

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH



THE LONDON BOROUGH
www.bromley.gov.uk

TELEPHONE: 020 8464 3333

CONTACT: Graham Walton
graham.walton@bromley.gov.uk

DIRECT LINE: 020 8461 7743

FAX: 020 8290 0608

DATE: 6 December 2011

To: Members of the

LICENSING SUB-COMMITTEE

Councillors Nicholas Bennett J.P., Gordon Norrie and Charles Rideout

A meeting of the Licensing Sub-Committee will be held at Bromley Civic Centre on
FRIDAY 16 DECEMBER 2011 AT 2.00 PM

There will be a pre-meeting for Council Members and officers at 1.45pm.

MARK BOWEN
Director of Resources

A G E N D A

- 1 APPOINTMENT OF CHAIRMAN FOR THE MEETING**
- 2 DECLARATIONS OF INTEREST**
- 3 APPLICATION FOR THE REVIEW OF THE PREMISES LICENCE AT KWIK STOP,
5 STANLEY WAY, ORPINGTON, BR5 2HE (Pages 3 - 68)
Cray Valley East**

**Objections to the application are referred to in the attached report of the
Director of Environmental Services.**

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London Borough of Bromley

Report No.
ES 11145

PART 1 - PUBLIC

Agenda
Item No.

Title: APPLICATION FOR THE REVIEW OF PREMISES LICENCE AT
KWIK STOP 5 STANLEY WAY ORPINGTON KENT BR5 2HE

Decision Maker: Licensing Sub-Committee

Decision Date: 16 Dec 2011

Decision Type: Non-Urgent Non-Executive Non-Key

Budget/Policy Framework:

Chief Officer: Director of Environmental Services Mr Nigel Davies

Contact Officer: Laurie Grasty, Licensing Officer
Tel: 020 8313 4734 E-mail: laurie.grasty@bromley.gov.uk

Ward: CRAY VALLEY EAST WARD

1. SUMMARY

- 1.1 To consider the application by Trading Standards to review of the Premises Licence at Kwik Stop 5 Stanley way Orpington Kent BR5 2HE
- 1.2 A copy of the application to review the Premises Licence is attached at **Appendix 1**
- 1.3 The premises currently hold a Premises Licence at **Appendix 2**
- 1.4 This review has been instigated following the sale of alcohol to 16 year old volunteers during test purchase exercises carried out by the Trading Standards on the 2nd July 2011 and the 17th September 2011.

2. RECOMMENDATIONS

- 2.1 Members are asked to decide on this application having received written and oral evidence. The options include: -

- Modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence.
- To remove the Designated Premises Supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence.

3. COMMENTARY

3.1 SUMMARY OF LICENSING LAW - LICENSING ACT 2003.

- 3.2 The Licensing Act 2003 states that any premises in the London Borough of Bromley requires a licence / certificate issued by the Council (premises licence / club premises certificate) where the following activities occur:-

Provision of regulated entertainment

- a) plays.
- b) films.
- c) indoor sporting events.
- d) boxing or wrestling entertainment.
- e) live music.
- f) recorded music.
- g) performances of dance.
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music.
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j).

Provision of late night refreshment (between 2300hrs and 0500hrs).

Supply of alcohol (on and off sales).

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place.

3.3.1 Licences / Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives.

Licences / Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives. The Council has previously agreed on 25th October 2010 Bromley’s Statement of Licensing Policy for the Period 2011 – 2014. The Licensing Appeals Committee must consider the Statement of Licensing Policy and any Special Policy of Cumulative Impact currently in force when making any decisions in respect of these applications.

4.0 Information about the premises

4.1 Application to Review the Premises Licence as **appendix 1**

4.2 Copy of Current Premises Licence **appendix 2**

4.3 Letters of Representation as **appendix 3.**

4.4 Map of location as **appendix 4.**

5.0 POLICY IMPLICATIONS

The Licensing Appeals Committee is a sub committee of the General Purpose and Licensing Committee. The decisions will have an impact on three of the key areas identified in the “Building a Better Bromley Strategy” these are

- Safer Communities
- A Quality Environment
- Vibrant thriving Town Centres

6.0 FINANCIAL IMPLICATIONS AND LEGAL IMPLICATIONS

Should the application be refused or granted with conditions the applicant, responsible authorities or interested party have the right of appeal to the Magistrates Court and then to the Crown Court. The cost of defending such an appeal would have to be met, but cannot be quantified at this time.

Non-Applicable Sections:	LEGAL IMPLICATIONS, PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Licensing premises file and computer records.

Appendix 1

(Application Form)

**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 Rob Vale

(Insert name of applicant)

apply for the review of a premises licence under section 51 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 KWIK STOP 5 STANLEY WAY	
Post town ORPINGTON	Post code (if known) BR5 2HE

Name of premises licence holder or club holding club premises certificate (if known) Iftab Hussain Ashaq Hussain 112-114 Coldharbour Lane SE5 9PZ
--

Number of premises licence or club premises certificate (if known)

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

- 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)

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Rob Vale Trading Standards London Borough of Bromley Civic Centre Stockwell Close Bromley BR1 3UH
Telephone number (if any) 020 8313 4785
E-mail address (optional) rob.vale@bromley.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 | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

This application is in respect of the protection of children from harm.

The premises is an independent business trading as Kwik Stop. The premises licence is held by Ashaq Hussain and Iftab Hussain. The Designated Premises Supervisor is Ashaq Hussain.

The premises was granted a licence on 14th January 2011 although according to Ashaq Hussain the shop did not start trading until April 2011. Mr Hussain has other shops in Peckham and Brixton.

HISTORY OF PREMISES

13th May 2011 intelligence received from Anti-social Behaviour Team concerning anti-social behaviour and sale of alcohol to under age youths from Stanley Way and Marion Crescent

25th May 2011 Trading Standards officers visit store and advise Maz Azam of complaints. A Challenge 25 pack is given together with advice about age restricted sales. Mr Azam told officers the boy who lives above the shop keeps wanting to buy cigarettes and he has refused him so the boys father brought him down to tell Maz to sell to the boy. Maz said he made it clear he was serving the father and not the boy. A tobacco notice was also left with the store.

It was later established that Maz Azam was in fact Maz Moshin.

23rd June 2011 further intelligence from Safer Neighbourhood Team alleging the off-licence in Stanley Way is selling alcohol to children.

As a result of these allegations Kwik Stop was targeted for test purchasing.

On Saturday 2nd July 2011 Trading Standards conducted a test purchase operation resulting in the sale of tobacco and alcohol by Maz Moshin. When questioned by officers at the time he said he thought the volunteer was over 18. There was no refusal register and he said he worked there part time when asked by his friends father to cover for 2 or 3 hours per week. When questioned further he admitted working in the shop at least 10 hours a week, and later claimed he had once slept in the shop as no-one had come to take him home. He claimed to be a student studying Business and Marketing and was 22 years of age.

At the time of the sale Mr Moshin was using his mobile phone and he later admitted the sale was a mistake.

Mr Moshin later received a fixed penalty of £80.

On 11th August 2011 Mr Ashaq Hussain was interviewed under caution at the Civic Centre. Mr Hussain said Mr Moshin had worked for him for a few weeks and was a temporary arrangement while his own son was in prison. He described Moshin as his nephew.

Mr Hussain said his brother Iftab was working in the shop at the time of the sale but had stepped out to have a chat with the pizza seller round the corner as it was very quiet in the shop.

Mr Hussain went on to explain some of the problems he has had since opening the shop including being assaulted by the neighbour who lives upstairs.

Training records are not kept although he was hoping to send Mr Moshin on a training course.

A copy of the transcript of this interview is attached.

A further test purchase was carried out on Saturday 17th September 2011. Mr Moshin was again working in the shop. The first volunteer was a girl aged 16 and she was refused a sale of cigarettes. Volunteer two was a 16 year old boy who was sold alcohol.

Although no officers witnessed the sale (both had been involved in the earlier sale and so remained outside the shop) the volunteer told them the seller had said "No bloody ID same old story" referring to the attempt by the girl, adding "I have been done before and I don't want to get caught again - I take it you are over age" to which the volunteer replied "yes". No ID was asked for by the seller.

When interviewed at the time Mr Moshin said "I thought he was 22 or 23. He looked my age. I ID'd the girl as she looked young". When asked why he didn't ask for ID if he thought the boy was 22 or 23 he replied "I get fed up with abuse". When told the volunteer was sixteen and had been refused by 11 out of 13 shops that day he replied "He had a beard he looks older than 16".

Whilst in the shop officers witnessed a young girl aged about 14 come in and demand Mr Moshin sell her a lighter. When refused the girl screamed "You're a f***ing liar" and walked out.

On the Thursday 6th October 2011 Trading Standards held a training day for small businesses in Bromley. The Fair Trade Award is administered by the Trading Standards Institute through local Trading Standards teams and is a recognised

accredited qualification. An exam is taken at the end of the session and results are compiled by the Institute. Mr Hussain sent three of his staff to attend the course, including Mr Maz Moshin.

Documents attached to this application:

Witness statement of Rob Vale

Transcript of interview of Ashaq Hussain

Documents not included but to be made available on the day.

Photos of volunteers

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

The following conditions are for the panel to consider.

Refusals book or electronic point of sale refusals log - The Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by the Trading Standards Department and Metropolitan Police. The DPS shall check the book once a week ensuring it is complete and up to date. The DPS will sign the book each time it is checked.

Training for all Staff, documented - A documented training scheme shall be introduced for all staff. The scheme shall be made available for inspection at the request of the Licensing Authority, Trading Standards and Metropolitan Police.

Or the premises licence holder shall ensure that all persons authorised to sell alcohol have completed a recognised underage sales training programme which includes a written test to verify the competency of that person

Staff training to be repeated at regular intervals - The Premises License Holder/DPS shall conduct [weekly] reviews with all members of staff and anyone else authorised to sell alcohol in order to reinforce the training and to promote best practice. A written record shall be made of the content of such reviews. [This record shall be circulated to all persons authorised to sell alcohol at the premises]

Records of staff training - The Premies Licence Holder [DPS] shall maintain a file that shall be available for inspection by the Police or officers authorised by Bromley Council at the shop premises for each person authorised to sell alcohol. The file shall contain all training records for that person and copies of the record of each of the weekly reviews

Records of staff selling alcohol - The Premises Licence Holder [DPS] shall maintain a file at the shop premises for each person at the premises authorised to sell alcohol. The file shall contain all training records for that person and copies of the record of each of the weekly reviews.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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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

17.10.11

Capacity Chief Inspector of Weights and Measures

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.

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 Part 27)

CAPS ref 11/01792/INIT

Statement of: Robert John Vale

Age if under 18:(if over 18 insert 'over18') Over 18 Occupation: Head of Trading Standards

This statement (consisting of TWO page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature:

Date:

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

I am employed by the London Borough of Bromley as the Head of Trading Standards. I am an inspector of Weights and Measures appointed under section 72(1) of the Weights and Measures Act 1985 and hold the appointment of Chief Inspector of Weights and Measures as required by section 72(1)(a) of the 1985 Act. My duties include the enforcement of age restricted sales legislation including the Licensing Act 2003 and the Children and Young Persons Act 1933 as amended.

On 2nd July 2011 at 17:45 I sent a 16 year old male volunteer into Kwik Stop, 5 Stanley Way, Orpington, BR5 2HE. Shortly after the volunteer emerged from the premises with 1 packet of Mayfair cigarettes and 4 cans of Fosters lager.

I went to the shop with my colleague Tracey Firth, where I approached the seller, who gave his name as Mr Maz MOSHIN. He gave his date of birth as 7 March 1990 and his home address as 40a Camberwell New Road London. I cautioned him at 17.51.

He said "I thought he was over 18 and I was on the phone. I got it wrong".

On 11th August 2011 I interviewed one of the owners of the Kwik Stop, Ashaq Hussain. The interview was under caution and conducted at the Civic Centre. I produce a copy of the transcript in evidence.

On Saturday 17th September 2011 at 17:40 I sent a 15 year old female volunteer and a 16 year old male volunteer into Kwik Stop, 5 Stanley Way Orpington BR5 2HE. I waited outside. The girl returned having been refused the sale of tobacco. The boy returned with four cans of Tennants Super Strength lager. The volunteer told me the seller had said to him "No bloody id the same old story", referring to the refusal of cigarettes to the female volunteer. The seller had then said to him " I have been done before and I don't want to get caught again – I take it you are over age?" to which the volunteer had said "Yes".

Signature:

Signature witnessed by:

I then entered the shop with my colleague Tracey Firth and I recognised the man behind the counter as the man who had previously sold alcohol to a volunteer on 2 July 2011. He was cautioned by Mrs Firth and asked why he sold to the alcohol and he replied "I thought he was 22/23. He looked my age. I ID'd the girl because she looked young. I said to the boy I been f****d twice and done over and I don't want this to happen again. I didn't ask for ID because I assumed he was old enough". I then asked why, if he thought he looked under 25, did he not ask for ID. He replied "I get fed up with the abuse". I informed him that we had been to 13 shops today and 11 had asked the volunteer for ID. Mr Azam said "he had a beard, he looks older than 16". I asked him how many hours he works at the shop. He replied "2 to 3 hours a day only at weekends. Look I made a mistake".

Signature:

Signature witnessed by:

Interview Date: 11 August 2011

Interview conducted by: Tracey Firth (TF)

Also present: Rob Vale (RV)

Interviewee: Mr Ashaq Hussain (AH)

Start Time: 10.40 am **End Time:** 11.05 am

Tape Ref No: 11/01268

TF	This interview is being tape recorded and is being conducted at the Civic Centre, Stockwell Close, Bromley BR1 3UH. I am Tracey Firth, Consumer Protection Officer for the London Borough of Bromley. The time now is 10.40 and the date is Thursday 11 August. Also present are:
RV	I'm Rob Vale, I work for London Borough of Bromley.
TF	And Mr?
AH	Ashaq Hussain owner of Stanley Way.
RV	Could you spell your name?
AH	ASHAQ
RV	And your surname?
AH	Hussain is HUSSAIN
RV	Thank you.
TF	Right at the conclusion of the interview I'll give you a notice that explains to you what happens to the CDs and how you can gain access to them. Do you agree with the interview being tape recorded?
AH	Yeah.
TF	Would you please state just for the purposes again, your name and date of birth?
AH	My name is Ashaq Hussain, owner of Stanley Way, Food and Wine, date of birth is 22 June 1969.
RV	What's your address?
AH	My address is 112/114 Coldharbour Lane.
TF	Okay, and could you just give us details of the company, proper business details of the shop trading as Food Store, 5 Stanley Way?
AH	Could you...?
TF	Is it a sole trader or a limited company, or...?
AH	No, we're sold trader.
TF	So, you're not a partnership?
AH	Me and my brother, yeah.
TF	Both own it, so it's a partnership, okay?
AH	Yeah, I thought owned by companies.
RV	What's your partner's, your brother's name?
AH	Iftab Hussain
RV	Iftah?
AH	Iftab, IFTAB

TF	Okay, and you're authorised to speak on behalf of that company, as a partner?
AH	Yeah, yeah.
TF	Okay.
RV	Just one query about the trading name...?
AH	Yeah.
RV	We...?
AH	You have it as Quick Stop?
TF	Yeah.
AH	Yeah.
RV	So is it... which one is it
AH	It's still Quick Stop.
RV	Still Quick Stop.
AH	We were going to name it All Stars, haven't come round to it.
RV	Okay, because it still says Food Store on the outside doesn't it?
AH	Yeah, we haven't had a sign board put up on it.
RV	Okay, so what is the name of the business, is it Quick Stop or is it Food...?
AH	All Stars.
RV	All Stores?
AH	All Stars.
RV	All Stars.
TF	Oh right okay, so it's not even Food Store, the name...?
AH	No that's previously what it was.
TF	Okay, so you were hoping to change it to All Stars?
AH	Yeah, we're thinking of putting a illuminated sign.
TF	Okay.
AH	We was going thinking of going through a planning application with the Council.
TF	Okay, but when you applied for your License you were...?
AH	We were thinking of Quick Stop.
TF	Quick Stop, okay.
AH	But my uncle's shop called Quick Stop and he didn't want it.
TF	Oh okay, so but at the moment legally you're down as Quick Stop on our Licensing records is that right?
AH	Yeah, yeah.
TF	Okay, that's fine. Alright, if I just go through the brief explanation of the allegations. It's alleged that on the 2 July 2011 Maz Machine sold a packet of 10 Mayfair cigarettes, and 4 cans of Fosters lager to a boy under the age of 18, contrary to 146 of the Licensing Act 2003 and Section 71 of the Children and Young Persons Act 1933 as amended. I must caution you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something that you may later rely on in Court, anything you do say may be given in evidence. Do you understand the caution?
AH	Umm umm.
TF	Okay. Right you're not under arrest, you're free to leave at any time, if you don't feel well, please just say and we'll stop the interview.
AH	Right, I'm off.
TF	Okay, right. Right, you understand the caution, yeah, obviously we've gone through that?
AH	Yeah.

TF	Your position in the company?
AH	Partner.
TF	You're a partner. And how many staff do you employ?
AH	Just the one.
TF	Which is Maz is it?
AH	Yeah, he's my nephew, as well.
TF	Okay. Right.
AH	It was originally my son, but he went to prison, so I put him as a temporary, with us...
RV	How long has Maz worked for you?
AH	He's worked for me in the other shop as well, but in that one he's been about 6/7 weeks now.
RV	6/7 weeks?
AH	Yeah.
RV	Oh right, okay.
TF	The shop only opened January this year, is that right?
AH	No, no April.
TF	April 2011, so it is relatively new then isn't it?
AH	Yeah, yeah.
TF	Okay...
AH	We've had a lot of racist abuse and problem there, people still don't come into the shop because of that.
TF	Really
AH	Yeah.
RV	Is this your only shop, you've got another shop have you?
AH	Well, yeah I've got another shop as well.
RV	In Brixton?
AH	In Brixton and Peckham.
RV	Okay, how long have you had those?
AH	Over 20 years.
RV	Oh right, okay. So you're not new to the business...?
AH	No, no.
RV	you've been in the job 20 years, but this Stanley Way then, you've only been there since April?
AH	Yeah.
TF	Okay, well what do you know about the law relating to the sale of alcohol and tobacco?
AH	I know all the law basically.
TF	Okay.
AH	Anything you question me and answer me, but on that occasion I was aware of it what happened, after, but as I wasn't there myself and I think Iftab had gone to pizza round corner to have a chat, because it's so quiet and boring in there, it's like being in a graveyard...
TF	Yeah.
AH	so he went down to pizza shop to have a chat to the pizza guys, just to have a chat, then he come back when my nephew said to him that, well this is what's happened to me, and I have to pay a fine. So he did inform me of the fine, but I didn't have nowhere to pay this fine, or how to pay it.
RV	That will be a fixed penalty notice which the licensing police officer will ring

	him, because we didn't have the right number for him.
AH	What happened after that, one day he was coming back from.. he came back from the shop and at 7 o'clock in the morning, he was coming from the house to Coldharbour Lane shop to pick up a couple of milks and everything for Stanley Way and on the way he got mugged...
TF	Who Maz?
AH	Yeah, by 4 black guys. They robbed his phones off him, they took the money off him, they took the shop and all the paperwork, they took his rucksack, they took everything off him, beat him up, he come to the shop about 7 o'clock in the morning, all thing, we had to phone the police, got a police report on that...
RV	Okay.
AH	And that was that bit gone.
RV	Maz, is he part time or full time?
AH	He's part time.
RV	Part time. So is he what a student or is he...
AH	Yeah, he studies.
RV	Okay...
AH	But he's off at the moment.
RV	Oh right, because he said that although he's par time, he has been doing quite a few hours there recently...?
AH	Been hanging around with us, yeah, he has yeah.
RV	Yeah, okay. And...
AH	That's just trying to get him to get the knowledge of the sales, so I'm trying to get him to get on the Licensing board, putting about 4 people more on it.
RV	Has he worked for you in your other shop?
AH	My other shop called yeah, as a... on the shop floor.
RV	Okay.
TF	What like filling shelves and stacking...?
AH	Yeah, yeah.
RV	So will he be sort of, will he be at Stanley on his own for long periods, or does he have anyone else there with him?
AH	No there's 2 of us there.
RV	Right, so, but when we've been there a couple of times and it's only been Maz who's been there, so where would you... because you've got 3 shops now presumably...?
AH	Yeah.
RV	so where do you spend your time with your brother?
AH	Luckily when you came yesterday, I'd only gone to Bookers...
RV	Okay, right.
AH	to pick up the fags and by time I've come back, you know that road, bottom road is choc a bloc from one roundabout to the another, so even when I was talking to the gentleman I was telling him that I'm on my way, but I'm on this traffic, if you can wait 20 minutes, I'll be there, he said he can't wait. So we are all there, but it's... on that lucky occasion when this gentleman come, because it's like I said to you it's like a graveyard and me and you standing there all day, I mean I haven't done a sale more than £260, you know from morning 7 o'clock to 11 o'clock at night.
RV	Yeah.
AH	So... and there is a lot of antisocial problem there...
RV	Yeah.

AH	which I have...
TF	Have you witnessed it yourself?
AH	Yeah, yeah, I've witnessed...
TF	What youths hanging outside the shop?
AH	I've even complained to the landlords, I've complained to the parents upstairs...
TF	There's local people that live there?
AH	Yeah, I mean people who... I mean the guy upstairs I had a fight with him, for simple reason is because, his kid was coming in and at the time it wasn't him but my son served him a packet of fags, my wife went a bit ballistic with him, so she said bring your ID, so you only live upstairs, it won't take you long, to come up from upstairs to downstairs, look at me clothes, I go to work, you can go to work, but you don't have to be 18, that's me and him talking. His dad pops his window up, give him the f***ing fags. I said you, shut up man, you're supposed to be a good role to your son and you're shouting from top of window. He's had a drink obviously, he's come downstairs and he's not my customer he's Costcutter's customer, he won't come down to buy his drink after this, or anything. But he's come outside, he says you give him fags, I'm telling you give him..., but the law tells me not to. Next thing I know, he's cracked me...
TF	Oh no.
AH	You know, just for not doing this, and I had to crack him back, but I know his son's not 18 and I'm not going to serve. If you're 18 mate, bring your ID and flash it at me face, and you know, even put it right on me nose, so there's that one. And there's another two couple upstairs.
TF	Oh god.
AH	The house right across the road, is the most worstest house known on the block, I went in there, thinking it were a good area, but realised it was the worstest area, even Brixton is better than that.
TF	Really.
AH	I used to think that really black people don't teach their kids manners as they're growing up, but going to Stanley Way it's completely changed my ways. Star Lane, gypsy site, they're trouble and that... I mean they've cut me gas motors twice.
RV	Really.
AH	But they're... it's good job it's bolted on to the wall...
TF	Unless they take that as well!!
AH	I don't know if it's them lot or them above the top...
RV	Yeah.
AH	But it's costing me £400 a time.
TF	It's not worth your time being there is it?
AH	It's not even worth me being there. I've even explained this to the landlord, but I've signed a lease, which I can't get out of, unless I give a six months notice, and I can't give a six month's notice until me year ends.
TF	Oh god.
AH	So...
RV	So you're there for 18 months basically?
AH	I'm basically, I'm a snookered man.
RV	Right.
AH	you know, and the break-in's there are ridiculous, I've boarded back windows,

	I've put on metal plates...
TF	Oh god.
AH	you know, so I've got bars going, even the motor now I was thinking of spending another £250 and try and build a, you know a breeze block wall and put a steel gate on so they can't get to my motor, so that's another...
TF	Is that the same for all the shops around there, or are they just picking on you do you think, or...?
AH	No, they're all, most of them are the same.
TF	All the shops are getting that type of...?
AH	Yeah, yeah, yeah, most of them are getting that sort of... I mean the English people don't, don't get me wrong, the café shop woman, don't get no trouble, but she closes at 2 o'clock in the afternoon, so I don't blame her.
TF	Oh right, it's the evening is it that...?
AH	Yeah, it's the evening. And then a lot of them close, the Costcutter opens 'til half past eight, 9 o'clock, the off licence on the other side, he opens 'til 11 o'clock, but because they've been there...
TF	All their lives as such...
AH	18 years...
TF	Oh right, yeah.
AH	Costcutter's been there 12 years and the other people have been there, I'm the newest one on the estate, so... they've even... the guy upstairs, he says why do you think this shop's been closed 3 years, yeah, that means he's telling me it's been closed because of... he said so many have come and so many have gone...
RV	Nice.
AH	So that means that they're trouble..
TF	Yeah.
AH	for them to run away from.
RV	So, but presumably the authorities know about him upstairs, have you...
AH	The police know about him...
RV	Yeah.
AH	yeah, the police know about him, the landlord knows about him...
RV	Okay.
AH	he's...
TF	Are they council flats or private?
AH	No he owns them and he's moved from Bermondsey or somewhere and he's always telling me he's a Millwall, Bermondsey boy...
TF	Oh dear.
AH	and blah blah and I'm telling him, it doesn't matter what you are, but you're not living, he's a single parent, you know the mother's not there, so, him and his son they both, run the house...
RV	Really?
AH	Yeah.
RV	Okay look, getting back to Maz...
AH	Yeah, sorry.
RV	that's okay, have you got any sort of records of training for him, have you...?
AH	No...
RV	Because the reason I ask is when we spoke to him about the sale, we said to him how old did you think the boy, and I think he said about 18 didn't he...?

TF	Yeah
RV	or 18 or 19...
AH	He said he older than me, that's what he said to me.
TF	I'll just show you for the... so you can have a look at the pictures...
RV	Which one was it, was it both of them?
TF	It was...
RV	No, it was only one of them wasn't it?
TF	It was Ray actually, yeah you're right.
RV	Wasn't that one, which one was it?
TF	Yeah Ray, it's definitely Ray, yes it was Ray.
RV	Yeah. Okay, so he said that, been working in the shop 2 or 3 weeks, blah blah blah, he said I sold because I thought he was over 18 and I was on the phone and he realised he was probably wrong.
AH	Oh, he never told me that he was on the phone...
RV	Okay.
AH	because they're not allowed to be on the phone when they're on the till.
RV	Okay, I mean the fact is you've got Challenge 25 stuff up in your shop haven't you?
AH	Yeah, yeah.
RV	and I'm not sure that he really understood what Challenge 25 was all about, because obviously if he thought the lad was 27, fair enough, but he didn't tell me that, he told me he thought he was about 19, so there's a bit of an understanding issue there as far as what the policy is. So what I'm saying to you is, has he... have you sat him down at any point and said to him right, this is what you do, this is what Challenge 25 means, have you got a refusals book?
AH	Yeah, I did have a refusal book, but...
RV	He didn't know about the refusals book.
AH	I've got a refusal book.
RV	Right, okay.
AH	Yeah, obviously because he's not... I asked Paddy to sort that bit out...
RV	Right.
AH	but obviously... he goes into the pizza place and has a chat with them and everything...
TF	His mind's not focussed at the moment?
AH	Yeah.
TF	Okay.
RV	Okay.
AH	It's just trying to get used to the area...
TF	Yeah, I can imagine.
RV	I mean, we obviously he's going to get a lot of young people going in the shop...
AH	He has had a lot of young people...
RV	Yeah.
AH	He was even telling me...
TF	He showed me his mobile, the harassment he'd had from some girls...
AH	Yeah, they're trying to nick booze and run away. I mean we've had loads of them nick, you know just come in and try and pick a bottle up. To us it's poxy thieves...

RV	Yeah.
AH	but, and you really need to know where they live, because me I personally, I go and knock on their door and have a word with their parent, their mum or their dad, is that how you're bringing your child up.
RV	Yeah.
AH	You know, because I personally bought this shop for my child, who was 19, but who has gone to prison for a thug, I'd say, he went to prison, because somebody came into my shop in Camberwell and jumped over the counter at him...
TF	He defended himself?
AH	defended himself, so, I mean my son's a boxer, he's an ABA South London Champion, he's ended up cracking him one and smashed his jaw...
RV	Right.
AH	and got 18 months.
RV	Bloody hell.
AH	you know, and he was only protecting his dad's shop from a thug, who didn't want to listen to him and wanted to jump over the counter, because he saw him as a weak target and thought, oh he's only a skinny boy, I'll jump over the counter and grab him.
TF	Was this the shop in Brixton?
AH	In Brixton, yeah, and jumped over the counter and he's grabbed hold of him and he's jumped him and another kid's jumped him from one of the staff members, the staff member didn't get sentenced he got custodial, and... because he's the one who punched him, 18 months...
RV	Right.
AH	and this shop really I bought for my boy, you know for him to run this shop and you know, just to try and put him back on his feet...
RV	Yeah.
AH	and really, I... and I've been lumbered with it and me brother, because my brother's got another shop in Peckham that he runs.
RV	I mean obviously, one of the issues with this shop is the vulnerability of Maz being their on his own, and...
TF	You've got CCTV working now?
AH	Yeah, no, no, no the CCTV's working...
TF	Oh, thought it wasn't working.
AH	No, he doesn't know how to switch it on.
TF	Because he needs that for protection.
AH	Yeah, he's turned it off and I think he didn't know how to turn it back on.
TF	Oh, okay.
RV	Okay, I think you've got to make...
AH	but today, I've got a new TV for him, what I'm going to put on the bracket for him...
TF	Oh, right, okay.
AH	Yeah.
RV	So, as far as sitting Maz down and going training...?
AH	I have done a lot with him, I am even thinking of sending him on one of them...
TF	training courses?
AH	training courses to get himself a...
RV	personal license?

AH	personal license as well...
TF	That'd be a good idea.
RV	You need to do that, you need to start getting a refusals book filled in and completed, you need to make a record of the fact that you've gone through the training with him, okay, you need to make sure he knows how to use the CCTV...
AH	Yeah.
RV	yeah, and you need to make sure he's not there all day on his own...
AH	Umm, umm...
RV	because these are issues that are, you know, which could be imposed as conditions on your license...
AH	Umm umm.
RV	and that might be one of the recommendations that come out of this, that we want to see those conditions put on your license. Obviously it's a tough area and I don't envy you your job, because you've picked a right one there...
AH	Right one, ah tell me about it.
RV	and it's a shame because, you know, you're being kicked while you're down, you've got all these issues going on and here we are, you know throwing the law at you, when obviously we understand that you're have a bit of a tough time there, but people will complain, there have been 1 or 2 complaints, alleging...?
AH	Yes, she told me as well, I know who complained, they come across to me.
RV	Okay, so you, you know...
AH	It's the same woman I'm telling you about...
RV	Right.
AH	That her kids, are the worstest kids on the estate...
RV	Really.
AH	And she is the one who had the right to tell me, yeah, and told the café lady...
RV	Yeah.
AH	and told George next door, I've grassed him, I've told loads of fibs about him, I'll have him shot, not serving my daughter and telling F off, so I know what she's done.
RV	Yeah.
AH	just completely fibbed it out. And the best thing about it is, she has a drink and then she'll go to the café, Karen, tell Karen what she's done, I'm having them packies kicked out, and Karen goes, don't be like that, don't be like that, because Karen's a good woman, even George, George is a good guy, but she'll go and give it all.
RV	Really?
TF	You've got two really bad family's there, haven't you?
AH	Yeah, and there is two, no there's three, there's one there, one right above stairs, and one on corner of Costcutters and them three are the ones who get the other ones round...
TF	Yeah.
AH	and then encourages...
RV	Okay.
AH	I say they're runners.
TF	I think you need to speak to locals, say can they and get some support, can you...?
AH	They'll do one, they don't even come, I've told them to come at school time,

	3.30...
TF	Yeah.
AH	You know...
TF	it's bad round there.
AH	Yeah, it's bad, at 3.30...
TF	Can you not put it in writing to them and ask them for a reply, in writing?
AH	I haven't tried that.
TF	I would try that.
AH	But I think that would be a good...
TF	It might do, because that's evidence that you've asked for help...
AH	I mean I would love a local community officer...
TF	Sounds like it needs it there.
AH	you know about 3.30, just to come and just stand on the top corner.
TF	I think you need to put that in writing.
RV	Well look, we'll make a note of that...
TF	Yeah, we'll for you as well.
RV	and we'll speak to the SNT as well and the licensing team.
AH	Yeah, because that's the worstest time... school kids time, they all gather up
TF	3.30/4.30.
AH	Yeah, because bookies next door to me is closed, they found that as a hang about...
TF	Right.
RV	Alright, okay, look the main issue for me is, is that I need to be confident that you've got the store managed and managed well. Now my views at the moment are, having young Maz in there, he's obviously not clear about the CCTV, I think he needs to be really sat down and told about Challenge 25, and made sure that he's got some records, training records to reflect that...
TF	If you just get him to sign a book...
AH	Yeah.
TF	every couple of months, and just say you went through Challenge 25, even use the refusal book as a training...
RV	He will be given a fixed penalty notice in some sort, in sometime to come, so, you know, somebody we spoke to recently, who got a fixed penalty notice, framed it and put it above the...
TF	Till.
RV	the counter, and whenever somebody came in who wouldn't take no for an answer, he just said look, that's what happened to me the last time I sold...
AH	Yeah, we'll frame it as well.
TF	Blame us...
AH	I mean we need it there...
TF	Yeah, you do.
AH	you know we need it there.
RV	So we'll make sure that he gets that, just for that purpose. Is there anything else you want to say around what you're going to change, because I think you do need to sort of firm up your procedures, you need this training to Maz in writing, you need to make sure he's supported while he's there, you need to make sure the CCTV is turned on. You need to make sure the refusals book is filled in and I imagine in that shop, you're going to get through quite a few of them. But it's important that he does...

AH	To be honest, I don't get any outside customers...
RV	It's just the locals.
AH	so there's no point putting your name everyday in refusal book, yeah, Mick come here today, Mick come again, Mick come again, so you know what I mean...
TF	Are people not coming into your shop?
RV	But if he's coming in trying to buy alcohol and you're saying no, because I know you're not 18...
TF	You should do it, you should do it.
RV	you should just make a note of it.
TF	Because that looks good for us, to us that you've refused...
AH	Alright, I mean even him upstairs he'll come down and say, tell you what you're going to give me fags, you will be giving them to me soon, because I'll be turning 18, but, you know, so I know I'm face to face with every one of them...
RV	But you should encourage Maz to make a note, because... alright, because in...
TF	Yeah, make a note, just insert the date, what the person looked like and what he asked for.
RV	In 6 months time, you know, we will be repeating the test purchasing...
AH	Yeah.
RV	and if we did get a second sale, we'd want to make sure that you've upped the anti as far as preparing for it...
AH	I'm gonna, you won't be catching us again.
RV	so you've got to make... every time, every time he gets grief, he should put it in that book.
AH	Oh, the grief he will get...
TF	Well put it on that book.
RV	It should go in the book, because that'll help you as far as building a case against these people as well. Alright, we're going to running some training in October...
AH	That's good, I'll be booking in.
TF	Okay, that'll be great.
RV	So we need to get Maz on, has he had a letter yet?
TF	I don't know, have you had a letter from...
AH	No.
TF	No, okay, because we did have a different...
RV	We'll send it to the Coldharbour Lane address..
AH	Yeah.
RV	I think it's...
TF	And it's a letter just... it'll just explain to pick a time, 10 or 2 in the daytime on the 6 October, and it's a couple of hours, and basically you take a test, we test... teach you, it takes a test and then you can put it up as a certificate and it's really worth it's weight in gold...
AH	And where's this held?
TF	Here.
AH	Okay, that'll be great, yeah.
TF	Yeah, so if I send you an invite...
AH	Yeah I'll put 3 people on it.

TF	you pick what you want...
AH	Yeah.
TF	It does cost £20 per head...
AH	Yeah no problem, no problem.
TF	You've got to pay the expenses of training, sorry about that.
AH	Yeah, yeah, that's good. £20 is cheap.
TF	Well not what you're going through I don't think. So we'll send a letter, okay...
AH	Yeah, that's good.
RV	Right, well what happens now is, we have to put a report together, that'll take a few weeks...
AH	Yeah.
RV	okay, there are three options, it was tobacco and alcohol, so potentially, we could decide to prosecute you as the owner...
AH	Yeah.
RV	because it's an offence and you're responsible, or we could decide to review your license, which might mean putting conditions on your license, or we might offer you what's called a formal caution, where you sign a letter, admitting the offence. In my view, we may need to look at conditions on your license to make sure that these issues are being addressed. Now that might be straight as a application to vary the license, or it might be that we call you in to review your license and if you have to be coming in you need to make sure that you come in to say, yeah, this is what happened, this is what we do now, and this is my evidence of all the rubbish I've had to deal with in this shop, but you can see that I'm trying very hard, and I'm you know, I'll put these conditions on my license. Conditions like your CCTV must be working, although I suspect that already is a condition...
AH	Yeah, that's already working.
RV	alright, well conditions like, your staff know how to use it, because your staff didn't...
AH	Yeah.
RV	and things like you will have a Challenge 25 policy, you will train your staff, and they've all signed to be training, you will have a refusals book and you will keep it up to date. That sort of thing, alright, because otherwise, you know what the consequences are, that the Council could decide to revoke the license...
AH	Yeah.
RV	okay, so that...
TF	And you know what, you don't really want to fail there, you want to do well.
AH	Yeah, that's what... just to prove it, you know for you here, even I was talking to the café woman, she said... she was telling me how so many people have come on, I said, you know what, he's going to have a problem, because I mean I come from Brixton, he's not going to kick me out, because he's going to think I'm gonna... and I do try talking to people, you know and try telling them, you know, let's not look at my colour, let's not look who I am, you know look at my personality, that I'm here to serve you, and to give you a better ser... If I'm dearer Costcutter, let me know, you're dearer, I'll put it cheaper, and I'm cheaper than the Costcutter, that's what annoys me. Every customer who comes into me, tells me ah, we didn't know you were cheaper than Costcutters, well you don't bloody come to me shop though do you...
RV	Okay.

TF	Maybe it'll get better, it's only a couple of months isn't it...?
AH	Yeah, it's couple of months, so I do want to give it a little time, but...
TF	Okay. I haven't got anything else to ask, have you got anything else to ask Rob?
RV	No.
TF	Okay, what we do now is we put a report together, as my boss said, and we'll write to you...
AH	Okay.
TF	Have you got anything else to say?
AH	No.
TF	Right, that's brilliant, we'll turn the tapes off...
AH	But I'll be so glad if you put them... that community what you wrote down...
TF	Yeah, no I will.
AH	if you put a further complaint.
TF	Yeah.
RV	We will email... we what we'll do is we'll talk to the licensing officer and the SNT and say, that we've got concerns around the shop, we've interviewed you, we've got to do a report now, but it's come to light that there are other issues there and it might be good for everyone to come and meet here talk them through and maybe get something sorted.
TF	Maybe you could meet the safer neighbourhood team?
AH	Yeah, I'd love to do that, yeah.
TF	Maybe we could get a meeting, I know you would, okay, so we'll turn the tape off, the time now is 11.10...
RV	No, 11.05.
TF	Oh, okay, my watch is a bit fast.
RV	Okay, so we'll just turn this off, stop, okay.
	END OF CD

Appendix 2

(Premises Licence)



THE LONDON BOROUGH
www.bromley.gov.uk

LICENSING ACT 2003

**Premises Licence
London Borough of Bromley**

Premises licence number

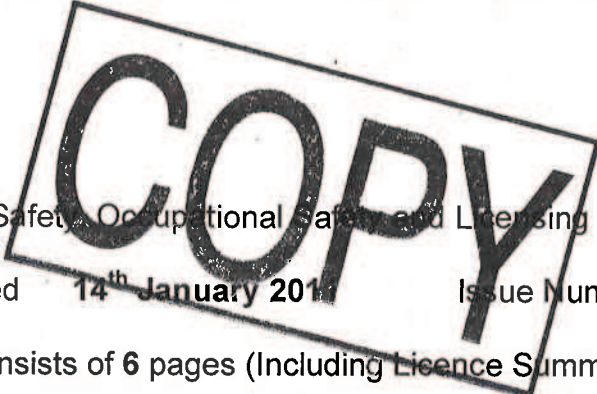
10/00734/LAPRE

Signed

Paul Lehane
Head of Food Safety, Occupational Safety and Licensing

Licence Granted 14th January 2014 Issue Number: 001

This licence consists of 6 pages (Including Licence Summary)



Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Kwik Stop
5 Stanley Way
Orpington
BR5 2HE

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence

Alcohol Off Sales

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Off Supplies Only



The Government Standard



The opening hours of the premises

Hours Open to the Public on Monday-Saturday from 07:00 to 23:00
Hours Open to the Public on Sunday from 08:00 to 22:00

The time the licence authorises the carrying out of licensable activities.

Alcohol off Sales on Monday-Saturday from 07:00 to 23:00
Alcohol off Sales on Sunday from 08:00 to 22:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Iftab Hussain
of
112-114 Coldharbour Lane
London
SE5 9PZ
And
Mr Ashaq Hussain
of
112-114 Coldharbour Lane
London
SE5 9PZf

Registered number of holder, for example company number, charity number (where applicable)

Not applicable.

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Full Name: Mr Ashaq Hussain
Address: 112-114 Coldharbour Lane London SE5 9PZ



The Government Standard



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

DPS Licence Ref: 01306 issued by London Borough of Lambeth

Mandatory Conditions

1. No sale of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
2. Every sale of alcohol under the premises licence must be authorised by a personal licence holder.
3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.

Conditions consistent with the Operating Schedule

General

4. The premises shall operate as a convenience store for the Off sale of Alcohol only.
5. All staff working at the premises will be trained and understand the law relating to the sale of alcohol
6. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Prevention of Crime and Disorder

7. CCTV cameras must be in use and recording at all times licensable activities are taking place.



The Government Standard

8. The system must be maintained to ensure it is always fully operational.
9. The images recorded must be capable of being downloaded and supplied on request to either an Authorised Officer of the Council or a Metropolitan Police Officer.
10. The recordings should be kept for a minimum of 31 days.
11. Shutters will be in place on the front windows of the premises and be used to secure the premises outside of the operating hours.

Prevention of Public Nuisance

12. Signs should be displayed on all exits requesting that the public should leave quietly

Protection of Children from Harm

13. A "Challenge 25" scheme shall be implemented at the premises. This Scheme must be approved by the Council. No sale of age restricted products shall take place save in accordance with the scheme.
14. Where it is necessary to request proof of age it shall be proven by either the production of a passport, driving licence or Government-approved PASS (Proof of Age Standards Scheme) accredited cards.
15. A refusals record in either soft or hard form must be kept of all age related sale refusals. This must be available for inspection on request by an Authorised Officer of the Council or a Metropolitan Police Officer.
16. A sign to be displayed at the point of sale stating "No proof of age – No sale"

The above condition 12 attached after a hearing by the Licensing Authority on 14th January 2011

Plans

Held by the Licensing authority stamped reference number: 10/00734/LAPRE
Dated: 14th January 2011



THE LONDON BOROUGH OF
www.bromley.gov.uk

COPY

LICENSING ACT 2003

Premises Licence Summary

Premises licence number

10/00734/LAPRE

Signed

Paul Lehane

Head of Food Safety, Occupational Safety and Licensing

Licence Granted **14th January 2011**

Issue Number: **001**

This licence summary consists of **2** pages

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Kwik Stop
5 Stanley Way
Orpington
BR5 2HE

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence

Alcohol Off Sales

The opening hours of the premises

Hours Open to the Public on Monday-Saturday from 07:00 to 23:00

Hours Open to the Public on Sunday from 08:00 to 22:00



The Government Standard



Where the licence authorises supplies of alcohol whether these are on and/or off sales

Off Sales Only

The times the licence authorises the carrying out of licensable activities

Alcohol Off Sales on Monday-Saturday from 07:00 to 23:00
Alcohol Off Sales on Sunday from 08:00 to 22:00

Name, (registered) address of holder of premises licence

Mr Iftab Hussain
of
112-114 Coldharbour Lane
London
SE5 9PZ
And
Mr Ashaq Hussain
of
112-114 Coldharbour Lane
London
SE5 9PZf

Registered number of holder, for example company number, charity number (where applicable)

Not applicable.

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

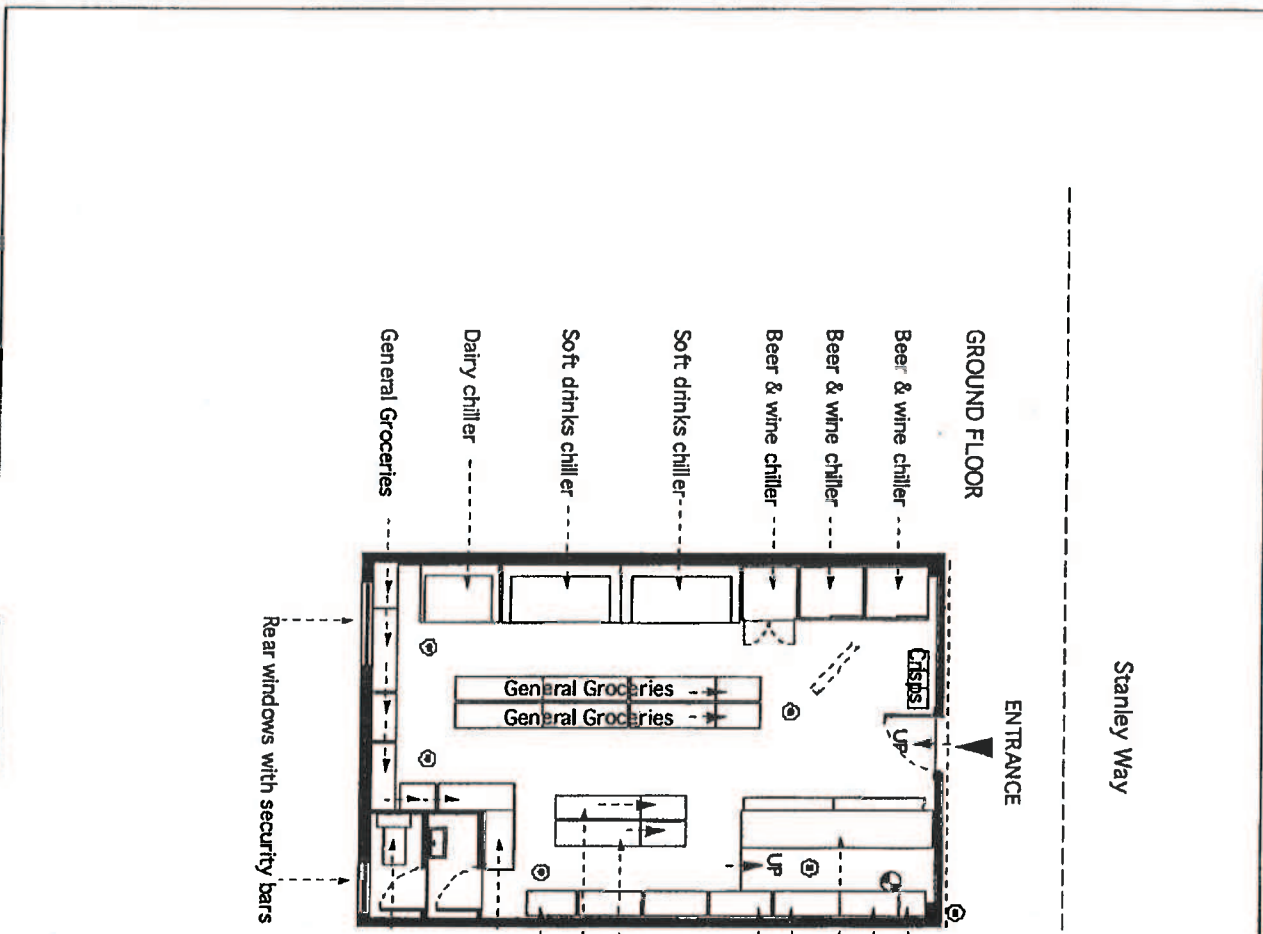
Full Name: Mr Ashaq Hussain

State whether access to the premises by children is restricted or prohibited

Not applicable.



The Government Standard



Stanley Way

COPY

- Key
- General Purpose Fire Extinguisher
 - CCTV Camera
 - CCTV Display

LONDON BOROUGH OF BROMLEY
 LICENSING 1 of 1
 PLAN REF. 10/00734/LAPRE
 DATE 14TH JANUARY 2011
 OFFICER SP

Licensing Services Agency
 16 Bengoe Street
 Herford SG14 3ES

Site Address
 5 Stanley Way
 Orpington
 BR5 2HE

Scale 1:100

Date 25 October 2010

Appendix 3

(Letters of representation)

Your reference: 2

Our reference: South/0237

Date: 17 November, 2011



Licensing Section,
Environmental Health & Trading Standards,
Civic Centre,
Stockwell Close,
Bromley,
BR1 3UH

**Metropolitan Police Service
Bromley Borough Police**

Licensing Section,
High Street,
Bromley,
Kent.
BR1 1ER
Tel : 0208 - 284 - 9988
Fax : 0208 - 284 - 8825
E-mail : licensing.py@met.police.uk

Dear Sir / Madam,

Application for the review of a premises licence - Kwik Stop, 5 Stanley Way, Orpington, BR5 2HE.

On 31st October 2011, Police received an application to review the premises licence for Kwik Stop, 5 Stanley Way, Orpington from Mr. Rob Vale, Head of Trading Standards for Bromley Borough Council.

By way of representation Police would like to add the following observations to that review.

Firstly, Police are very concerned that the sale of alcohol took place in July 2011 despite advice being given to the premises in May 2011. These area in which the store is situated suffers from disorder by youths. Much of that disorder is committed under the influence of alcohol.

The first offence of sale of alcohol is later compounded by the fact that in September 2011 a further test purchase was carried out at the store which was also failed.

This followed an interview at Bromley Council with the licence holder.

Secondly, Police are also concerned by the fact that the male spoken to in May and served with the advice pack gave his name as Maz Azam and following the sales in July and September gave his name as Maz Moshin. This appears to be a deliberate attempt in confusing the situation or to avoid prosecution and it is a fact that despite several attempts to contact Mr Moshin/Azam at the store to issue a fixed penalty notice for the sales he has never come forward.

It is quite clear from the information I have received that the premises is being run in a haphazard fashion with either no regard for the Licensing Act, 2003 or no understanding of what is required to comply with the Act or its objectives.

Either way, the poor running of the premises and the apparent disregard for the legislation is adding to the problems in the area of alcohol related crime and disorder and harm to children.

There is also some question as to the fitness of the staff employed by Mr. Hussain to deal correctly with alcohol sales, confrontation or indeed to apply the Law in respect of licensed premises.

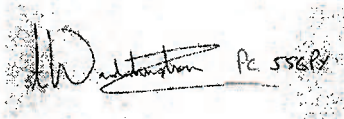
In addition to those suggested conditions of Mr Vale, Police would add that *'there must be a minimum of two staff members in that part of the premises subject to the premises licence whenever sales of alcohol take place'*.

I feel that this extra measure should assist staff in making the correct choice if faced with abusive or belligerent customers.

Police would like their views taken into consideration by The Licensing Sub Committee under the crime and disorder and protection of children from harm objectives.

If I can be of any further assistance please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Andrew Waddington PC 556PY". The signature is somewhat stylized and is written over a light, textured background.

Andrew Waddington PC 556PY
Licensing Officer

3 November 2011

Mr Rob Vale
Trading Standards Manager
Environmental Services
St Blaise Building
Stockwell Close
Bromley
BR1 3UH



Dear Mr Vale

Re: Review of the Premises Licence Kwik Stop, 5 Stanley Way, Orpington, BR5 2HE

I am writing to you on behalf of Bromley Safeguarding Children Board in response to your letter dated 19 October 2011 regarding the above premise.

We note, from the application for review of a premises license, that this establishment has sold tobacco and alcohol to underage young people during test purchase operations in July 2011 and again in September 2011.

Bromley Safeguarding Children Board is concerned about this as it contradicts the Be Healthy and Staying Safe objectives of the Every Child Matters agenda and the Board's Safeguarding Children procedure related to Licensed premises. We therefore do not believe the licensee to be meeting the obligation to protect children from harm as laid out in Objective 4 of the Licensing Act 2003.

We would therefore like the concerns noted in this letter to be taken into consideration when reviewing this license. Additionally, we would recommend the license holder demonstrate that the child protection objectives of the application are addressed and that the premise adopts the London Safeguarding Children Board's procedure for Licensed Premises. www.londonscb.gov.uk/procedures/supplementary_procedures/.

If you have any queries, please contact me, Yvonne Onyeka, BSCB Business Manager on 020 8461 7563.

Yours sincerely



**Yvonne Onyeka
Business Manager**

BROMLEY SAFEGUARDING CHILDREN BOARD

**PROTOCOL ON RAISING
CONCERNS ABOUT THE
WELFARE OF CHILDREN AT
LICENSED PREMISES**

**Bromley Safeguarding Children Board Office
Room B40A
St Blaise Building
Civic Centre
Stockwell Close
Bromley BR1 3UH**

Telephone: 020 8461 7816

Fax: 020 8313 4620

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1. BACKGROUND

1.1 Definition of Licensed Premises

A licence is needed for the:

- Sale/supply of alcohol
- Supply of gambling activities
- Provision of regulated entertainment
- Sale of hot food and drink to the public between 11pm and 5am.

-

Therefore licensed premises provide any or all of the above. Examples of licensed premises are:

- Restaurant
- Pubs, Bars and Nightclubs
- Members Clubs
- Off Licences
- Late night food venues
- Premises offering entertainment e.g. cinemas, theatres etc
- Betting Premises
- Casino Premises
- Bingo Premises
- Adult Gaming
- Family Entertainment Centres

For further information please refer to the following web-page:
<http://www.bromley.gov.uk/business/licences/>

1.2 The Licensing Act 2003

The Licensing Act 2003 was approved by Parliament in July 2003. The overall aim of the Act was to modernise the legislation governing the sale and supply of alcohol and public entertainment licensing. The Act has done this by transferring liquor licensing powers from the Magistrates' Courts to Local Authorities, via the creation of 'Licensing Authorities'. The current fixed hours when alcohol can be sold has also been removed so that licence applicants can request their own hours. For further information please refer to http://www.culture.gov.uk/alcohol_and_entertainment/licensing_act_2003/.

1.3 The Gambling Act 2005

The Gambling Act 2005 establishes a new system of licenses and permits for a wide range of gambling activities. The Gambling Commission was set up under the Act and has overall responsibility. It also has particular responsibility for the issuing of "Operator Licenses" to people who wish to provide gambling. Once a person has an operator licence they may then apply to the local council for a licence or permit to operate at specific premises. For further information about the LBB policy, please refer to:

http://www.bromley.gov.uk/business/licences/london_borough_of_bromley_gambling_policy.htm

1.4 Bromley's Licensing Authority

As a result of the Licensing Act 2003 and the Gambling Act 2005, The London Borough of Bromley is now the Licensing Authority responsible for granting premises licences, club premises certificates, temporary events notices and personal licences in the Borough, for the sale and/or supply of alcohol, the provision of regulated entertainment late night refreshment, granting premises licences for casinos, betting, bingo and adult gaming and family entertainment centre. Amongst other duties the Licensing Authority has to ensure that licensed premises are meeting four licensing objectives for the Licensing Act 2005:

- 1) The Prevention of Crime and Disorder
- 2) Public Safety
- 3) The Prevention of Public Nuisance
- 4) The Protection of Children from Harm

Licensing Objectives for the Gambling Act 2005

1. Preventing gambling being a source of crime or disorder, being associated with crime and disorder or being used to support crime.
2. Ensuring that gambling is conducted in a fair and open way
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

For further information please refer to their policy via the following link:

http://www.bromley.gov.uk/business/licences/alcohol/licensing_policy.htm

http://www.bromley.gov.uk/business/licences/london_borough_of_bromley_gambling_policy.htm

1.5 Bromley Safeguarding Children Board as a 'Responsible Authority'

A number of specified 'responsible authorities' are notified of all licence variations and new applications. Responsible authorities include the police and fire brigade, as well as "a body which represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters". In Bromley it was agreed that it would be the Bromley Safeguarding Children Board. This means that we are able to make representations regarding licence variations and new applications, as well as being able to call for reviews of existing licences in light of the 4th licensing objective i.e. the protection of children from harm or exploitation.

As a result we have established a number of systems to ensure that we are meeting our responsibilities efficiently and effectively. One of which is on how to raise concerns about existing licensed premises and the processes that follow if the concern is substantiated. Ultimately, if concerns are brought to the BSCB's attention, then the

Board may call for a review of the licence and in turn make representations at an official committee hearing, which could lead to conditions being stipulated or even their licence being revoked.

The steps to be taken are outlined in a flowchart diagram on page 9. Please note that we use the term 'Children' to refer to all babies, children and teenagers up until their 18th birthday. The following section overleaf provides you with some background information about children's access to licensed premises and the potential risks to their welfare (this section has been taken from the Licensing Authorities' Policy for 2005-08).

**Please can you acquaint yourself with sections 3 and 4 of this protocol, so that you are aware of what to do if you become concerned about the welfare of a child. If you have any enquiries please do not hesitate to contact the BSCB Office.
Bromley Safeguarding Children Board: The BSCB Team**

2. PREVENTION OF HARM TO CHILDREN

2.1 Access to Licensed Premises

The wide range of premises that require licensing under these Acts means that children can be expected to visit many of these, often on their own, for food and/or entertainment.

Where no relevant representations are received and an applicant volunteers prohibitions or restrictions in relation to the admission of children those will become conditions attached to the license.

Apart from the specific restrictions set out in the Licensing Act 2003 there is no presumption of permitting or refusing access to licensed premises. Each application and its circumstances will be considered on its own merits. The Licensing Authority will only seek to limit the access of children to licensed premises where it is necessary for the prevention of physical, moral or psychological harm.

With regard to Gambling, there are inherent restrictions within the Act limiting children from entering certain Gambling Establishments. Where children are permitted there have to be safeguards in place to prevent children being exposed to Gambling.

The Licensing Authority will consult with the Bromley Safeguarding Children Board and / or the Director of Social Services and Housing on any application that indicates there may be concerns over access for children.

The Licensing Authority will judge the merits of each application before deciding whether to impose conditions limiting the access of children. The following are examples of premises that will raise concern:

- Where entertainment or services of an adult or sexual nature are commonly provided
- Where there have been convictions of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- A known association with drug taking or drug dealing
- Where there is a strong element of gambling on the premises
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises

Examples of entertainment or services of an adult or sexual nature include topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language.

The Licensing Authority will consider any of the following options when dealing with a license application where limiting the access of children is considered necessary to prevent harm to children:

- Limitations on the hours when children may be present
- Limitations on the presence of children under certain ages when particular specified activities are taking place

- Limitations on the parts of premises to which children might be given access
- Limitations on ages below 18
- Limitations or exclusion when certain activities are taking place
- Requirements for an accompanying adult
- Full exclusion of people under 18 from the premises when any licensable activities are taking place

No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.

The Acts detail a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the Police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children and gambling.

Bromley Trading Standards have an agreed protocol with the Police for enforcing age related sales for alcohol sold for consumption off the premises and this will continue to be applied. The service will also undertake monitoring and test purchasing for compliance with other age related sales and services applicable to the Licensing Act 2003 e.g. cinemas.

2.2 The Portman Group Code of Practice on Naming Packaging and Promotion of Alcoholic Drinks

The Code seeks to ensure that alcoholic drinks are packaged and promoted in a socially responsible manner and only to those 18 and over. The Licensing Authority supports the use of the code as a means to promote the protection of children from harm and encourages retailers to follow it.

2.3 Children and Cinemas

Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example, strong language, scenes of horror, violence or a sexual nature that may be considered unsuitable for children within certain age groups.

Where an application for a Premises License or Club Premises Certificate includes the showing of films, the Licensing Authority will expect the operating schedule to include arrangements for restricting children from viewing age restricted films classified by the British Board of Film Classification or by the Licensing Authority itself.

All Premises Licenses and Club Premises Certificates granted for the exhibition of films will contain a condition restricting the admission of children either in accordance with the age classification by a film classification body under Section 4 of the Video Recordings Act 1984 or the Licensing Authorities recommendation.

It will be the Licensing Authorities policy to specify that the British Board of Film Classification will be stated on the license as the film classification body where a film has such a classification, however where there is no such classification or under such other circumstances as the Licensing Authority see fit its own classification may be imposed.

2.4 Children and Public Entertainment

Many children go to see and/or take part in an entertainment arranged especially for them, for example, children's film shows, discos and dance or drama school productions, and additional arrangements are required to safeguard them while at the premises.

Where an application for a Premises License or Club Premises Certificate includes the provision of entertainment for children or by children, the Licensing Authority will expect the Operating Schedule to include arrangements for protecting children.

The Licensing Authority will make full use of Licensing Conditions to secure the protection of children from harm. Conditions will be imposed where necessary, based on the individual application being considered and the Licensing Authority will have regard to the Model Pool of Conditions contained in the Guidance issued by the Secretary of State under Section 182 of the Act.

2.5 Children and Gambling

We have noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). We will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

This licensing authority will also make itself aware of the Codes of Practice, which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

The licensing authority issued a Statement of Gambling Policy in November 2007 in which detailed information about the possible measures that could be considered to meet this licensing objective is set out in Part B.

<http://www.bromley.gov.uk/NR/rdonlyres/6401F478-7E33-49B1-BE38-02E990EFD1DB/0/LBBromleyGamblingPolicy.pdf>

2.6 Children Employed in Licensed Premises

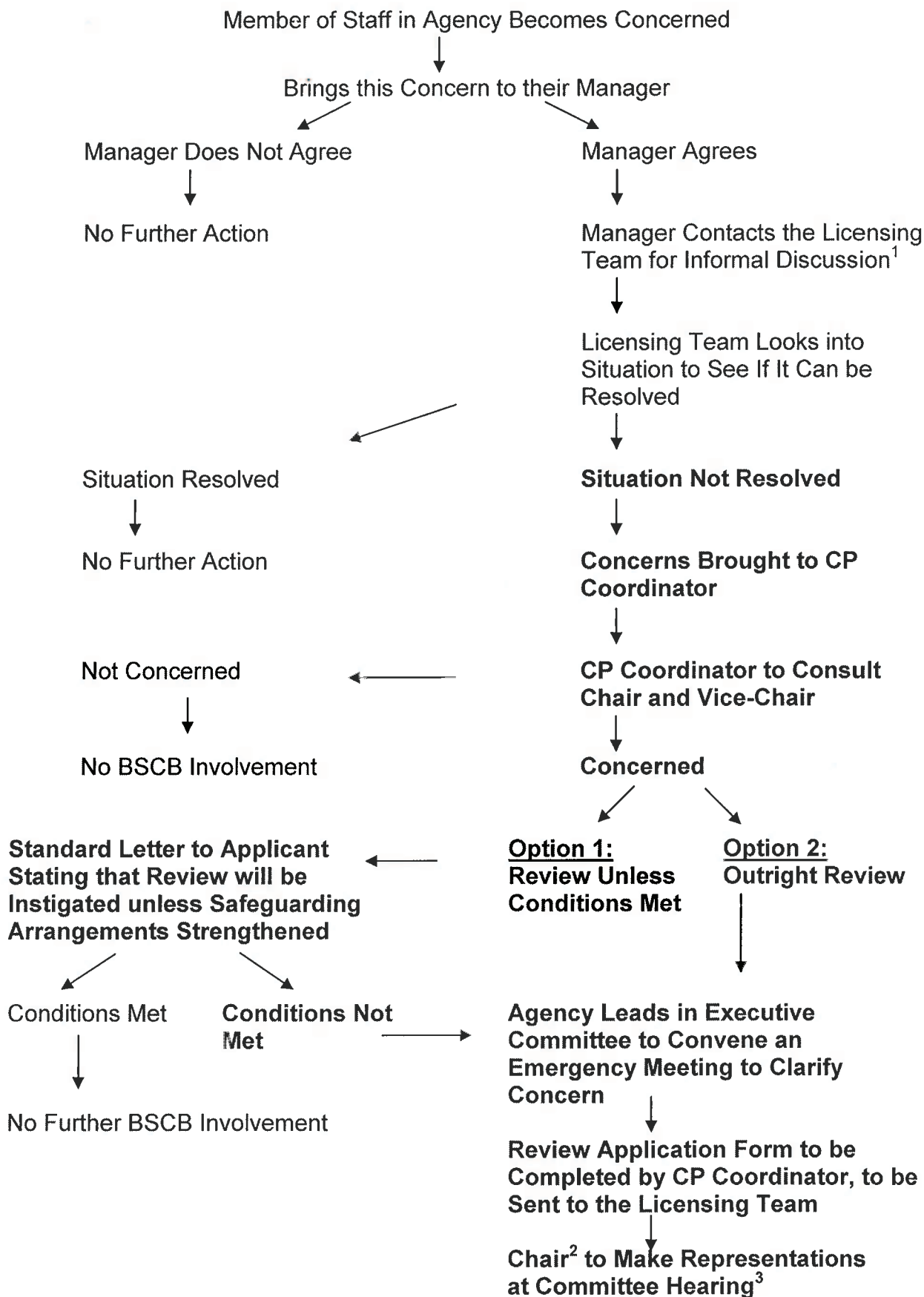
Opportunities for young people to work in licensed premises are extremely limited. In accordance with the London Borough of Bromley Byelaws on the Employment of Children (1998), children under 16 may not sell or deliver alcohol and may not work in a commercial kitchen. However, occupations such as serving at or clearing of tables may be permitted in certain circumstances. Young people must obtain a work permit to work and will be required to abide by the legal restrictions concerning hours and times of employment.

Children and young people taking part in entertainment productions on any licenses premises may also be required to obtain an entertainment license.

Application forms and full details of the legal requirements regarding child employment and children in entertainment can be obtained from Bromley Education Welfare Service, Bromley Civic Centre, Stockwell Close, Bromley BR1 3UH.

BROMLEY SAFEGUARDING CHILDREN BOARD

3. PROCESS FOR RAISING CONCERNS ABOUT THE WELFARE OF CHILDREN AT LICENSED PREMISES



¹ Licensing Contacts Details are on page 10 of Protocol.
² Or delegated
³ Committee Hearing to be held within 20 days of objection

4. LICENSING TEAM'S CONTACT DETAILS

Licensing Manager

- Paul Lehane 020 8313 4216

Licensing Officers

- Steve Phillips 020 8313 4659
- Dave Candeland 020 8313 4210
- Laurie Grasty 020 8313 4734
- Peter Warne 020 8313 4701

Support Team

- Irene Brehme 020 8313 4218
- Paul Double 020 8461 7956
- Sandra Ramsey 020 8461 7546



Safeguarding Children Policy for Licensed Premises

London Child Safeguarding Children Board
59½ Southwark Street
London SE1 0AL

0207 934 9636
www.londoncpc.gov.uk

Christine Christie May 2005

Safeguarding Children Policy
for
Licensed Premises
(where there may be children present)

Contents

1. Safeguarding Children Policy
2. Definition of Child Abuse and Neglect
3. Safeguarding Children Procedures to be Followed by Owners and Staff of Licensed Premises
4. Nominated Safeguarding Children Person
5. Copy of Information Poster for Display

1. SAFEGUARDING CHILDREN POLICY

1.1 Context

The protection of children from harm is a national licensing objective. The term 'children' refers to all babies, children and teenagers i.e. from birth till their 18th birthday. The words 'child protection' is included in the term safeguarding children.

This safeguarding children policy is for all staff (paid or unpaid) involved in premises which have been licensed under The Licensing Act 2003. This policy will give some basic information about what to do if you are concerned about a child and how your local Children's Social Services and Metropolitan Police Team will respond to and deal with reports about children whose welfare is causing concern. This guidance should be read in conjunction with the Licensing Act 2003.

1.2 Policy Responsibility

This Policy has been drawn up by the London Child Protection Committee in consultation with the London Area Child Protection Committees/Local Safeguarding Children Boards. Responsibility for revising the Policy rests with the Committee - your feedback on policy implementation will be welcomed.

1.3 Government Guidance

The Government position is that everyone working in an environment where there may be children present should safeguard and promote the wellbeing of children.

All adults (owner/license holders, staff and the wider community) must follow the Government Guidance published by the Department of Health (2002) "What To Do If You're Worried A Child is Being Abused". The Guidance describes the national framework within which local agencies and professionals should work and take action where there are concerns about the welfare of a child. A summary of the Guidance should be provided with this pack.

(The "What To Do If ..." publication can be obtained from Department of Health Publications by telephoning 08701 555 455 and quoting reference 31815).

Advice can also be obtained during office hours from your local Police Station on 01689 891212 or Children's Social Services on 020 8461 7050 (Bromley West) or 020 8461 7329 (Bromley East); and the Social Services Emergency Duty Team on 020 8464 4848 and Police (24 hour cover) on 01689 891212 out of office hours.

1.4 Training and Competence

All owners/license holders and their staff should have a basic awareness of Child Protection issues. This includes:

- Being alert to the possibility of child abuse and neglect, i.e. the definition, prevalence, identifying features in a child or adult, legal parameters and social consequences;
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances;
- Knowing who in the organization to raise your concerns with,
- Being competent in taking the appropriate immediate or emergency action, and
- Knowing how to make a referral to Social Services and/or the Police.

Information about this is included in this Child Protection Policy and in the "What To Do If ..." publication referred to in 1.3 above.

The licensee is responsible for ensuring that they and their staff are familiar with, and competent in following both this Safeguarding Children Policy and the Government Guidance.

1.5 Basic Principles

- 1) If anyone involved with premises which have been licensed has any concerns about a child, then they must discuss these with the local Police Child Abuse Investigation Team and the local Children's Social Services at the earliest possible opportunity.

These may include concerns about a member of staff or a suspicion that an activity taking place in the establishment could place children at risk.

- 2) In any situation where there is a suspicion that there may be abuse **the welfare needs of the child must come first** (see Children Act 1989) even where there may be a conflict in interest e.g. where the suspected perpetrator may be a customer, client or employee/employer.

1.6 Protection for All

All children must be safeguarded from harm and exploitation whatever their:

- Race, religion, first language or ethnicity;
- Gender or sexuality;
- Age;
- Health, ill-health or disability;
- Location or placement (e.g. living alone in a hostel or residential unit, with their family or a foster family, as a tourist in an hotel etc);
- Criminal or offensive behaviour;
- Wealth or lack of it; and
- Political or immigration status.

2. DEFINITION OF CHILD ABUSE AND NEGLECT

2.1 Context

All the Local Authorities in London and the Metropolitan Police, use a single set of multi-agency procedures when working to safeguard children, these are the London Child Protection Procedures. The London Child Protection Procedures are also used all the other agencies in London who are in contact with children.

This section closely reflects the London Child Protection Procedures

(See the London Child Protection Committee website: www.londoncpc.gov.uk)

2.2 Child Abuse and Neglect

'Child abuse and neglect' is a generic term encompassing all maltreatment of children. Children may be abused or neglected through the infliction of harm, or through the failure of the adults around them to act to prevent harm.

The term 'child abuse and neglect' therefore includes the impact on children from serious physical and sexual assaults through to situations where the standard of care for the child

from their parent or carer does not adequately support the child's health or development.

Abuse and neglect can occur in a family or an institutional or community setting. The perpetrator of abuse may or may not be known to the child.

The Department of Health¹ has defines four broad categories of abuse which are used by professional working in child protection. These are: neglect, physical abuse, sexual abuse and emotional abuse. These categories overlap and an abused child usually suffers more than one type of abuse.

2.3 Physical Abuse

Physical abuse may take many forms, such as, hitting (including, with an object) or punching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child or young person. It may also be caused when a parent or carer fabricates the symptoms of, or deliberately causes ill health to, a child or young person.

2.4 Emotional Abuse

Emotional abuse is the maltreatment of a child which has a severe and negative effect on the child's emotional development. It may involve conveying to a child or young person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve:

- Imposing expectations on a child or young person which are not appropriate for their age and/or development;
- Causing children or young people to frequently feel frightened or in danger e.g. witnessing domestic or other violence; and/or
- Exploitation or corruption of children or young people.

Some level of emotional abuse is involved in all types of maltreatment of children , though emotional abuse may occur alone.

2.5 Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. Sexual abuse includes penetrative (i.e. vaginal or anal rape or buggery) or non-

¹ *Working Together to Safeguard Children* Department of Health date..

penetrative acts. Sexual abuse includes sexual exploitation of children through prostitution.

Sexual abuse also includes non-contact activities, such as involving children in looking at, or in the production of, pornographic materials, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

The fact that it is abusive to children to allow or coerce them into witnessing acts of a sexual nature between adults, **may be particularly relevant where children are exposed to adult focussed activities such as premises where sexual themes are prevalent.**

2.6 Neglect

Neglect involves the persistent failure to meet a child or young person's basic physical and /or psychological needs, likely to result in the serious impairment of the child or young person's health and development.

- This may involve failure to provide a child or young person with adequate food, shelter or clothing, failure to protect them from physical harm or danger or failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs. This includes children or young people being present - with or without their parents, at venues unsuitable for their age e.g. venues with an 'adult only' activities such as;
- Events of a sexual nature;
- Where there are convictions of current members of staff for serving alcohol to minors;
- Premises where gambling is the main activity; and/or
- Premises where the supply of alcohol is the main activity.

Children need to be protected even when it appears that they are not aware that the physical abuse, sexual activity they are involved in or witness, or the neglect they experience, is harmful to them.

3. CHILD PROTECTION PROCEDURES TO BE FOLLOWED BY OWNER /LICENSE HOLDERS AND THEIR STAFF

3.1 Action to be Taken

Local Authority Children's Social Services, the Police (and the children's charity NSPCC) are the only agencies which have a legal obligation to investigate child abuse.

If you suspect that a child under the age of eighteen years or an unborn baby is being harmed by:

- Experiencing or already has, experienced abuse or neglect; and/or is
- Likely to suffer significant harm in the future;

You **must** talk to your nominated safeguarding children person and make a referral to your local Children's Social Services and your local Police.

3.2 Who to Contact

In Office Hours

Children's Social Services Bromley West 020 8461 7050

Bromley East 020 8461 7329

Local Police Station 01689 891212

Out of Office Hours

Children's Social Services Emergency Duty Team 020 8464 4848

Local Police Station (24 hour cover) 01689 891212

3.3 What Children's Social Services and the Police will want to know:

When you contact the Duty Officer you should provide the following details:

- Your name;
- Your address and a telephone number at which you can be contacted in case they require other information or to follow up;
- The child or young person's name, and any other details, if known (parent's name, address, school etc);
- Relevant information about the circumstances of your concerns - what you see, hear or suspect to be happening about an individual child and young person;

- Also concerns relating to activities you see, hear or suspect to be happening about the premise or linked to the premises e.g. if you suspect that a member of staff is selling alcohol to young people who are underage or you believe that children are at risk of sexual exploitation (prostitution or internet pornography). You may not have all the details about a child or young person, or the activity but you should still refer.

You will be expected to put in writing within 48 hours the information which you have given verbally (telephone or face-to-face).

Children's Social Services and the Police should tell you how to respond to the situation in a way that supports their plan of action.

You may be in breach of your license if you do not disclose information where child abuse is suspected.

4.1 Nominated Safeguarding Children Person

Recommended best practice is for the owner/license holder to nominate themselves or a senior staff member to have the following responsibilities* in relation to safeguarding children for the licensed premises - to:

- Arrange safeguarding children training for all staff;
- Monitor and report on whether all staff have received the minimum (initial and refresher) safeguarding children training;
- Ensure that all staff have read and know where to find this policy and the Government Guidance: "What To Do If You're Worried a Child is Being Abused" (See 1.3 on page 1)
- Ensure that an up-to-date Safeguarding Children Procedures Poster is displayed for all staff at all times (See last page of this Policy);
- Provide advice and support to staff when they have a concern about safeguarding a child;
- Record all concerns raised by staff; and
- Be the contact person for the local Children's Social Services and the Police in relation to all incidents or concerns related to the safeguarding of children on or linked to the premises.

* This list is not exhaustive

All staff should know that they can call the local Children's Social Services and the Police if the person they suspect is senior to them in the licensed premises staff hierarchy.

SAFEGUARDING CHILDREN

These premises are licensed in accordance with Licensing Act 2003 and as such is in accordance with the national objective of safeguarding children.

This establishment has a Safeguarding Children Policy which each member of staff should consult and familiarise themselves with.

If you are concerned about the welfare of any child or suspect that a child/children are being abused in connection with your establishment

Do not keep these concerns to yourself

Discuss them with your nominated Safeguarding Children person, the local Children's Social Services and the local Police Station.

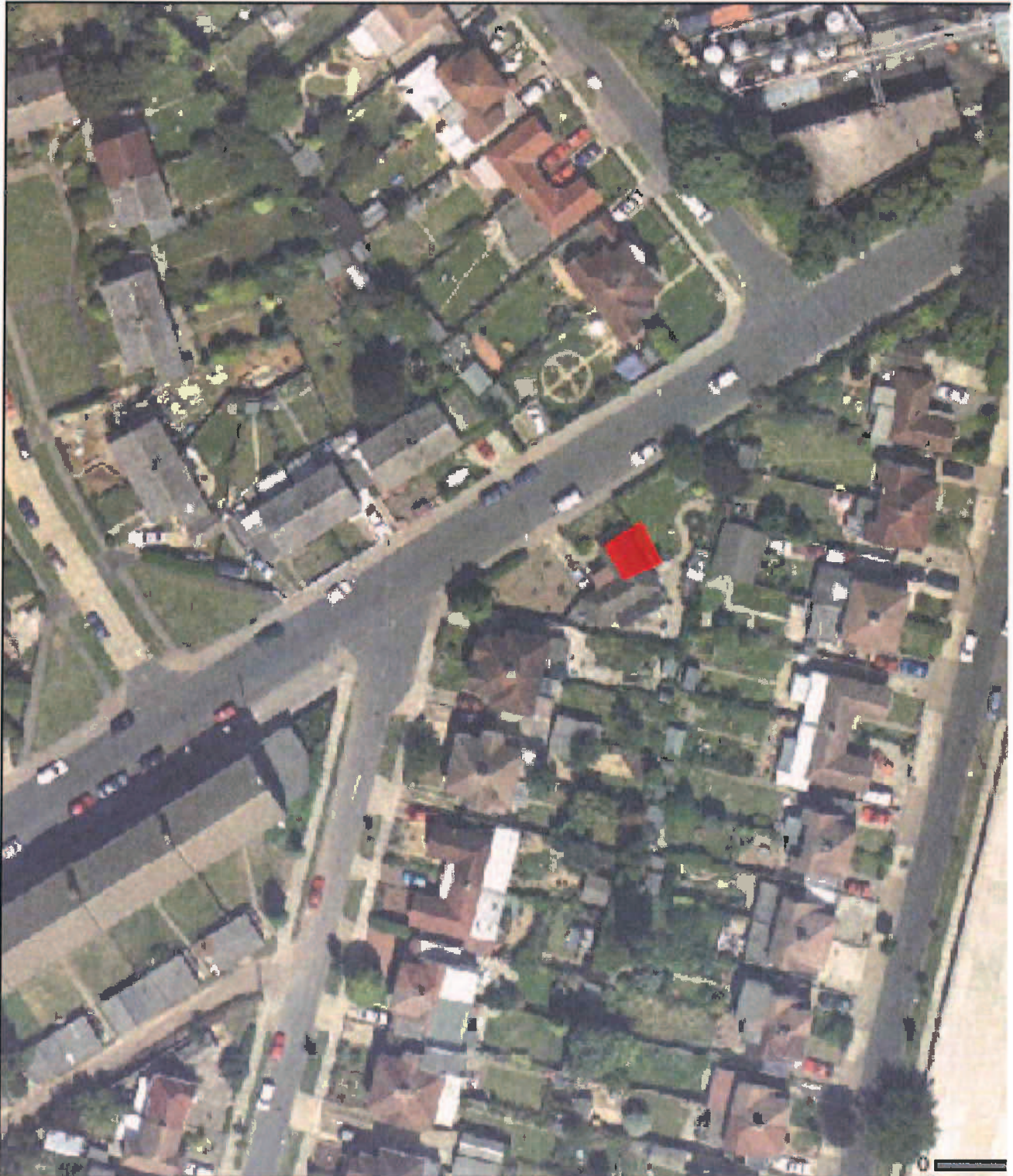
In the case of an emergency you must contact:

Children's Social Services	020 8461 7050	(West)
daytime	020 8461 7329	(East)
Children's Social Services	020 8464 4848	
Emergency Duty Team		
Local Police Station (24 hour)	01689 891212	

Appendix 4

(map of location)

Kwik Stop
5 Stanley Way



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Kwik Stop

5 Stanley Way



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