

Report No.
ES20186

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: LICENSING SUB-COMMITTEE

Date: Wednesday 22nd June 2022

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

Title: APPLICATION FOR A REVIEW OF THE PREMISES LICENCE AT DEVRIM MANAGEMENT LIMITED T/A EMBAS LOCAL, 5 STATION APPROACH, LOWER SYDENHAM LONDON SE26 5FD

Contact Officer: Steve Phillips, Head of Health Safety and Licensing
Tel: 020 8313 4659 E-mail: steve.phillips@bromley.gov.uk

Chief Officer: Colin Brand Director of Environment and Public Protection

Ward: Copers Cope

1. Reason for report

- 1.1 To provide the Licensing Sub-Committee with information to support them in determining this licence application.
-

2. RECOMMENDATIONS

- 2.1 The Licensing Sub-Committee asked to determine this application having taken into account the Council's Statement of Licensing Policy 2021 to 2026 and written and oral representations by the applicant and the licence holder.

Members can

1. Modify the conditions of the licence
2. Exclude a licensable activity from the scope of the licence.
3. Remove the Designated Premises Supervisor
4. Suspend the licence for a period not exceeding three months
5. Revoke the licence

Impact on Vulnerable Adults and Children

1. Summary of Impact:

When making decisions under the Licensing Act 2003 the Council is required to promote the licensing objectives, one of which is the protection of children from harm.

Corporate Policy

1. Policy Status: Existing Policy:

The Council has adopted a statement of its licensing policy under the Licensing Act 2003 for the period 2021 to 2026.

2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration

Financial

1. Cost of proposal: Licensing statutes allow for an appeal to the Magistrates Court against the Council's decision. Should an appeal be made, costs are likely to be incurred but it is not possible to quantify these.
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Public Protection and Portfolio
 4. Total current budget for this head: £2.4M
 5. Source of funding: 2022/2023
-

Personnel

1. Number of staff (current and additional): 1 Licensing Officers supported by 3.5 FTE admin
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Council is the Licensing Authority for the Licensing Act 2003. This is a Non-Executive function and is delegated to the General Purposes and Licensing Committee. Where representations are received about a licence application, it is referred to the Licensing Sub Committee for a hearing and decision.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

1. When considering and making a determination on this application Members need to balance the benefits of holding the licence against any adverse effects to the Public, Local Residents and Businesses by considering its impact against the licensing objectives

Ward Councillor Views

1. Have Ward Councillors been asked for comments? **Yes**. Ward Members were notified about the review application by e-mail on 9th May 2022.
2. Summary of Ward Councillors' comments: There were no comments received from Ward Councillors.

Responsible Authorities Views

The following Responsible Authorities were notified about this application and their views sought.

Responsible Authority	Date Notified	Comments
Metropolitan Police	6 th May 2022	No response
Planning Authority	6 th May 2022	No response
Trading Standards Service	N/A	Applicant – see Appendix 1.
Public Health Nuisance Team	6 th May 2022	No response
Health & Safety Team	6 th May 2022	No response
Child Protection Team	6 th May 2022	No response
Fire Authority	6 th May 2022	No representation made
Public Health	6 th May 2022	No response

Residents and interested Parties

There were no representations received from members of the public.

3. COMMENTARY

3.1. Licensing Act 2003.

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

Provision of regulated entertainment

- a) Plays. (Where the audience exceeds 500 people)
- b) Films.
- c) Indoor sporting events. (Where the audience exceeds 1000 people)
- d) Boxing or wrestling entertainment.
- e) Live music. (subject to the Live Music Act 2013 exemptions)
- f) Recorded music.

g) Performances of dance. (Where the audience exceeds 500 people)

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.

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 Bromley's Statement of Licensing Policy for the Period 2021 – 2026.

The Licensing Sub-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.

*Members' attention is drawn to the Guidance adopted by members on Review Applications found at **Appendix 5**.*

Description of the Premises

The premises sits within a four storey block with commercial units on the ground floor and residential accommodation above. A satellite image and street view of the premises can be found at **Appendix 4**.

Licensing History

An application for a premises licence was made on 18th March 2021 by Devrim Management Ltd.

On 23rd March 2021 The Trading Standards Service contacted the applicant and provided details of the requirements and links to free guidance regarding the prevention of underage sales.

The premises licence was granted on **16th April 2021**. Within the Operating Schedule of the application form, the applicant detailed several measures that they would take to prevent harm to children as follows:

- Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.
- The Challenge 25 proof of age policy will be operated and only a photographic driving licence, a valid passport, a valid UK, Armed Forces photographic identity card with the bearer's photograph on it or Home Office approved proof of age card with the bearer's photograph and the PASS logo / hologram on it will be accepted as proof of age.
- Training for all staff on underage sales will be documented and repeated at regular intervals. The training will ensure staff understand the principle of Challenge 25. The scheme shall be made available for inspection at the request of the Licensing Authority, Trading Standards and Metropolitan Police.
- The premises will display publicity materials relating to the Challenge 25 scheme.

The above measures were subsequently turned into conditions on the licence. A copy of the current licence can be found at **Appendix 2**.

On 22nd October 2021 Trading Standards carried out a test purchase to test the Challenge 25 policy. A 4pack of WKD Blue was sold to an 18 year old, no challenge was made and proof of age was not requested. Further advice and materials were provided at this time

On 7th April 2022 Trading Standards carried out a test purchase of alcohol. A can of Fosters Lager was sold to a 15 year old. No challenge was made and proof of age was not requested.

On 1st June 2022 a letter was received from Embas Local explaining that the alcohol was sold to a 15 year old because the member of staff who sold it did not recognise the product as alcohol. The letter went on to state the subsequent steps taken to prevent any future incidents. Full details of the subsequent steps taken by the company can be found at **Appendix 3**.

Details of the Application

This is an application to review the premises licence following the sale of alcohol to a 15 year old as summarised above. The applicant has asked that additional conditions and a 3 month suspension of the licence be considered. A copy of the full application can be found at **Appendix 1**.

Representations

During the public consultation period the Licensing Authority received no representations regarding review the application.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Licensing regimes provide for additional controls through specific permissions to undertake activities. The Licensing Act 2003 contain 4 licensing objectives one of which is protect children from harm.
- 4.2 Businesses and the Council are required to promote this objective in the way they operate or make decisions.
- 4.3 Details of applications under the Licensing Act are referred to the appropriate safeguarding teams for comment as they are a designated responsible authority.

5. POLICY IMPLICATIONS

- 5.1 The Licensing Act 2003 require the Council to prepare, consult on and publish a statement of their licensing policy. This must be reviewed at least every 5 years under the Licensing Act.
- 5.2 Members should make decisions in accordance with these polices but are free to depart from them with good reason.
- 5.3 The current policy is -
 - Statement of Licensing Policy 2021 to 2026

http://www.bromley.gov.uk/downloads/file/226/statement_of_licensing_policy_2021-2026

6. FINANCIAL & LEGAL IMPLICATIONS

- 6.1 There are rights of appeal to the Magistrates Court against the decision of the Sub-Committee under both the Licensing and Gambling Acts. If an appeal were to be lodged there are costs associated with defending it. These are difficult to quantify, and the Courts can award costs. In the event of a successful appeal, we could pay the costs of the appellant as well as our own. Equally if we successfully defended an appeal, it is open to the Court to order our costs to be paid by the appellant.
- 6.2 Parties involved in a hearing before a Sub-Committee can also seek a Judicial Review if the Local Authority has failed to administer the hearing in accordance with proper procedures.
- 6.3 The Council has adopted a procedure for the conduct of hearings.
- 6.4 Although the Council has a duty to consider its duties under the Equality Act 2010 generally, and more specifically under part 11 (Public Sector Equality Duty), this does not directly fall within the licensing objectives and will need to be considered on a case-by-case basis (in relation to accessibility) and enforcement (in relation to harassment).
- 6.5 Similarly, climate change action is not easily addressed under the licensing regime and can be considered either informally or under other regimes, such as planning (when considering new premises licence applications for example).

Non-Applicable Sections:	Personnel and Procurement implications
Background Documents: (Access via Contact Officer)	Soft File Computer based records

Appendix 1

Review Application Form

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Graeme Preston (Trading Standards Manager)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described 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 5 Station Approach Lower Sydenham	
Post town London	Post code (if known) SE26 5FD

Name of premises licence holder or club holding club premises certificate (if known) DEVTRIM MANAGEMENT LIMITED

Number of premises licence or club premises certificate (if known) 21/00129/LAPRE

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname**First names**

Please tick ✓ yes

I am 18 years old or over**Current postal
address if
different from
premises
address****Post town****Post Code****Daytime contact telephone number****E-mail address
(optional)****(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Graeme Preston Trading Standards Civic Centre Bromley BR1 3UH
Telephone number (if any) 020 8313 4514
E-mail address (optional) graeme.preston@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
- 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 2)

This application for licence review is a direct result of the sale of alcohol to underage volunteers on Thursday 7th April 2022.

1. Ownership

The premises licence is held by Devrim Management Limited, which according to the Companies House website is now known as Devrim Retail Ltd. The designated premises supervisor (DPS) is Sahin Tasyurdu. The general manager is Galina Kovalenko.

2. Location

The premises is a small shop located in Station Approach in Sydenham.

3. Trading Standards

Trading Standards are committed to protecting children against harm and carry out test purchasing in line with the Council's safeguarding children agenda. Trading Standards operate a Challenge 25 test purchase initially with the assistance of an 18–21-year-old volunteer, for example in the case of new licensees, a programme in a given location or because of general information relating to a location.

If an attempt leads to a sale, then the business is informed, and a follow up test purchase using underage volunteers is arranged. If complaints are received, additional test purchases may be carried out.

Trading Standards have provided advice both when they first applied for a licence, in March 2021 ([Appendix A](#)), and after a Challenge 25 test purchase was made ([Appendix B](#)). Free materials were given them to aid them in preventing sales of age restricted goods to minors when officers visited in October 2021.

4. Trading Standards Challenge 25 Visit

On 22nd October 2021, Trading Standards carried out a test purchase to test the Challenge 25 policy which is part of the licencing conditions set out under number 26. This was done with the assistance of an 18-year-old volunteer. The volunteer entered the premises and purchased a pack for 4 WKD blue bottles for £4.99. There was no challenge made for ID with this purchase. Officers then entered the premises to advise the general manager Ms Kovalenko of the test purchase and provided advice and a materials pack. The pack included Bromley Council's Age Restricted advice regarding Alcohol, a refusals log and a Challenge 25 poster to display in the premises. Trading Standards decided to seek authority to undertake an underage sales test purchase:

5. Trading Standards Underage Sales Visit

The volunteers who assisted officers in the underage test purchase are 15 years old. Prior to the operation, photographs were taken of the volunteers (these will be made available to the Licensing Sub Committee and Licence Holder at the hearing) and a briefing of the aim, and the purpose of the operation were given to them. The volunteers were asked to test purchase alcohol and if asked for ID to simply say they do not have any. On this occasion, the volunteers were given permission to say they were 18 years old if asked.

On 7th April 2022, Trading Standards carried out an underage test purchase of alcohol. There were 3 trading standards officers present on the day Holly Costin, Matt Smith and Sam Phillips. They were assisted by the two 15-year-old volunteers.

At approximately 11:12am, Mrs Phillips entered the premises to assess the environment and practicality of carrying out a test purchase. After she returned, the volunteers entered the premises at approximately 11:17am. One was equipped with a handheld covert camera to record the attempt and to ensure the wellbeing of the volunteers.

The volunteers purchased a can of Fosters for £1.70 with no challenge for identification.

Miss Costin and Mr Smith then entered the premises and spoke to the seller Nya Annsharon. Ms Annsharon advised the officers that she was unaware of the process and that she wasn't aware that the drink was age restricted. The officers advised that the sale of age restricted products and Challenge 25 should have been covered in staff training, however Ms Annsharon seemed confused by this. Neither the DPS, licence holder nor a manager was present at the time.

Trading Standards do not have confidence in this premises that they will abide by the **licensing objective: protection children from harm.**

The operation was carried out in compliance with section 149(2)(b) of the Licensing Act 2003. There was a Regulation of Investigatory Powers Act 2000 (RIPA) in place at the time of this operation. The RIPA is an Act of the Parliament of the United Kingdom, regulating the powers of public bodies to carry out surveillance and investigation, and covering the interception of communications.

6: Recommendations

Paragraphs 26-28 of Premises Licence **21/00129/LAPRE** refer to Challenge 25 and staff training:

26. The Challenge 25 proof of age policy will be operated and only a photographic driving licence, a valid passport, a valid UK Armed Forces photographic identity card with the bearer's photograph on it or Home Office approved proof of age card with the bearer's photograph and the PASS logo / hologram on it will be accepted as proof of age.

27. Training for all staff on underage sales will be documented and repeated at regular intervals. The training will ensure staff understand the principle of Challenge 25. The scheme shall be made available for inspection at the request of the Licensing Authority, Trading Standards and Metropolitan Police.

28. The premises will display publicity materials relating to the Challenge 25 scheme.

The following additional conditions could be considered to the Premises Licence:

- The Premises Licence Holder shall maintain a list of names in the shop which identifies the staff who are permitted to sell alcohol. This shall be made available to Police or Council officers on request.
- The documented staff training records shall be made available for inspection immediately at the request of Police or Council officers.
- The refusal register shall be inspected on a regular basis (at least monthly) by the DPS and signed by the DPS indicating that they have checked the register. Refusal register records shall be held for a minimum of 12 months

Furthermore, because the licence already has a Challenge 25 condition and the evidence of the advice, guidance and supporting literature already supplied it is requested that the following be strongly considered:

- A short licence suspension of up to 3 months.

Please provide as much information as possible to support the application (please read guidance note 3)

Please tick ✓ yes

Have you made an application for review relating to the premises before: **No**

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

N/A

Please tick ✓

yes

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

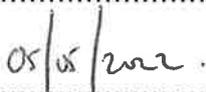
Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date



Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

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. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Preston, Graeme

From: Hancock, Ruth
Sent: 23 March 2021 15:15
To: info@embas.co.uk; s.sawyer@hugh-jones.co.uk
Subject: Devrim Management Limited. Premises Licence application - Trading Standards information
Attachments: CTSI Prevention of under age sales online training info sheet May 2020.docx
Categories: Egress Switch: Unprotected

Dear Premises Licence Applicant

**PREMISES LICENCE APPLICATION
LICENSING ACT 2003**

Details of your Premises Licence Application have been passed to Trading Standards for consideration, particularly in relation to the section 'Protecting children from harm'.

Free guidance around the prevention of underage sales, including when selling online, can be found on the Trading Standards pages at www.bromley.gov.uk Please also find attached an option for underage sales prevention training which you may find helpful.

It is essential that you and your staff are aware of the requirements of all the legislation and are trained to ask for age identification prior to making a sale, in line with an age verification policy. If the customer does not have acceptable ID, the product should not be sold to them. Remember: No ID, No sale. Acceptable forms of ID are:

- a proof of age card bearing a PASS hologram
- a photocard driving licence
- a passport
- a military identification card (be aware that these can be held by 16 and 17 year old service people)

Ensure that the identification matches the person using it and the date of birth shows they are at least the minimum legal age. You do not have to accept all of the above forms of identification. It is good practice to exclude any type of document that your staff are not familiar with.

You are advised that Bromley Trading Standards carry out Test Purchase Operations using volunteers in order to check compliance with age restricted product legislation, including the Licensing Act and other relevant legislation. A sale to underage customers can have serious consequences, including prosecution and/or a review of your premises licence.

Please contact me if you would like any further information or advice relating to your responsibilities in respect of age restricted products.

Yours faithfully

Ruth Hancock
Trading Standards Officer

Environment and Public Protection
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley BR1 3UH
E-mail: ruth.hancock@bromley.gov.uk

Prevention of underage sales online training

www.virtual-college.co.uk



The Chartered Trading Standards Institute (CTSI) and Virtual College have joined together to create a range of online training resources which are highly relevant to all businesses, including 'Prevention of under age sales.'

In the UK certain products have age based sales restriction mandated in law.

Enforcement is active: Police and Trading Standards officers are permitted to send children into retailers to attempt to buy restricted products.

The potential penalties are large, both for the individual and the retailer. If caught selling an age restricted product, the retailer will be required to demonstrate due diligence, this includes evidence of effective staff training and that the staff have understood the training.

This course aims to help protect organisations and employees from:

- Prosecution
- Bad PR
- Fines
- Loss of business

Most people have some difficulties in accurately judging the age of a person. Whether or not someone appears to be over a certain age is subjective and depends on the individual making the decision. This leaves brands and individuals vulnerable.

On completion of this module, learners will understand:

- Why age restrictions exist, what the legal requirements are and who is responsible for upholding these requirements
- What goods are covered by age restrictions and where they are sold
- How to approach the sale and what forms of identification are acceptable
- How to refuse a sale

Lesson Plan

The course will be split into the following sections and will provide contextual advice generated from a wide variety of scenarios:

- Section 1 – Introduction to Age Restricted Goods
- Section 2 – What goods are covered and where are they sold?
- Section 3 – How to Approach the Sale
- Section 4 – How to Refuse a Sale

Certification

On completion of this course you will be able to download a Virtual College certificate.

Duration

Approximately 1 hour. The length of time taken depends entirely on how quickly you can study and absorb the material. You can proceed as quickly or slowly as you like.

Target Audience

All retail and hospitality outlets that sell age restricted products.

Entry Requirements

There are no specific entry requirements for this course.

£15.00 + VAT

May 2020



Switchboard: (020) 8464 3333
Direct Line: 020 8461 7568
Email: Holly.Costin@bromley.gov.uk
Internet: www.bromley.gov.uk
Our ref: 21/02928/OTHINS

Ms G Kovalenko
Embass Local
5 Station Approach
Lower Sydenham Road
SE26 5FD

01 November 2021

Dear Ms Kovalenko,

CHALLENGE 25 AGE VERIFICATION POLICY

As you are aware, Trading Standards have undertaken a test purchase on 22 October 2021 at 10:53am with the assistance of a 19 year old volunteer in order to check that an age verification policy is in place. This is one of the conditions on your premises licence, relating to the section 'Protecting children from harm'. We are concerned that on your application you stated you will be applying this policy and displaying appropriate signage in the premises.

On this occasion, our volunteer was not challenged for ID which resulted in the sale of a 4 pack of blue WKD at £4.99. Although this is not an age restricted offence, we encourage the Challenge 25 Policy in order to result in the likelihood of an underage sale being minimised.

You will have received an email from us when you first applied for your licence or renewal. This advised that Bromley Trading Standards carry out Test Purchase operations using volunteers in order to check compliance with age restricted product legislation, including the Licensing Act and other relevant legislation. To remind you, free guidance around the prevention of underage sales can be found at www.bromley.gov.uk/tradingstandards including alcohol, knives, tobacco products etc.

It is essential that you and your staff are aware of the requirements of all the legislation and are trained to ask for age identification prior to making a sale, in line with an age verification policy. If the customer does not have acceptable ID, the product should not be sold to them. Remember: No ID, No sale. Acceptable forms of ID are:

- *a proof of age card bearing a PASS hologram*
- *a photocard driving licence*
- *a passport*
- *a military identification card (be aware that these can be held by 16 and 17 year old service people)*

Ensure that the identification matches the person using it and the date of birth shows they are at least the minimum legal age. You do not have to accept all of the above forms of identification. It is good practice to exclude any type of document that your staff are not familiar with. Enclosed you will find some useful pieces including:

- Challenge 25 sign
- Challenge 25 window sticker
- A refusals register

Please contact us if you would like any further information or advice relating to your responsibilities in respect of age restricted products.

Yours sincerely,
Holly Costin
Consumer Protection Inspector and Trading Standards Officer
London Borough of Bromley

Appendix 2

Current Premises Licence

LICENSING ACT 2003**Premises Licence
London Borough of Bromley**

Premises licence number

21/00129/LAPRE

Signed

Joanne Stowell
Assistant Director of Public ProtectionLicence Granted **16th April 2021** Issue Number **001**This licence consists of **10** pages (Including Licence Summary)**Part 1 – Premises Details****Postal address of premises, or if none, ordnance survey map reference or description**Devrim Management Limited
5 Station Approach
Lower Sydenham
London
SE26 5FD**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 sales

Off the Premises only

The opening hours of the premises

Hours Open to the Public on Monday-Saturday from 09:00 to 03:00
Hours Open to the Public on Sunday from 08:00 to 00:00

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

Alcohol Off Sales on Monday–Sunday from 09:00 to 22:00

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Devrim Management Limited
of
81-83 Evering Road
London
N16 7SJ

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

Registered under 12618023 - Private Limited Company

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

Full Name: Sahin Tasyurdu

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: LBH-PER-T-0521 issued by London Borough of Hackney

Mandatory Conditions

1. Supply of Alcohol:

(1). No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or the personal licence has been suspended.

(2). Every sale of alcohol under the premises licence must be authorised by a personal licence holder.

2. Age Verification:

(1). The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2). The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3). The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

3. Permitted Price:

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

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

where -

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

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3). Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4). (1). Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2). The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

4. Films:

(1). The admission of children must be restricted in accordance with the recommendations laid down by the British Board of Film Classification.

OR

(2). In circumstances where the licensing authority has reclassified a film. Then access of children should be restricted to meet this reclassification standard.

Note:- "Children" means any person under 18 years of age.

5. Door Supervision:

- (1). Any individual employed at the premises as a door supervisor must
- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.

Conditions consistent with the Operating Schedule

Held by the Licensing Authority Ref Number: **21/00129/LAPRE**
Date: **16th April 2021**

General

The premises is licenced to operate as a Grocery Supermarket with the sale of alcohol for consumption off the premises only.

Alcohol displayed on the premises restricted to a maximum of 25% of the retail space.

Crime and disorder

6. All relevant staff within the business are trained in relation to the Licensing Act 2003 and conflict management. Training records shall be available from the premises and made available for inspection by the police upon reasonable request. Refresher training will be undertaken every 6 Months (or earlier as necessary).

7. Ensure that a refusals record is maintained at the premises and that such a record shall be made immediately available for inspection by the Police or an authorised Officer of the Local Authority.

8. No open containers will be supplied ancillary to alcohol to take away customers.

9. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available upon the request of Police or authorised officer throughout the preceding 31-day period, such copies shall in any event be provided within forty-eight (48) hours.

10. At least one CCTV camera shall be installed by the entrance door that enables face, head and shoulders images of a standard that will enable identification of each person entering and leaving the premises.

11. Ensure that signage is displayed on the premises reminding customers that CCTV is in operation, or alternatively display (within the public area of the premises) live images from the premises CCTV system, for the purposes of crime prevention.

12. The licence holder shall notify the Police within 24 hours when they become aware that the closed-circuit television (CCTV) system provided by the premises is not in operation.

13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) All crimes reported
- (b) All ejections of patrons
- (c) Any complaints received
- (d) Any incidents of disorder
- (e) Any faults in the CCTV system.
- (f) Any refusal of the sale of alcohol
- (g) Any visit by a relevant authority or emergency service

14. No single cans of beer, lager, stout or cider in cans of less than 500 ml (millilitres) or single bottles of beer, lager, stout or cider in bottles of less than 330 ml (millilitres) may be sold in a single transaction.

15. No spirits shall be sold in bottles of less than 10cl (centilitres).

16. All spirits must be displayed behind the counter and all other alcohol shall be displayed in clear line of sight of the counter.

17. All alcohol not on display will be stored in a lockable store.

18. The premises will actively engage with and work with the local Police Team and the Police and Council Licensing Teams.

19. The premises license holder shall ensure all persons who work on the premises have provided satisfactory proof of identification and the right to work and have carried out checks on the home office website to verify identification, visa and the right to work documents.

20. All documents of members of staff will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request.

21. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.

Public Safety

No Conditions

Prevention of Public Nuisance

22. Ensure that signage is displayed by the main exit reminding anyone leaving the premises to 'please respect our neighbourhood and leave the premises quietly, thank you' or similar wording to this effect.

23. The shop front will be kept tidy at all times and shall be swept at closing time.

24. No deliveries will be received or removal of rubbish, especially glass, take place between 23.00 and 08.00 daily.

Protection of Children from Harm

25. Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.

26. The Challenge 25 proof of age policy will be operated and only a photographic driving licence, a valid passport, a valid UK Armed Forces photographic identity card with the bearer's photograph on it or Home Office approved proof of age card with the bearer's photograph and the PASS logo / hologram on it will be accepted as proof of age.

27. Training for all staff on underage sales will be documented and repeated at regular intervals. The training will ensure staff understand the principle of Challenge 25. The scheme shall be made available for inspection at the request of the Licensing Authority, Trading Standards and Metropolitan Police.

28. The premises will display publicity materials relating to the Challenge 25 scheme.

Conditions attached after a hearing by the Licensing Authority

Not Applicable

Plans

Held by the Licensing Authority Ref Number: **21/00129/LAPRE**
Date: **16th April 2021**

LICENSING ACT 2003**Premises Licence Summary****Premises licence number****21/00129/LAPRE**

Signed

Joanne Stowell
Assistant Director of Public Protection

Licence Granted **16th April 2021** 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**

Devrim Management Limited
5 Station Approach
Lower Sydenham
London
SE26 5FD

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 09:00 to 03:00
Hours Open to the Public on Sunday from 08:00 to 00:00

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

Off the Premises only

The times the licence authorises the carrying out of licensable activities

Alcohol Off Sales on Monday–Sunday from 09:00 to 22:00

Name, (registered) address of holder of premises licence

Devrim Management Limited
of
81-83 Evering Road
London
N16 7SJ

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

Registered under 12618023 - Private Limited Company

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

Full Name: Sahin Tasyurdu

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

Not Applicable

Appendix 3

Subsequent steps taken by Company

**The London Borough Of Bromley
Environment and Public Protection
Civic Centre, Stockwell Close
Bromley
BR1 3UH**

The London Borough Of Bromley
Environment and Public Protection
Civic Centre, Stockwell Close
Bromley
BR1 3UH

Date: 31/05/2022
Your ref: 21/00129/LAPRE

Dear Sir/Madam,

We refer to your letter dated 6th May 2022.

As we hear that on 7th April 2022, Trading Standard carried out an underage test. Unfortunately, a member of the staff Ms. Nya Annsharon sold products as she did not recognize whether this was an alcoholic product or not. That's why she did not ask for ID and made mistakes.

However, as a local shop, we do not tolerate any member of our staff selling age-restricted products to harm underage children. Therefore we take a series and systematic way of approaches and actions to prevent any future incidents and mistakes happening on our premises.

In order to avoid human mistakes; we changed our till system software by installing a "till prompt system" to get approval before selling any age-restricted products to underage people. (Appendix 1)

Secondly, our members of staff get proper training and having their certificate after getting a full training. (Appendix 2).

Thirdly, we will make assure that license holders, managers or those who have full training and have a certificate will be present during opening hours to give permission to sell underage products.

We also make assure all relevant signages are displayed on our premises all the time for people awareness. (Appendix 3)

Lastly, we would like to highlight that we learn from our mistakes and therefore take several actions to avoid any future underage sales.

Best regards,

Sahin Tasyurdu

Cemal Yucetas



APPENDIX 1



(Appendix 1)

Page 1

C. Yucetas <embas48@gmail.com>

5 Station Approach, Lower Sydenham, SE26 5FD

1 message

Cemal Yucetas <info@embas.co.uk>
To: logixpos <info@logixpos.co.uk>

Tue, May 17, 2022 at 5:24 PM

Dear Logixpos,

5 Station Approach, Lower Sydenham, SE26 5FD

Further to our telephone conversation as we discussed for upgrading our epos system to prevent underage selling by using "use of till prompts".

Please can you confirm you have installed the "till prompts" software on our till system? Please let us know when can we use till prompts to prevent underage selling. When will it be active on the till when an age-restricted product is scanned to remind staff to carry out age verification checks.

I look forward to hearing from you

Best regards,

Cemal

Embas Local

5 Station Approach, Lower Sydenham, SE26 5FD

Contractor: None

Message:

HOME 	FRUIT 	VEGETABLE 	BAKERY
GROCERY 	MANUAL WEIGHT 	BAG	ICE
Customers	Orders	Wait	

Is the customer over 18 years old?

Get Price

YES

NO

Sync

7	8	9
4	5	6
1	2	3
00	0	X

Credit Card

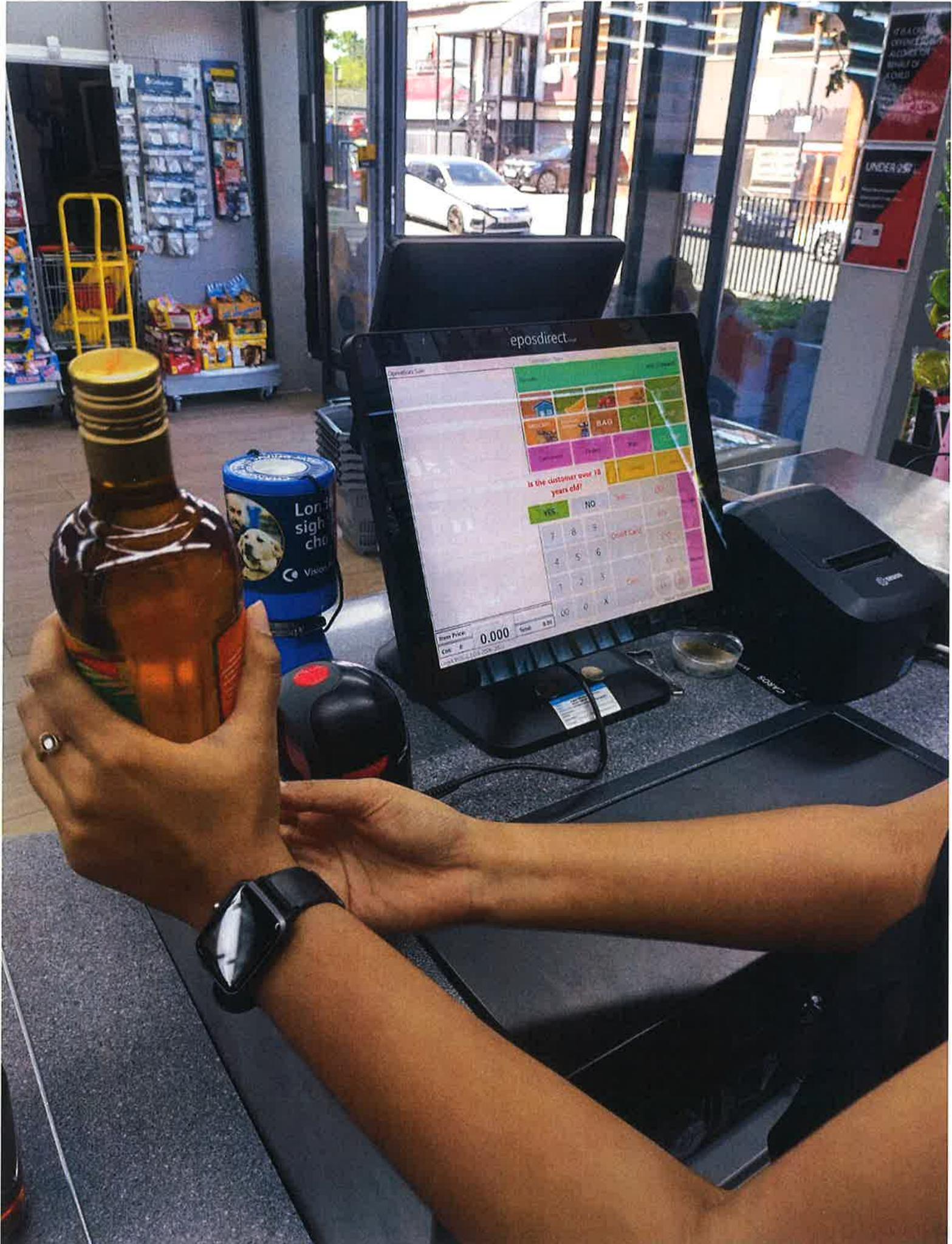
Cash

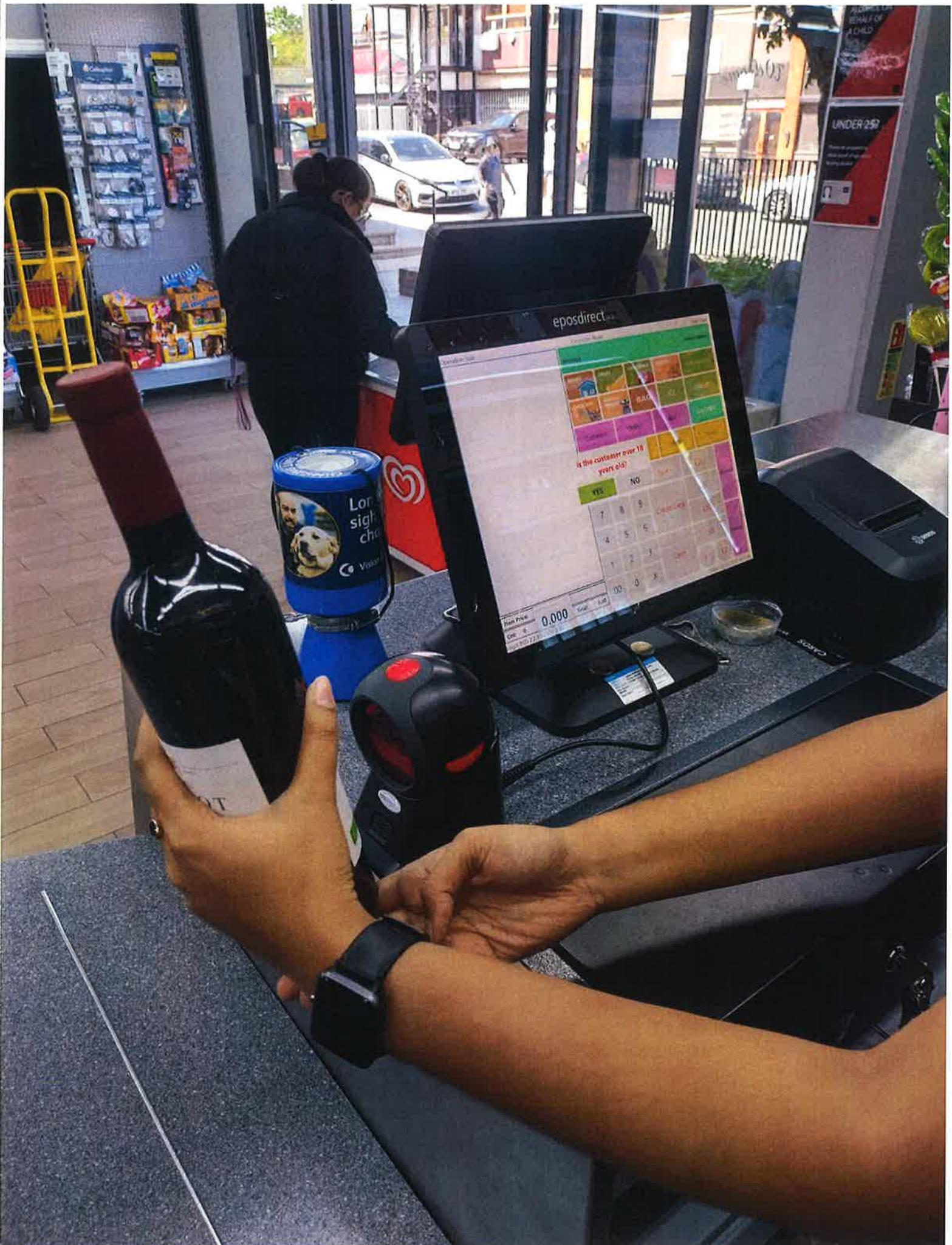
£1
Onli

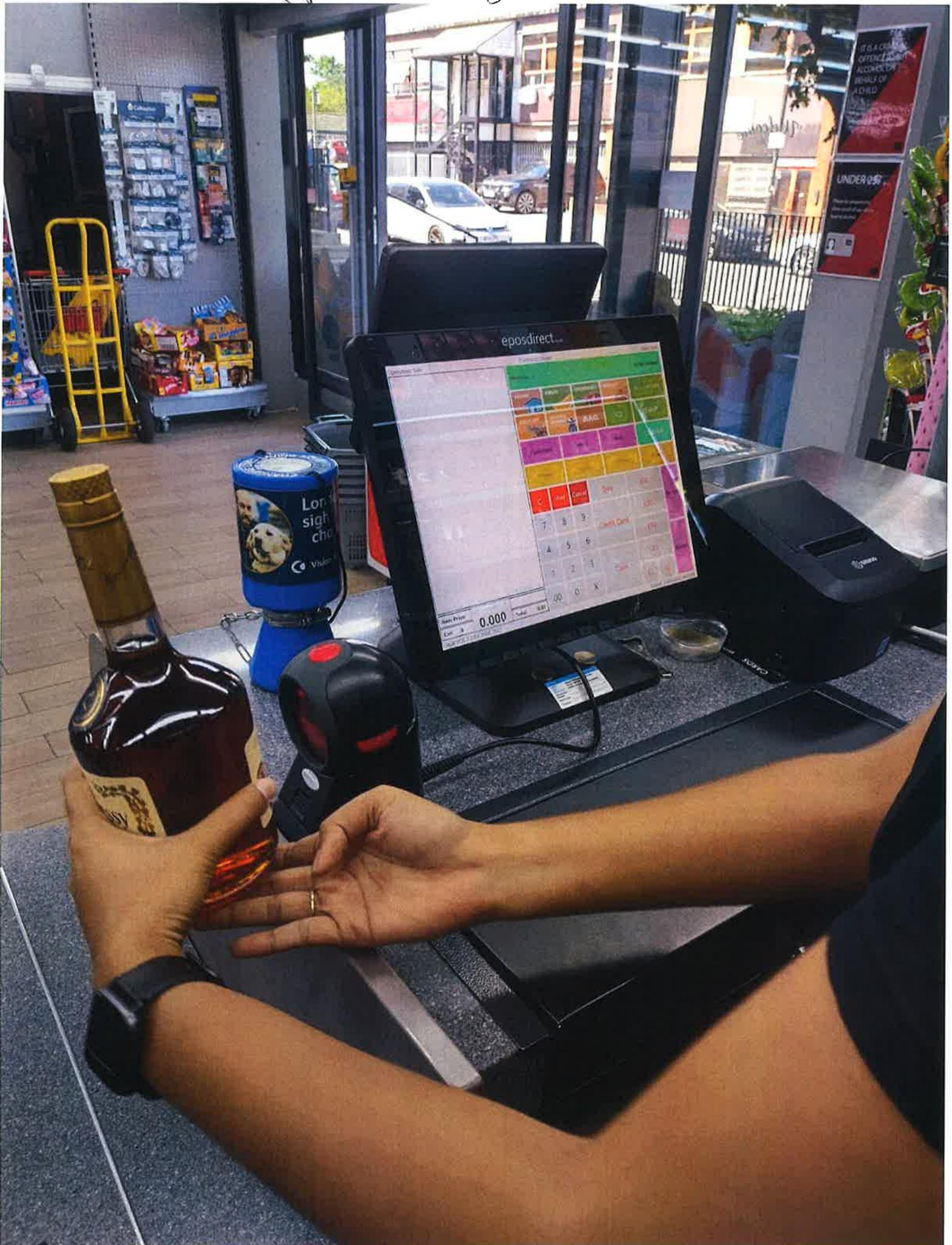
Live Scale X

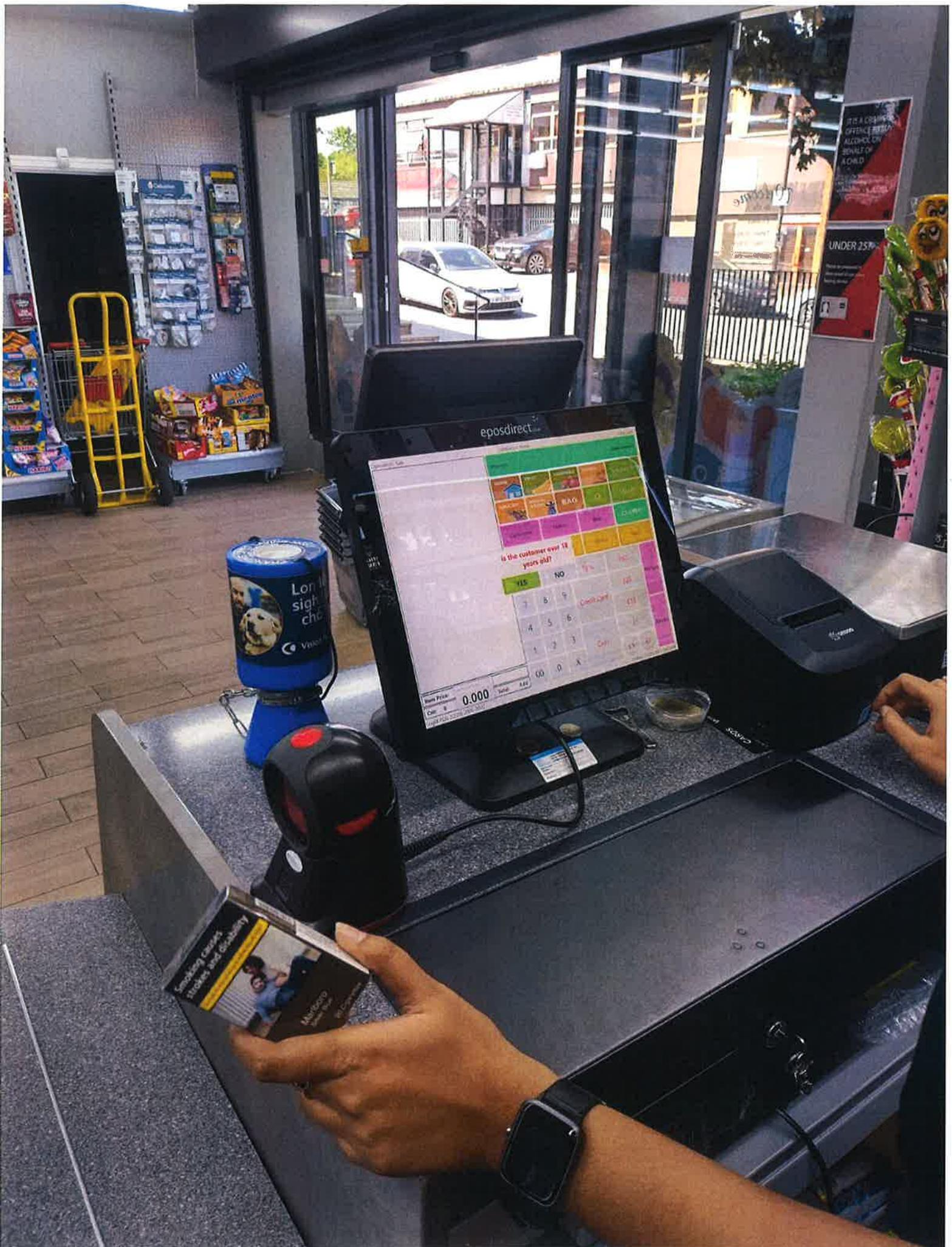
0.000

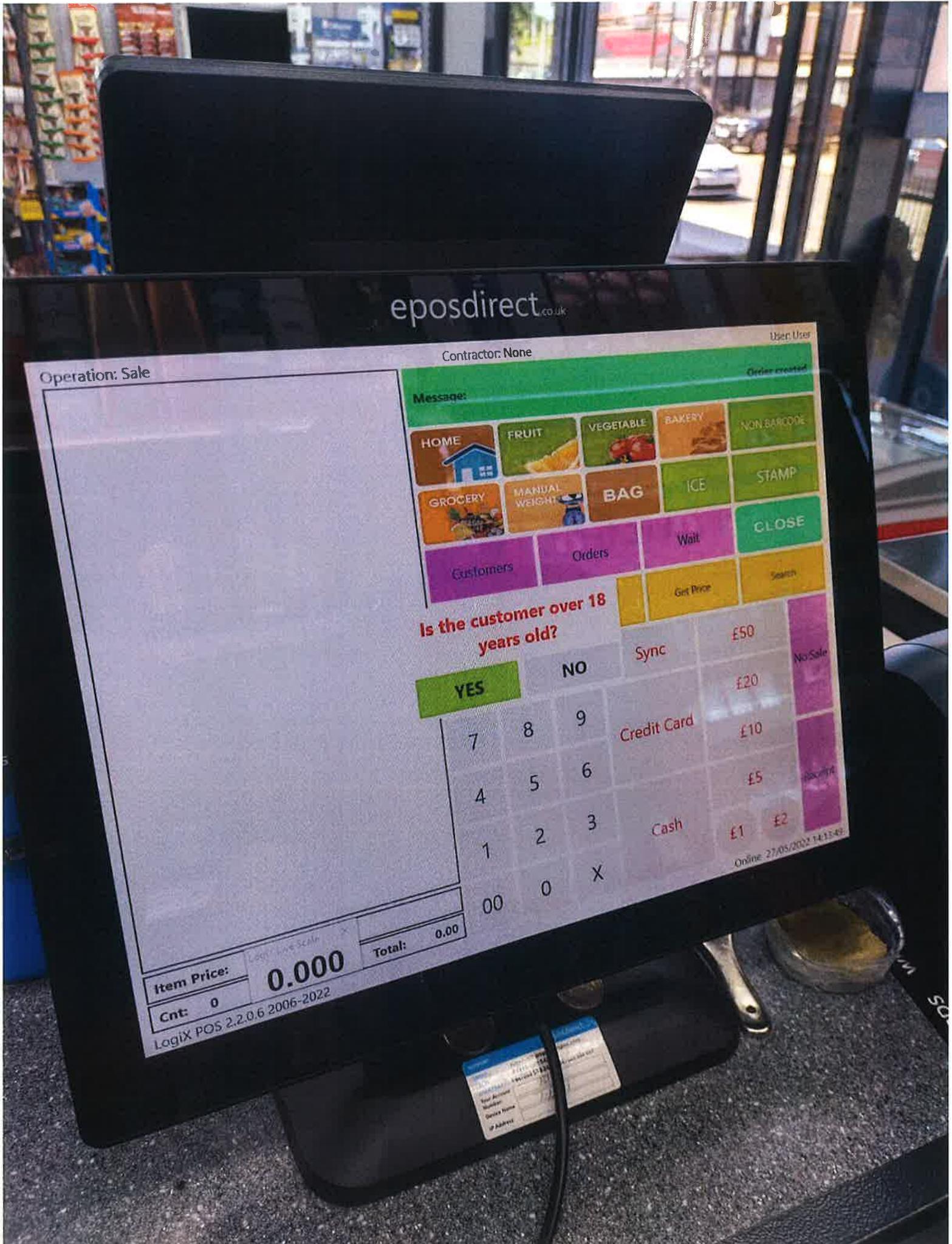
Total: 0.00











eposdirect.co.uk

User: User

Operation: Sale

Contractor: None

Order created

Message:

HOME	FRUIT	VEGETABLE	BAKERY	NON BARCODE
GROCERY	MANDAL WEIGHT	BAG	ICE	STAMP
CUSTOMERS	ORDERS	WAIT	CLOSE	
		GET PRICE	SEARCH	

Is the customer over 18 years old?

YES	NO	Sync	£50	No Sale
7	8	9	£20	
4	5	6	Credit Card	£10
1	2	3	Cash	£5
00	0	X	£1	£2

Item Price:

0.000

Total: 0.00

Cnt: 0

LogiX POS 2.2.0.6 2006-2022

Online: 27/05/2022 14:33:49

APPENDIX 2

COPY

VIRTUAL
COLLEGE

This certificate is presented to

Galina Kovalenko

who has successfully completed the training course
and assessment in

Prevention of Underage Sales

Date: 27-May-2022

Certificate Number:
1JHT-LVDT-5RWJ-9VQR



Signed: LP Ord
Lesley Ord, Director (Virtual College)



This certificate is awarded by Virtual College Ltd.

Virtual College Ltd • Marsel House • Stephenson's Way • Ilkley • West Yorkshire • LS29 8DD • England
Company Reg. 3052439 • www.virtual-college.co.uk • elearning@virtual-college.co.uk

**VIRTUAL
COLLEGE**

COPY

This certificate is presented to

Affaq Zafar

who has successfully completed the training course
and assessment in

Prevention of Underage Sales

Date: 27-May-2022

Certificate Number:
CRAK-WVMP-Z6LC-WIVC



Signed

LPOD

Lesley Oud, Director (Virtual College)



Chartered Trading
Standards Institute
accredited training



This certificate is awarded by Virtual College Ltd.

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Company Reg. 3052439 • www.virtual-college.co.uk • clearning@virtual-college.co.uk

COPY

VIRTUAL
COLLEGE

This certificate is presented to

Meka Manoharan

who has successfully completed the training course
and assessment in

Prevention of Underage Sales

Date: 27-May-2022

Certificate Number:
YRHA-IVYK-DO0A-HH3I



Signed: _____

L.P. Ord

Lesley Ord, Director (Virtual College)



Chartered Trading
Standards Institute
accredited training



This certificate is awarded by Virtual College Ltd.

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(APPENDIX 3)

The names written on the pages following (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

Part 1 - Premises Details

Postal address of premises, or if none, address of description

Trade Management (enter 1 letter Approach Letter Suburban London W2B 9TJ)

Shown by licence or other limited the date for supplies

Licenseable activities authorized by the licence

Account ID Name

Shown the licence authority supplies of another alcohol (enter on order of sale) (if the premises is)

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

Trade Management Limited or 9-28 Jarring Road London W2B 7LJ

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

Registration date: 28/05/17, Period: initial (company)

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

Full Name: Rishi Kumar, Address: Flat A, 9-28 Jarring Road London W2B 7LJ

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

(PPL Licence No: 184764, 18507 issued by London Borough of Hammersmith)

You are now
Bromley Identification Zone

If you want to buy

**Alcohol Tobacco
 Fireworks
 18 DVDs Knives**

and you look

under 25

you will be asked to prove your age

£1.99

Acceptable Proof of ID
 Passport Driving License

D2
 D2
 D2
 D2

Panasonic
 Part D2
 Panasonic





Warning

CCTV
in
operation

**UNDER
25?**

IF YOU ARE LUCKY
ENOUGH TO LOOK UNDER
25 YOU WILL BE ASKED
TO PROVE THAT YOU ARE
AGED 18 OR OVER WHEN
YOU BUY ALCOHOL

IF YOU ARE UNDER 18
YOU ARE COMMITTING
AN OFFENCE IF YOU
ATTEMPT TO BUY
ALCOHOL

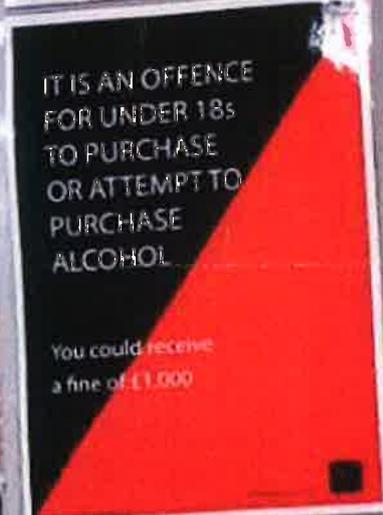
25

PayPoint:

P

NOTICE!

Please
Leave
Quiet





You are now in a
Bromley Identification Zone

If you look **under 25**
you will be asked
to prove your age

- Alcohol
- Tobacco
- Fireworks
- DVDs
- Knives

safer bromley
partnership

METROPOLITAN
POLICE

Appendix 4

Satellite Image & Street View of Premises

Satellite Image - Devrim Management Ltd, 5 Station Approach, Lower Sydenham



Street View – Devrim Management Ltd T/A Embas Local



Appendix 5

Guidance Adopted by Members on Review Applications

Guidance for Members hearing a Review of a Premises Licence or Club Premises Certificate

Licensing Act 2003 section 52 & 88 and Part 11 of the Secretary of States Guidance

The purpose of a Review

To ensure that the licence holder is promoting the licensing objectives, which are

1. Prevention of crime & disorder
2. Prevention of public nuisance
3. Protection of public safety
4. Protection of children from harm

Reviews can be brought by any Responsible Authority, individual, business or Ward Councillors on any of the licensing objectives

At a Review Members of the Sub Committee can

1. Modify licence conditions
2. Exclude a licensable activity from the licence
3. Remove the DPS from the licence
4. Suspend the licence for up to 3 months
5. Revoke the licence

Seriousness

After hearing the evidence at a Review hearing Members need to decide the level of seriousness of the failure to promote the licensing objective. This guide suggests factors which Members may consider to be 'aggravating' or 'mitigating' but it is not a definitive list and Members may identify other factors during a Review hearing.

Based on Members views as to seriousness and 'aggravating' or 'mitigating' factors the suggested 'starting Point' for the imposition of actions under Section 52 can be considered and varied 'upwards' or 'downwards'.

Members are advised to note 'aggravating' or 'mitigating' factors and ensure these are recorded in their reasoned decision.

Reviews Based on Crime & Disorder

(Matters referred to in Paragraph 11.29 of the secretary of States Guidance (April 2012))

Failure to promote the licensing objective by	Aggravating factors	Mitigating factors	Suggested Starting point action by Members in Bold
Manufacture sale or distribution of Class A drugs	<ul style="list-style-type: none"> • Large scale over a long period • Professional operation • Links to organised crime • 2nd Review 	<ul style="list-style-type: none"> • Small scale for a short period of time. • No links to organised crime • Licence holder genuinely unaware or had tried to deal with the problem 	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
Sale or distribution of Firearms	<ul style="list-style-type: none"> • Large scale over a long period • Professional operation • Links to organised crime • 2nd Review 	<ul style="list-style-type: none"> • Small scale for a short period of time. • No links to organised crime • Licence holder genuinely unaware or had tried to deal with the problem 	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
Underage sales affecting the health, educational attainment employment prospects or the propensity for crime	<ul style="list-style-type: none"> • Evidence of a significant impact / harm on a number of children • Associated with significant crime and / or disorder in the area • 2nd Sale • 2nd Review <p>See also section on underage sales in Protection of Children section</p>	<ul style="list-style-type: none"> • No evidence of a significant impact / harm on a number of children • Not associated with significant crime and / or disorder in the area <p>See also section on underage sales in Protection of Children section</p>	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence See also section on underage sales in Protection of Children section

Use of the premises for prostitution or pornography	<ul style="list-style-type: none"> • Associated with serious organised crime. • Involves children or trafficked women • 2nd Review • Large scale and for a long period 	<ul style="list-style-type: none"> • No association with serious organised crime. • No involvement with children or trafficked women • Licence holder genuinely unaware or had tried to deal with the problem • Small scale and for a short period 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence</p> <p>Suspend the licence for up to 3 months Revoke the licence</p>
Grooming of children by paedophiles	<ul style="list-style-type: none"> • Organised and large scale • Resulted in psychological harm • Resulted in actual physical abuse 	<ul style="list-style-type: none"> • Licence holder genuinely unaware or had tried to deal with the problem • No evidence of psychological harm • No evidence of actual physical abuse 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence</p> <p>Suspend the licence for up to 3 months Revoke the licence</p>
Use of premises for organised crime especially by gangs		<ul style="list-style-type: none"> • Licence holder genuinely unaware or had tried to deal with the problem 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence</p> <p>Suspend the licence for up to 3 months Revoke the licence</p>
Racist activity	<ul style="list-style-type: none"> • Condoned or encouraged by the Licence holder • Associated with organised groups or with organised crime 	<ul style="list-style-type: none"> • Licence holder genuinely unaware or had tried to deal with the problem 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence</p> <p>Suspend the licence for up to 3 months Revoke the licence</p>

Unlawful gambling or gaming			<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Sale of smuggled alcohol or tobacco			<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Crime and Disorder - Other matters			
Sale, distribution or use of Class B or C drugs	<ul style="list-style-type: none"> • Large scale over a long period • Professional operation • Links to organised crime • 2nd Review 	<ul style="list-style-type: none"> • Small scale for a short period of time. • No links to organised crime • Licence holder genuinely unaware or had tried to deal with the problem 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Other underage sales			See section on the Protection of Children from harm

Breach of Licence conditions 1 st occasion	<ul style="list-style-type: none"> • Previous warnings ignored 	<ul style="list-style-type: none"> • Minor breach 	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
Breach of Licence conditions 2 nd occasion			Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence

Reviews Based on Prevention of Public Nuisance

Failure to promote the licensing objective by	Aggravating factors	Mitigating factors	Suggested Starting point action by Members
One off serious noise nuisance	<ul style="list-style-type: none"> • Long duration affecting many people • Deliberate act • Lack of cooperation from the licensee • Significant financial gain obtained 	<ul style="list-style-type: none"> • Short duration affecting limited number of people • Not deliberate • Full cooperation by licences 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
More than one serious noise nuisance or second Review for a similar matter	<ul style="list-style-type: none"> • Long duration affecting many people • Deliberate act • Lack of cooperation from the licensee • Significant financial gain obtained 		<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Deliberate and persistent noise / nuisance, anti social behaviour	<ul style="list-style-type: none"> • Long duration affecting many people • Deliberate act • Lack of cooperation from the licensee 		<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>

Breach of Licence conditions 1 st occasion	<ul style="list-style-type: none"> • Previous warnings ignored 	<ul style="list-style-type: none"> • Minor breach 	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
Breach of Licence conditions 2 nd occasion			Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence

Reviews based on Public Safety

Failure to promote the licensing objective by	Aggravating factors	Mitigating factors	Suggested Starting point action by Members
One off failure to protect public safety / breach of a licence condition / A matter dealt with by an Improvement Notice	<ul style="list-style-type: none"> • Long duration affecting many people • Deliberate act • Lack of cooperation from the licensee • Significant financial gain obtained 		<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Repeated failures to protect public safety / Serious single failure or breach of condition / a matter dealt with by a Prohibition Notice	<ul style="list-style-type: none"> • Long duration affecting many people • Deliberate act • Lack of cooperation from the licensee • Significant financial gain obtained 		<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Deliberate / persistent placing of public / staff at risk	<ul style="list-style-type: none"> • Actual harm caused • Risk of significant harm • Deliberate act • Lack of cooperation from the licensee • Significant financial gain obtained 	<ul style="list-style-type: none"> • No actual harm caused • Risk of minor injury • Cooperation 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>

Breach of Licence conditions 1 st occasion	<ul style="list-style-type: none"> • Previous warnings ignored 	<ul style="list-style-type: none"> • Minor breach 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Breach of Licence conditions 2 nd occasion			<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>

Reviews Based Protection of Children from Harm

Failure to promote the licensing objective by	Aggravating factors	Mitigating factors	Suggested Starting point action by Members
1 st time underage sale	<ul style="list-style-type: none"> • Poor Management • No effective challenge policy • Poor training • Deliberate • Significant financial gain 	<ul style="list-style-type: none"> • Effective challenge policy but a one off failure 	Vary conditions Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
2 nd Underage sale	<ul style="list-style-type: none"> • Failed to respond to previous sale • Deliberate • Significant financial gain • Failed other underage sales for age restricted products 		Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
Permitting children to be in premises where there is drunkenness	<ul style="list-style-type: none"> • Younger children would be treated more seriously • Regular occurrence 	<ul style="list-style-type: none"> • Older children may be treated as being less serious • Infrequent occurrence 	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence
Exposing children to age restricted films	<ul style="list-style-type: none"> • Poor Management • no effective challenge policy • Poor training • Deliberate • Significant financial gain 	<ul style="list-style-type: none"> • Effective challenge policy but a one off failure 	Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence

Exposing to entertainment of an adult , sexual, violent nature	<ul style="list-style-type: none"> • Poor Management & supervision • No effective challenge policy • Poor training • Deliberate • Significant financial gain 	<ul style="list-style-type: none"> • Effective challenge policy but a one off failure 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Permitting children to gamble	<ul style="list-style-type: none"> • Poor Management & supervision • No effective challenge policy • Poor training • Deliberate • Significant financial gain 		<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Breach of Licence conditions 1 st occasion	Previous warnings ignored	<ul style="list-style-type: none"> • Minor breach 	<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>
Breach of Licence conditions 2 nd occasion			<p>Modify licence conditions Exclude a licensable activity from the licence Remove the DPS from the licence Suspend the licence for up to 3 months Revoke the licence</p>