

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

LICENSING

17 MAY 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 John Malone

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Hoylake Convenience Store & Off License, 24-26A Hoylake Road, Bidston, Wirral, CH41 7BX.	
Post town Birkenhead	Post code (if known) CH41 7BX

Name of premises licence holder or club holding club premises certificate (if known) Robert Leyland

Number of premises licence or club premises certificate (if known) LN/206000575

1) a responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Wirral Trading Standards Wallasey Town Hall Brighton Street Wallasey CH44 8ED
Telephone number (if any) 0151 691 8640
E-mail address (optional) Johnmalone@wirral.gov.uk

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

Please tick one or more boxes

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

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

Licence representations made by Trading Standards follow a protocol agreed between the local authority and Merseyside Police and considered by Wirral's Environment Overview and Scrutiny Committee on the 28th January 2009. A copy of the protocol is attached at 1.

On 18th February 2009 a sale of a 700ml bottle of WKD blue was made to an 14 year old volunteer acting on the instructions of Trading Standards. The volunteer had to specifically ask for the alcohol which is stored behind the till. The seller, Anne marie Kelly was later issued with an £80 Penalty Notice for Disorder. A copy of the interview is attached at 2.

The Designated Premises Supervisor (DPS), Gaynor Marie Hinchcliffe and the Premises Licence Holder Robert Leyland were interviewed by Trading Standards and explained the steps they take to prevent underage sales of alcohol. Copies of the interviews are attached at 3 and 4 respectively.

Ms Hinchcliffe confirmed during a tape recorded interview that there is no refusals register in place, staff training is done on an ad hoc basis and there are no training records in place for staff members. The CCTV system is currently broken and there is a lack of Think 21 posters despite being provided with a training pack by Trading Standards in August 2007.

A report has been submitted for prosecution for a breach of section 146 of the Licensing Act 2003

SEEKING A LICENCE REVIEW WHILST OFFENCES ARE BEING INVESTIGATED

The following advice is available at page 85 of the guidance issued by the DCMS under section 182 of the Licensing Act 2003 (attached at 5)

11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals

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

LICENSING OBJECTIVE - THE PROTECTION OF CHILDREN FROM HARM

The purpose of prohibiting the sale of alcohol to under 18s is to protect young people from harm and to protect the wider community from anti-social behaviour.

The DCMS guidance (attached at 6) states;

11.25 There is **certain criminal activity** that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

For the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people

Harm to young people

In 2007 Trading Standards Northwest, an umbrella organisation for Trading Standards authorities, commissioned research into the alcohol purchasing and drinking habits of 15 and 16 year olds. In total 11,724 questionnaires were returned and the following results were noted;

29% who drank alcohol admitted to having been violent whilst drunk - this figure rose to 32% amongst young males.

15% claimed to have been in a car with a young person who had been drinking.

12% stated that they had regretted having sex after drinking alcohol

EXERCISE OF DUE DILIGENCE WITHIN THE PREMISES

The store was advised during a Trading Standards visit in August 2007 about displaying Think 21 posters and implementing and maintaining a refusals register. A refusals register has not been implemented. The only poster on display was advertising Pass approved citizencard. They were also made aware of a free training session at Wallasey Town Hall in September 2007. No one from the store attended.

On the 10th February 2009 the premises were invited to a further free training session to be held at Birkenhead Town Hall. No response was received from the premises however, the DPS was made aware of the training session following the sale and she attended on 4th March 2009.

The training session covers their legal responsibilities under the Licensing Act 2003 and provides practical guidance to prevent the sale of alcohol e.g. effective staff training, maintaining up to date training records, use of a refusals book, adopting a Think 25 policy.

In view of the fact that they have received advice visits and invitations to the free training sessions there is a clear failure to implement staff training or maintain a refusals log.

A suspension of the licence for a short period of time may be a justified action until such time as staff undergo sufficient training.

PROPOSED LICENCE CONDITIONS

In view of gaps in good practice Trading Standards ask that the following conditions be attached to the licence;

- 1 The Premises must adopt a Think 25 policy and display of the appropriate posters.
- 2 The Premises must only accept a passport, a photo driving licence or PASS accredited identification in support of till checks.
- 3 The Premises must maintain a refusal log with regular checks by responsible authorities on request to ensure that it is being used.
- 4 Staff must attend training on underage sales provided by Trading Standards.
- 5 All staff working at the premises must receive regular updated training in respect of preventing the sale of alcohol to persons under 18 years of age and training records kept and maintained.
- 6 Records of training must be supplied to the Licensing Authority when this training has taken place.
- 7 The Premises Licence Holder shall maintain an adequate CCTV system. Access to the system will be made available to responsible authorities at their request.
- 8 That the Designated Premises Supervisor successfully complete Level 2 National Certificate for Designated Premises Supervisors

Please tick yes

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

If yes please state the date of that application

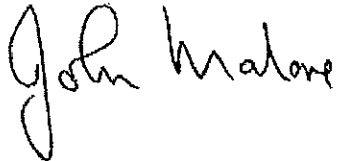
If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

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

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

Part 3 – Signatures (please read guidance note 3)



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

Date 1st May 2009

Capacity Trading Standards Manager

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

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 this application.

Licence review application

**Hoyle Convenience & Off Licence, 24-26 Hoyle Road, Bidston,
Wirral, CH41 7BX**

CONTENTS

Licence review application

Attachments

- 1 Licence review protocol
- 2 Copy of PACE interview with Annemarie Kelly
- 3 Copy of PACE interview with Gaynor Marie Hinchcliffe
- 4 Copy of PACE interview with Robert Leyland
- 5 Paragraph 11.24 of DCMS guidance
- 6 Paragraph 11.25 of DCMS guidance

SCHEDULE 1

REGULATION OF THE SALE OF ALCOHOL TO PERSONS UNDER 18

INTRODUCTION

The Department of Culture, Media and Sports have issued guidance concerning the application of licensing procedures. In relation to the licensing objective for the protection of children from harm this guidance states:

There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises: for the purchase and consumption of alcohol by minors, which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.

(Paragraph 11.25 Guidance issued under section 182 of the Licensing Act 2003 by The Department of Culture, Media and Sports)

In view of the importance of this stated public policy objective the following indicates the framework for the regulation of the sale of alcohol to minors.

CRIMINAL PROCEEDINGS - AN OFFENCE UNDER SECTION 146 OF THE LICENSING ACT 2003

Decisions to prosecute for offences of selling alcohol to under 18s will be taken in accordance with Wirral's enforcement policy. (Currently under review). A decision to issue a penalty notice for disorder will be taken on a case by case basis.

All our decisions will have regard to current statutory guidance and codes of practice, particularly the Regulators' Compliance Code, the Code for Crown Prosecutors and the Human Rights Act.

Test purchasing activity will follow guidance issued by LACORS.

(A practical guide for those organisations involved in the conduct of test purchasing operations involving young people and the sale of age-restricted products Date of Issue: April 2006)

APPLICATION FOR A REVIEW OF A PREMISES LICENCE - ESCALATION PROCESS

The purpose of the Licence review escalation process is to provide an internal framework to ensure that licence reviews are sought in a proportionate and consistent manner.

The function of the licensing authority is not only remedial but where, crime is involved, wider considerations come into play, including the prevention of crime, and, if not punishment, at least deterrence.

(R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D) 350

All licence review applications will have regard to the guidance issued under section 182 of the Licensing Act 2003 by The Department of Culture, Media and Sports.

Licence review escalation process		
Sale of alcohol to a minor	Application of diligence in the premises	Use of premises licence review procedure
1 st sale	Good diligence in place	Warning/advisory letter to the premises licence holder outlining licence review process
1 st sale	Poor application of diligence or no diligence in place	Review of the premises licence to consider the addition of conditions to ensure good practice
2 nd sale in a 12 month period	Good diligence in place	Review of the premises licence to consider the addition of conditions to ensure good practice
2 nd sale in a 12 month period	Poor application of diligence or no diligence in place	Review of the premises licence to consider suspension or revocation for breach of conditions

PERSON SERVING NOT OWNER

SELLER DETAILS

Full Name: ANNEMARIE KELLY

Home Address: 29 MERCER ROAD
BIDSTON / BIRKENHEAD.

Post Code: CH43 7SL

Telephone Number: 0151 653 0568

Date and Place of Birth: 16 / 08 / 77 BIRKENHEAD.

Position: SALES ASSISTANT.

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response YES.

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response YES. QUITE HAPPY.

Time Of caution: 14:44 am/pm

Persons present: JAMES GARRETT.

Q What is your position in the business?

Response SALES ASSISTANT. A NEW ONE.

Q Did you know it was an offence to sell intoxicating liquor to persons under the age of 18?

Response YES.

AB.

This is
Ref. No.
Exhibit No.
Referred to in my statement
Signed Dated



I'VE HAD A REALLY BAD DAY.
I'VE GOT A POORLY KID, WENT TO TESCO AND SHE SLICED
HER LEG OPEN - I'M WORRYING ABOUT HER.

Q Why did you sell intoxicating liquor to this child?

Response I DIDN'T REALISE SHE WAS SO YOUNG. I ALWAYS ASK
I FEEL TERRIBLE. I'D HATE ANYBODY TO SERVE MY CHILD.

Q Did you make any enquiries regarding the age of the purchaser on this occasion?

Response DON'T THINK I DID YOU KNOW.

If yes, what enquiries took place? If no, why not?

~~_____~~
~~_____~~
~~_____~~

Q Are you paid a wage by the licensee?

Response YES. I ONLY DO 4 HOURS / WEEK.

Q How long have you worked in this shop?

Response APPROX. AUGUST 2008.

Have you been given any instructions by the owner(s) of this shop about selling intoxicating liquor to persons under 18 years of age?

YES, WE WERE TOLD TO ASK FOR I.D.

Q If yes, what were these instructions?

Response _____
~~_____~~
~~_____~~
~~_____~~

Response _____

Q Did you know it was an offence to sell intoxicating liquor to persons under the age of 18?

Response _____

Q Why did you sell Intoxicating liquor to this child?

Response _____

Q Did you make any enquiries regarding the age of the purchaser on this occasion?

Response _____

If yes, what enquiries took place? If no, why not?

Q Do you have a refusals book?

Response _____

Q How long have you been trading from these premises?

Response _____

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence. Do you wish to make any comment?

Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: _____ **Time:** _____ **Date:** _____

Witnessed:

Name: _____ **Time:** _____ **Date:** _____

Name: _____ **Time:** _____ **Date:** _____

UNDERAGE INTOXICATING LIQUOR SALES

Premises Visited: HOYLAKÉ CONVENIENCE STORE & OFF LICENSE

~~Name:~~

Address: 24-26A HOYLAKÉ ROAD

BIDSTON, WIRRAL

Post Code: CH41 7BX 0151 670 9026

Date of Visit: 18/02/2009 Time: _____

Item(s) Purchased: 1 x 700ml WKD BLUE

Price: £ 3.09

I am (name): ANDREW BUSHELL from ^{TRADING STANDARDS} ~~Merseyside Police~~. You have

just sold this 14 year old child (show photograph Ref

No:) intoxicating Liquor (enter details) 1 x 700ml WKD BLUE

~~Date and Place of Birth:~~ _____

It is an offence to sell intoxicating liquor to someone under 18 years of age. I therefore need to speak to you about this matter.

Age Check material displayed? Yes No "NO ID NO SALE" CITIZENS CARD APPLICATION FORMS.

Q Are you the licensee of this shop?

Response Yes Go to YELLOW sheets (licensee made sale)

Yes Go to GREEN sheets (employee made sale but licensee interview)

No Go to PINK sheets (employee made sale)

LICENSEE OF PREMISES/LICENSEE MADE SALE

OWNER DETAILS

Full Name: _____

Home Address: _____

Post Code: _____

Telephone Number: _____

Date and Place of Birth: _____

Ownership Details: Sole Trader/Partnership/Ltd Company

Name(s): _____

Home Address/ Registered Office: _____

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response _____

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response _____

Time Of caution: _____ am/pm

Persons present: _____

Q What is your position in the business?

Q Were these instructions given to you in writing?

Response DON'T THINK SO. DON'T REMEMBER SIGNING ANYTHING.

Q When were you last reminded about the law about selling intoxicating liquor by the owner (s)?

Response ~~THIS JUST AS~~ I DON'T KNOW.

Q How was this reminder given to you?

Response VERBALLY.

Q Does the owner ever test to see if you know what the law is about selling intoxicating liquor to children? If, yes how does (s)he do this?

Response NO. DON'T KNOW IF HE DOES WITH THE

OTHERS. I'M ONLY HERE 4 HOURS A WEEK, THE

OTHER STAFF WORK LONGER HOURS.

Q Do you have a refusals book? (If yes, ask to see it)

Response I DON'T THINK SO.

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence? Do you wish to make any comment?

Response NO.

Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: A. Kelly Time: 2.54 Date: 18.2.09

Witnessed:

Name: A. M. Hall Time: 14.54 Date: 18/02/09

Name: J. A. Cantell Time: 14.54 Date: 18/2/09

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METROPOLITAN BOROUGH OF WIRRAL

TRADING STANDARDS

RECORD OF PACE TAPE RECORDED INTERVIEW

NAME & ADDRESS OF PERSON INTERVIEWED: Gaynor Marie Hinchcliffe 43 Hebrin Road Birkenhead Wirral	PLACE OF INTERVIEW: Wallasey Town Hall, Wallasey Wirral CH44 8ED
D.O.B OF INTERVIEWEE: 09/08/1962	DATE OF INTERVIEW: 03.03.2009
TIME COMMENCED: 10.15am TAPE REF. NO: JAG3 INTERVIEWING OFFICER: James Garrett – Assistant TSO	CONCLUDED: 10.32am EXHIBIT REF. NO: JAG4 OTHER PERSON(S) PRESENT: Andrew Bushell – Senior ATSO

DECLARATION: This record consisting of 12 pages is the exhibit JAG4 referred to in my statement made and signed by me.

Officers Name: JAMES GARRETT

Signature: J.A. Garrett

- JG This interview is being tape recorded I am James Garrett and the other officer present is?
- AB Andrew Bushell
- JG What is your full name please?
- GH Gaynor Marie Hinchcliffe
- JG and your address?
- GH 43 Hebrin Road, Bidston, Birkenhead
- JG and your date of birth?
- GH 9.8.62
- AB Sorry can you repeat your address for us it is just that bit slower it is because the tape has got to pick it up?



GH 43 Hoblin Road, Bidston, Birkenhead

AB Thank you

JG The date is the 3 March 2009 and the time is 10.15 am. This interview is being conducted in an interview room at Wallasey Town Hall at the conclusion of the interview I will give you a notice explaining what will happen to the tapes. At this point I now must caution you. You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest and you may leave at any time and you may obtain legal advice before answering any questions, do you understand all that?

GH I do

JG Ok at approximately 2.20 pm on Wednesday the 18 February 2009 as part of a Trading Standards test purchase operation 2 volunteers entered Hoylake Convenience and General Stores on Hoylake Road and a 14 year old volunteer was sold a 700 ml bottle of WKD Blue. Can you just confirm to me your role at Hoylake General Store?

GH I am the licensee for Hoylake Stores

JG and how long have you been the licensee?

GH About 3 – 4 years now...I can't remember to be truthful with you

JG Was that as the Designated Premises Supervisor?

GH Yes

JG Have you worked anywhere else at all?

GH No

JG Have you had any previous experience of selling age restricted products at all?

GH Before I worked there?

JG Yes

GH No

JG None at all?

GH No

JG Have you undergone the BIIAB Course have you?

GH Yes

JG Can you tell me how old someone has to be before you can legally sell alcohol to someone?

GH 18

JG Do you as DPS conduct any training yourself at all?

GH No but if somebody starts new the age is like a 21 policy if they don't look 21 always ask for id if they don't have any id we don't serve them

JG Ok and is that just done with new members of staff is it?

GH All of us know that yeah

JG Right how regularly do you train your staff?

GH Well the staff have worked there for a long time really except for the new girl Anne Marie

JG Right

GH But she was aware that she shouldn't have sold it

JG Ok

AB So the Think 21 is done as a new member of staff starts

GH Yes

AB So you told them them and then

GH Yes

AB you are happy for them to work in the shop?

GH Yes

JG Do you operate refresher training then with the staff ...you are saying there that there is some older members of staff you know I mean would they have just been told initially you know...what I am trying to get at is how regular is the training....or reminders?

GH Oh all the time it is all the time really

JG How often is all the time?

GH Well once every couple of weeks

JG Ok

AB That is just verbal is it ...you remind them?

GH Yes

AB As far as think 21 when they start they are given a little bit of information...training

GH Yes

AB if you like but from then on it is just an ad hoc verbal reminder

GH Yes

AB There is no formal training?

GH No

AB at a regular basis

JG So there is nothing written down at all anywhere?

GH Yeah we have got a form up an Over 21 form up

JG How do you mean like a poster?

GH Yeah a poster thing by the till

JG Ok just staying with the point of training at the minute is there anything written down...do any of the staff have training records at all?

GH No, No

JG Ok in respect of the seller Anne Marie Kelly how long has she worked at your store?

GH Last year about August or September

JG Ok and what training has she undergone in respect of alcohol and other age restricted products with yourself?

GH Only you know the 21 policy and that is if they don't look 21 don't sell it to them or ask for id first you know

JG Ok, and have you spoken to Anne Marie Kelly since the sale?

GH Yes

JG and what was said?

GH I am disgusted that she sold it really cos you know what I mean we have sold it for a while and we have never had any trouble apparently she knew when she did it but she had had a bad day or we were thinking of sacking her but it is not fair really she knows now

AB Unlikely to do it again do you think?

GH Pardon?

AB Anne Marie is unlikely to do ...

GH Oh definitely she won't do it again no

JG Do you have any till prompts in place at all you know it is like an epos system where you scan the product and then it flashes up with an age check on the till?

GH No

JG You said about posters there can you just tell me what if any posters you have got up around the store?

GH No it is just a thing with leaflets in it you know to get the id that you need

JG The citizen card?

GH Yes

JG Ok

GH and there was another one on the door but I don't think it is on the door now ...an over 21 policy ?????? don't sell alcohol unless you are 21 unless you have got id

JG Ok is there any thing else you want to add on at this point?

AB Not to do with the posters no

JG Ok do you have a refusals register or a refusals log in place?

GH A book

JG Yes a book or a refusals log

GH To be truthful we did have a book ages ago but I know everybody there and so do the people who work there cos we have worked there for

years and we know everyone around the area and we never really used it to be truthful it is only on the odd occasion that we do knock people back you know if someone new comes in that we don't know ...only that really

JG Do you work in the store yourself?

GH Yes

JG Ok how often do you work in the store?

GH I only work 6 hours a week really

JG Right

GH Cos I have got me little grandson so

JG How many people work in the store?

GH 5 of us altogether

JG 5 of you and are they mostly part time?

GH Yes

JG How do you know they are making refusals if you are there only a short time in a week?

GH Well I am always in and out of there but they tell me

JG Right ok

GH and to be truthful we don't really knock people back cos we know everybody it is only like if a stranger comes into the shop if you know what I mean if he doesn't look 21 then they will knock him back

JG But there is nowhere for them to log it basically even if a stranger came in there is no where really for them to ...

GH Just don't serve them and send them on

JG Yeah but it is not noted down anywhere

GH Well we could sort that out and get the book back up and going I suppose

AB Who works the most hours in the shop then...Anne Marie Kelly?

GH No she only does a couple of hours

AB 2 hours a week

GH No she does 4

AB and you do 6 so that covers 8 hours in a week, who does the majority

GH Maureen, there is Maureen, Linda and Jackie

AB They do the rest between the 3 of them?

GH Yes

AB Ok

JG Have staff been made aware at all about this refusals register or refusals log or is it just basically...

GH Yes because when we first got the licence and when we first started selling alcohol we did have the book but to be truthful we never ever wrote in it so we haven't bothered since

JG Ok

GH But we will get that back

JG and that was just based on the reason that you tend to know people locally?

GH Yes cos we have all lived up there all our lives if you know what I mean so...

JG Right ok are you familiar with what are the acceptable forms of id or proof of age

GH Yes picture id with the age on it

JG Ok such as give us an example

GH Driving licence, passport I wouldn't accept a birth certificate cos no picture you see

JG Ok yes that is right and as I say there is passport, driving licence and

GH Student card

JG well citizencard tend to be the approved ones with the pass hologram on them

GH Yes

- AB We recommend not to accept student cards because there are a lot of fake ones about or
- GH Is there?
- AB on the student card but the citizen card is a good one if you want to accept that one
- GH Ok
- AB which is the leaflet that you do have in the shop
- GH Yes
- AB that one there if you accept those cards then you probably can't go wrong really with that card
- GH Yes
- JG Since this sale have you done any thing differently at all or has anything been implemented?
- GH Well we had a meeting about it because of what has gone on and everybody knows it is a 21 policy and to be truthful Anne Marie knew herself
- JG Right ok so have you just basically had a staff meeting and just advised or reminded them of the Think 21 policy?
- GH Yes
- JG Is there anything that you are going to do differently at all in the future?
- GH Well we will get that book going as you said we will get that book going
- JG Yes
- GH em and I don't think we have done anything wrong up to now it was just stupidity on Anne Marie's part to be truthful
- JG Yes...one of my colleagues came out to visit back in 2007 and the exact date was exactly 10 August 2007 and basically did a checklist it was a food visit together with an underage sales visit as well and has basically just done a brief checklist and some of the main points from that was going back to the point of sale posters. Are posters displayed? No...Comments ...Advise could display Think 21 posters in the pack so basically there was a 'no id no sale' pack or a pack anyway left back in August 2007 with yourself enclosing Think 21 posters is there any reason why those aren't up?

- GH I think they was on the door one was up on the door and one was you know when you go in the shop there is like a big like thing with the till on I think there was one there I think may be the kids have ripped them down but we will get more posters and put them up in different places where they can't be damaged.
- JG Ok right because I think when we visited the scene there seemed to be pretty much a lack of any sort of posters at all relating to 21 policies or alcohol sales at all it seemed to be mostly or ...I think the only thing from memory we could see was the just the citizencard application forms. Also going back to the issue of the refusals register it was noted that you kept a refusals register but it wasn't maintained and it was pretty much for the reasons you said and you were advised actually well not you specifically but Jackie Lynch was the person who was seen on that day
- GH Yes
- JG Does she still work there?
- GH Yes
- JG She was advised on that day by one of my colleagues it was in your best interests to keep the record maintained and to use basically the example in the pack there... was there any reason why after that advice it wasn't done?
- GH Well to be truthful we still haven't used it sobut I will make sure it gets up and going I will make sure the posters go up they will definitely be up by tomorrow I think this has given everybody a good shake you know
- JG Ok that is fine I don't think there is anything else I want to comment on that but there isis there anything you want to add about that
- AB Not about this document no
- JG A letter went out to you as well on the 10 February it went to Hoylake General Stores on 24 - 26 Hoylake Road it is dated the 10 February a copy for the benefit of the tape is there relating to an underage sales training course have you seen that?
- GH No, when is it tomorrow?
- JG The training course is tomorrow but the letter is dated 10 February and it relates to an underage sales training course that we are running at Birkenhead Town Hall it is tomorrow. They went out to a variety of premises across Birkenhead and Oxtan and Prenton and the Bidston area and well basically we haven't had a response from yourself, have you got any comment to make on that?

GH I haven't received it that is why then

JG Right ok

AB We will talk after the interview about that because

GH Ok

AB Cos if people can attend then we then we still have got spaces

GH I will come definitely yeah

AB We will talk about that then when we stop the interview

GH Ok then

JG I have got nothing further to add

AB Just a quick one on there do you have any CCTV in the shop?

GH No it is not working

AB It is not working?

GH No

AB Ok

GH It is getting fixed but it is not working at the moment but we did have it

AB Yeah

GH We have got it, it is just that it is broke the video part of it is broke

AB Right when it does work do you have any cameras outside of the shop?

GH No it is all in the shop

AB Ok

GH There is one as you come into the shop and there is one further down but all the alcohol is behind the till anyway

AB Ok am I right in thinking that the alcohol you have is just on that one shelf next to the tobacco gantry?

GH Yes

AB Ok so you don't have any alcohol fridges or such like?

GH Well the fridge is broke as well

AB Oh right ok so if someone wanted alcohol do they have to ask for it or

GH No they have to ask for it yeah it is all behind

AB In the area where your shop is do you have any problems with kids causing trouble?

GH No cos I know everybody you see it is easy to move them on I believe the other fella further up does he has a lot of troublethe police are always there but with us

AB Cos you are local and you

GH Know everybody you see

AB Do you often get young people asking for alcohol?

GH Yes

AB People under 18 trying it on

GH Yes

AB You doand they are I take it...what happens then?

GH Well to be truthful I know a lot of them and I just tell them to get off if you know what I mean

AB Yes

GH and ciggies they do try for ciggies as well

AB As well

GH No I wouldn't serve them

AB The other problem that occurs as well not at your shop in particular but in general is what we call proxy sales and that is when kids will hassle or ask an adult outsidehey mate go and buy us a can of this, go and buy us a bottle of this do you ever have anything going on in that area...

GH No we don't really, no, no

AB Right yeah ok that covers my part yeah

JG I have just got one other question

GH Ok

JG The Premises Licence Holder is Robert Leyland

GH Yes

JG What role if any does he play, does he work in the store at all?

GH No

JG Does he ever show up or

GH Yes he does turn up every day to make sure everything is alright but he doesn't work in the shop

AB Is he the ultimate boss if you like?

GH Yes

AB He is the owner?

GH Yes

JG As I say he does tend to be at the store

GH Yes he does call every day or we have got his number and if there is any problems we just ring him

JG Ok alright I have no further questions have you got anything further to add at all?

GH No

JG Ok in that case if no one has anything further to add I will be switching off the tapes and the time is 10.32 am.

4

METROPOLITAN BOROUGH OF WIRRAL

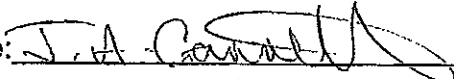
TRADING STANDARDS

RECORD OF PACE TAPE RECORDED INTERVIEW

NAME & ADDRESS OF PERSON INTERVIEWED: Robert Leyland 5 Laird Close Birkenhead Wirral	PLACE OF INTERVIEW: Wallasey Town Hall, Wallasey Wirral CH44 8ED
D.O.B OF INTERVIEWEE: 29.05.1950	DATE OF INTERVIEW: 13.03.2009
TIME COMMENCED: 1.09pm	CONCLUDED: 1.24pm
TAPE REF. NO: JAG6	EXHIBIT REF. NO: JAG6
INTERVIEWING OFFICER: James Garrett	OTHER PERSON(S) PRESENT: Andrew Bushell

DECLARATION: This record consisting of 10 pages is the exhibit JAG6 referred to in my statement made and signed by me.

Officers Name: JAMES GARRETT

Signature: 

JG This is a tape recorded interview I am James Garrett and the other officer is?

AB Andrew Bushell

JG What is your full name?

RL Robert Charles Leyland

JG What is your home address?

RL 5 Laird Close Birkenhead

JG and have you got a postcode?

RL To be honest I can't think of it but I can always get it back to you if you want



JB Ok what is your date of birth?

RL 29.5.50

JG Ok the date is the 13 March 2009 and the time is 1.09pm. This interview is being conducted in an interview room at Wallasey Town Hall at the conclusion of the interview I will give you a notice explaining what will happen to the tapes. You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest and you may leave at any time and you may obtain legal advice before answering any of our questions, do you understand?

RL Yes that is fine

JG Ok at 2.20 pm on Wednesday 18 February 2009 as part of a Trading Standards Test Purchase Operation 2 volunteers entered Hoylake Convenience and Off Licence on Hoylake Road in Bidston and a 14 year old was sold a 700ml bottle of WKD Blue. Can you just confirm to me the type of business...are you a sole trader or Limited Company or are you in a partnership at all?

RL No I am not in a partnership with anybody and I am not a Limited Company

AB So you are the sole owner ...it is a business?

RL Yesthere is no one else involved

JG ok

RL I have been there 6 years and we have never had ...not one blot against us

JG Ok Can you just confirm the name of the business please?

RL Hoylake Stores

AB Ok

RL Why it is called Hoylake Stores I don't know because when I go to a cash and carry people see ...and sometimes you see people from Hoylake and they say where is your shop I didn't know there was a shop in Hoylake I says no it is in Bidston but it is Hoylake Road and the lad who had it before me he named it ... daft really like...

JG and can you confirm you are the Premises Licence Holder?

RL Yes

JG Of Hoylake Stores and Convenience...

RL Yes

JG and you are able to speak on behalf of Hoylake Stores

RL Yes

JG How long have you been the Premises Licence Holder?

RL 6 years... well I have had the shop 6 years I think ...did the licence come a year or two later I am not sure

JG I am not too sure myself

RL It was originally licensed when we took it but we let the licence lapse and then we re applied

JG Ok are you the Premises License Holder or Designated Premises Supervisor at any other premise?

RL No

JG Just this one?

RL Yes

JG Do you know how old someone has to be to purchase alcohol?

RL Yes 18

JG Ok how many Personal Licence Holders work at the store

RL Just me and Gaynor...Gaynor Hinchcliffe you had her in didn't you?

JG Yes... last week

RL She is a smashin' girl

AB In addition to you two are there any other members of staff who aren't Personal Licence Holders but work for you?

RL Yes I have got like 4 girls ...the silly part about it of the 3 girls I have got working for me.... Anne Marie who served the kids which is unbelievable she has worked in an off licence for 18 months. I have got 2 other girls who work for me they work in an off licence and 1 works in a club in Laird Street...Our Ladies

AB Mmm

RL So it just shouldn't happen

AB So she is used to serving alcohol

RL Yes I think she told you she had had a row with her boyfriend Anne Marie the girl who served you, you know the way women get they get in a fizzy she had been to Tesco's, her little daughter fell over banged her leg, she wasthey go to bits they have a little problem they come in and her mind wasn't on things she can't believe it her self what she done

AB Yeah

RL Neither can I but it is done and that is it

JG What do you see your role as within the company as being on the licence as the Premises Licence Holder?

RL Well I don't serve behind the counter I just stock the shop in and out stock the shop make sure everything there make sure everything is alright I am in and out umpteen times during the day, wholesalers, stocking the shelves one thing and another to be honest I couldn't stand being on the till...

AB Dealing with the public do you mean?

RL You know I just...it just doesn't suit me I just couldn't do it you know.... the people are smashin' as I say, we know everybody up there like sometimes you will get ...someone will come in of an evenin' and you know the people and you know they don't buy beer off you and they will suddenly ask and you will see kids outside and we will chase them and we will say to people did them kids ask you to come in and buy somethin' here? er, er I say just leave it, don't it is not just us that gets in trouble you get in trouble

AB Correct

RL Cos you are providing the kids...oh I didn't know I am sorry about that it has happened a couple of times you know ...mainly people know that they can't get away with nothin' cos we know everyone

AB Unfortunately that is quite a common thing with the kids asking outside

RL Yeah, yeah well there is a bus stop you see outside and you get kids congregatin' and you get someone as I say someone you know who just comes in for bread or milk and they will suddenly ask you like for a bottle of WKD or the cheap cider

AB Yes

- RL and you know and you say to them are you getting it for them kids...oh no, no I said well you better hadn't because you have got to watch it
- AB Yes
- RL We will watch you as you go outside, see if you give it to the kid and they go oh it is alright it doesn't matter and the next day he will come back in and say I was going to get something for the kids I apologise and I say well we are trying to run a business ...it is getting harder and harder the way the world is goin' to run a shop
- AB Yes
- RL It is getting harder and harder
- AB Yes
- JG Are you there pretty much every day?
- RL Oh yes every day backwards and forwards 7 days a week yes
- JG Do you yourself have a policy in place about training staff at all or do you pass any information on to the DPS Gaynor Hinchcliffe?
- RL Well they know everything cos like I said they have worked in off licenses as I say Anne Marie worked in Bargain Booze in Laird Street for 18 months
- JG Yes
- RL I mean what can you do I mean I can't be there with them 24 hours a day can i?
- JG But as a policy you have not sort of advised Gaynor Hinchcliffe in her role as DPS that everything she should be doing relating to staff training
- RL Yes Gaynor knows apparently did you send something to the shop some weeks ago for these 2 hour classes that you are doing?
- JG Correct
- RL Yeah well we never got it
- JG Right
- RL I mean I am not kidding you we never got it now that could have gone to the flat above cos we are number 24 - 26 Hoylake Road ...flat above is number 24a and number 26a and often you get new postmen on

who's fillin' in when somebody is on holiday or they have changed postmen and it goes to the wrong place but what I am gonna do ...they are all gonna becoming on classes oh aye yes

JG That might be down to what is on your premises licence actually it says 24 – 26a Hoylake Road is that not right?

RL No that is not us

JG That is not you...right?

RL No we are 24 – 26

JG You probably need to get in touch with licensing and get

RL the address changed

JG because that is what it says

RL Yeah

AB That is an easy change they will be able to change that for you

RL Yes

AB So on our system we may have ended up using what is on your licence to write to you so that is perhaps why.

RK Cos if it has gone to 26a it is the flat above

AB Yeah so what we can do as you say we will make sure that we invite you to the next one and you can get your staff on to that.

RL That will be smashin' we will all be here if I have to get a whip to them

AB Ha

RL honest it is ridiculous we shouldn't be here you know ...I mean you lads are doing your job and that is it that is fine

JG Are you familiar with a Think 21 or a Think 25 policy

RL Yes

JG Could you just explain that to us?

RL Well anyone who we are suspicious of ask for id if they look young...to ask for id they have got to look haven't they...what....21 it is going up all the time isn't it cos of all of these things going on

- AB Yes
- RL you have got to have it that they look 21...the girls they all know that they all know that all I am doing now is repeating to you what they all know and yet it happened it is bizarre.
- JG Ok all I want to do now is go through some of the points that Gaynor Marie.Hinchcliffe raised when she was here last week and we interviewed her. We asked whether she as a DPS conducts training herself she replied basically no but if somebody starts we will tell them about the 21 policy, they ask for id and if we don't have id we don't serve them
- RL Yes
- JG Have you got any comments on that or anything that you want to add?
- RL No that is right
- JG We asked her also whether there was any formal training in place her response simply was no, have you got any comments on that?
- RL Well actually yes what more training does a person need than like the girl who served these kids who worked for 18 months in a Bargain Booze in Laird Street
- JG Yes I think the problems were highlighted...that has come out a few times that a lot of the training is done verbally and there aren't any formal training records
- RL Well we have learnt that now
- JG sort of written staff training
- RL Yes
- JG you know regular refreshers
- RL Yeah, yeah
- JG in terms of writing and questions
- RL you see we never thought this problem would arise because these girls are switched on who work for me ...they are good girls
- JG Yes
- RL I mean she was that cut up...Anne Marie she never told me for 5 days that you's had been in

- AB Yes
- RL and then obviously she had to tell me but she came to the house and seen me and said I av got somthin' to tell ya this was on the Monday after the Wednesday when you's were there and I couldn't believe it and I thought she was absolutely broken hearted
- AB Yeah
- RL now your first thing is ...shall I shout at her should I tell her off for being so stupid but when I seen the state of her you know I more or less broke down I felt sorry for her I do in all honesty because she just couldn't believe that she had done it ...unbelievable
- JG We also asked whether there is a refusals book in place?
- RL Yeah
- JG to basically log the staff refusals her response was we did have a book ages ago but I know everybody there and we never really used it
- RL Yeah
- JG We did have a book to be truthful but we never wrote in it and have never bothered since, have you got any comments on that?
- RL Yes well there is a book in place now and everything will be noted down.
- JG Yes
- RL everything will and these girls will be coming to your next class if we have to hand cuff them
- JG Gaynor Hinchliffe confirmed as well that she works 6 hours a week at the store
- RL Yes
- JG Do you think that is long enough potentially in her role as Designated Premises Supervisor
- RL Emm
- JG to have control over the day to day running of the place?
- RL She is in and out all day in the shop herself
- JG Right

RL Cos they are all friends who work there and she'll swap behind the counter cos they all smoke like I mean I don't smoke but she will pop in and the girl behind the counter do you mind if I go for a smoke and they swap all the time doing it so actually she is there a lot more than what she gets paid for...and the other girls Anne Marie she is smashin' they are in and out all the time and they can't do enough for you they are really good girls.

AB Am I right in thinking they live local to the shop in that area?

RL 2 minutes away

AB Yes

RL Anne Marie is Mercer Road which is 150 yards, Gaynor is Hoblin Road which would be 300 yards away

AB So they are always in the area

RL they are always there and janglin'

AB Ha, ha

RL and spying

JG Gaynor also confirmed that CCTV is fitted but it is not working at the moment

RL Yeah

JG You are aware of that?

RL Yeah it went on the blink some weeks back

JG Right I have got no further questions then at the moment

AB I have got none, no

JG Have you got anything that you want to add or clarify to what you have already said or any further comment?

RL No I understand everything and as I say this shouldn't have happened and it has happened and we have got to deal with it

AB Ok I am assuming the staff now have become a lot more pro active in this since the sale?

RL Ooh yeah to put it mildly

AB Everyone is getting refused?

- RL Well it is bizarre because these girls who work for me as I say they work in off licenses other jobs
- AB Sorry just to clarify at the same time they have got other jobs in other licensed premises?
- RL Yeah a couple of them have
- AB Yeah
- RL Well there is 3 so you wouldn't expect would you Anne Marie worked in Bargain Booze in Laird Street so you wouldn't expect a girl like that would serve 2 kids that come in at 2.30 in the afternoon it is utter lunacy I can't believe I know it has happened but I can't believe it has happened even now when I go over ... I shouldn't have been here she shouldn't have served the kids how has that happened?
- AB Yes
- RL It is a bizarre lapse on her cos she's argued with her boyfriend and I told her she shouldn't bring that into the shop you know you shouldn't bring that mind set into the shop she was upset over the little girl – the little girl fell over she had to get bandaged up and the accident book in Tesco's so she is fraught over that
- AB Yes
- RL You's just come at the right time for you's but the wrong time for her you know it is just bizarre
- JG Ok if you have got nothing further to add then I will hand you that notice I explained to you about at the start of the interview about the tapes is there anything else you want to add or clarify?
- RL No it is all clear I understand you lads are only doing your jobs
- JG Ok I will terminate the interview at the time is 1.24pm

- for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

11.26 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

11.27 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

11.28 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review. The determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within 10 working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than 5 working days before the first hearing day. There must be five clear working days between the giving of the notice and the start of the hearing.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.22 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.
- 11.23 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.
- 11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.
- 11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;

Police - Notification of Representation

Date: 190509

LICENSING

22 MAY 2009

Name	Sgt D Peers
Title	Licensing Sergeant
Postal address	Licensing Section, Manor Road Police Station, Manor Road, Wallasey CH44 1DA
Contact telephone number	0151 777 2944

Premises	Hoylake General Stores
Address	24 - 26 Hoylake Road, Bidston

Which of the four licensing Objectives does representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting the representation. Or the reason for the representation. Please use separate sheets if necessary
The protection of children from harm	Y	<p>Merseyside Police support the review application dated 11th May 2009 from Trading Standards in respect of the above premises.</p> <p>This premises has not been subject of a test purchase by Merseyside Police. It has been visited on several occasions with the intention of attempting a test purchase however the prevalence of local youths in the vicinity has prevented the test.</p> <p>The sale of alcohol to underaged persons can lead to serious health problems and can also make young persons more likely to become a victim of crime. It is known that the consumption of alcohol by young persons can lead to increased anti social behaviour and this Area of Birkenhead does suffer with anti social behaviour.</p> <p>It is clear from the review application that the due diligence demonstrated is woeful and that this is despite the fact that there is regular correspondence communicated to all licensed premises regarding sales to under aged persons and the need for proper due diligence.</p>
Public safety		
The prevention of crime and disorder		
The prevention of public nuisance		

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<p>Suggested condition(s) that could be added to the licence to remedy the representation.</p> <p>OTHER</p>	<p>Merseyside Police support all conditions suggested by Trading Standards.</p>
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OPeg Sgt 6007

Licensing Act 2003 Premises Licence

Hoylake General Store

24-26 Hoylake Road, Bidston, Wirral, CH41 7BX
Tel: 0151 670 9026

Licensable Activities Authorised by this Licence and the hours permitted are as follows:

	• Sale by Retail of Alcohol
Monday	08:00 to 23:00
Tuesday	08:00 to 23:00
Wednesday	08:00 to 23:00
Thursday	08:00 to 23:00
Friday	08:00 to 23:00
Saturday	08:00 to 23:00
Sunday	10:00 to 22:30

The Licence authorises supplies of alcohol for consumption off the premises.

Opening hours of Premises:

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Non-Standard Timings:

Good Friday 08:00 to 22:30 Christmas Day 12:00 to 15:00 19:00 to 22:30
--

Wirral Licensing Authority, Wirral Metropolitan Borough Council, hereby grant this Premises Licence to:

Mr Robert Leyland Hoylake General Store 24-26 Hoylake Road Bidston CH41 7BX

Telephone Number: 0151 670 9026

Details of Designated Premises Supervisor:

Miss Gaynor Marie Hinchliffe 43 Hoblyn Road Bidston Wirral CH43 7ST

Personal Licence number: LN/205000912



Alan Stennard
Director of Regeneration
(Authorised Officer)

Annexe 1 – Mandatory Conditions

<p>Mandatory conditions where licence authorises supply of alcohol</p>	<p>(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.</p> <p>(1) The first condition is that no supply of alcohol may be made under the premises licence-</p> <ul style="list-style-type: none">a) at a time when there is no designated premises supervisor in respect of the premises licence, orb) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended. <p>(2) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.</p>
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