takes positive action to protect children from the risk of harm evidenced to be presenting at this premises.

Yours faithfully



JULIE HAGUE
Licensing Manager, Sheffield Safeguarding Children Board

5.7.17 Annex 1b. **D^S**

Name of Premises	Address of Premises	Name of Attendee	Print name:	Signature:
Nayabs	289 Buchanan Road Parson Cross, Sheffield S5 8AU	The Manager		
Paris	Carver Street Sheffield (David Davies)	Google Business confirmed		
Paris	Carver Street Sheffield (David Davies)	Staff Member - confirmed		
Paris	Carver Street Sheffield (David Davies)	Staff Member - confirmed		
Paris	Carver Street Sheffield (David Davies)	Staff Member - confirmed		
Pen Nook Pub	Helliwell Lane Deepcar	Google Business (Premises Staff)	Print name: APOLS REC'D	
Pen Nook Pub	Helliwell Lane Deepcar	One Staff		
Phil Yin	Mr Phil Yin 19 Regent Street, Sheffield S1 4DA	Google Business confirmed		
Phil Yin	Mr Phil Yin 19 Regent Street, Sheffield S1 4DA	One Staff		
Queenscourt Limited (KFC Sheffield)	1st Floor Kirkland House, 11-15 Peterborough Road, Harrow	A Cockayne		
Queenscourt Limited (KFC Sheffield)	1st Floor Kirkland House, 11-15 Peterborough Road, Harrow	One Staff		
Sheffield Convenience Store		Phil Yin	Phil Yin	Phil Yin
SADACCA	The Wicker Sheffield	Google Business		
SADACCA	The Wicker Sheffield	One Staff TSEMO		
SADACCA	The Wicker Sheffield	One Staff		
SADACCA	The Wicker Sheffield	One Staff		
Sheffield Convenience Store	The DPS Sheffield Convenience Store 114 West Street, S1 4EP	DPS		
Sheffield Convenience Store	The DPS Sheffield Convenience Store 114 West Street, S1 4EP	One Staff		

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