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**Reading Licensing Dept**

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**Friday 4th September 2020**

**Licensing Act 2003**

**Premises Licence Number: LP3000661**

**Premises: K B Superstores**

**Premises Address: 337 - 339 Oxford Road, Reading, RG30 1AY**

To whom it may concern (PLH) / Mrs Gurung (DPS)

On the 28<sup>th</sup> August 2020 I inspected your premises licence.

During the inspection I was assisted by the Designated Premises Supervisor (DPS) Mrs Sarsati Gurung.

As part of this process some areas of concern were identified regarding the levels of due diligence that are expected to sufficiently promote the licensing objectives as well as a failure to fully comply with all of your premises licence conditions.

On arrival Part B of your licence was incorrectly displayed, this was later rectified when you were able to locate the correct pages and arranged to display them together. Part A of your licence was available when requested after some extensive searching on your behalf.

You were not displaying a Section 57 notice and advice was provided to for you to ensure that staff are fully aware of where to locate the premises licence, and that good practice would be to display a Section 57 notice near to the summary part of the licence.

You were displaying a written age verification policy which stated that you check identification for persons looking under 18 years of age and the rationale supporting this. You have a condition on your licence which supersedes this policy and shall be discussed later within this letter; your written policy must reflect your actual premises policy and condition.

In relation to maintaining sufficient records to prove due diligence you were able to provide a refusals register which was partially completed with minimal entries

relating to 2020. We simply wish to advise you of the importance of this document so that you are able to record details of refusals evidence due diligence in this area.

Also during the inspection you confirmed that you do not have a working CCT V system and no fire risk assessment was available for the premises.

In relation to compliance with your licence conditions the following applies.

1. Condition 1 of your premises licence states that an incident register shall be maintained to record any incidents which impact upon any of the four licensing objectives. No such register is in use and you confirmed that you do not have an incident register. This is a breach of your licence conditions and advice has been provided that you must ensure that an incident register is available.
2. Condition 2 and 3 of your licence states that all persons authorised to sell alcohol must be trained to the BIIAB level 1 award or similar and stipulates the timescales for this. You stated that only yourself and your husband are allowed to sell alcohol and that both you have surpassed this level of training as you have each completed the level 2 qualification for personal licence holders.
3. Condition 4 of your licence relates to your age verification process which requires the active implementation of a "Challenge 25" policy which must also be advertised to customers. As briefly mentioned earlier your written age verification policy did not reflect this standard and no posters advertising Challenge 25 to customers were displayed. Advice was given that you must amend your written policy and that you should display posters in prominent areas as well as actively using Challenge 25 as a standard. This is also a breach of your licence conditions.
4. Condition 5 of your licence concerns regular refresher training relating to underage sales and utilising the Challenge 25 policy. This condition was not complied with and therefore is a further breach of your licence conditions.

Furthermore, we discussed the super strength alcohol products that you were displaying for sale, and raised concerns that the sale of these products may be exacerbating community issues surrounding alcohol related anti-social behaviour in the area. This is both of serious concern to the localised immediate community and arguably also undermines the four licensing objectives.

At the time of this discussion you indicated that you only sell a very few of these products and were open to the suggestion of restricting sales of these products.

In conclusion it is of serious concern that a number of your licence conditions were in breach and that your administrative documents were either out of date or inaccurate in terms of their compatibility with your licence conditions.

In 2017 an inspection was completed by officers of Reading Borough Council jointly with Thames Valley Police during which the majority of these same issues were identified at that time.

Unfortunately you have failed to remedy those concerns in the three years between this most recent visit and the visit in 2017. This raises very serious concerns in relation to your ability to promote the licensing objectives.

Therefore, in order to address our concerns relating to your due diligence and licence compliance we request that you consider amending a number of your premises licence conditions in order to enhance your ability to promote the licensing objectives.

This can be accomplished by ensuring that the conditions on your licence are both informative and understandable, and shall enhance your opportunities to improve due diligence and thus promote and not undermine the licensing objectives.

We therefore recommend the following new and amended conditions for addition to your premises licence which are written to either replace in some cases or run alongside other current conditions. These also include a condition to restrict the sale of high strength beers and cider, as follows:

1. Staff employed to sell alcohol shall undergo training upon induction before they are allowed to sell alcohol. This shall include, but not be limited to:-

- The premises age verification policy
- The Four Licensing objectives
- Dealing with refusal of sales
- Proxy purchasing
- Recognising valid identity documents not in the English language
- Identifying attempts by intoxicated persons to purchase alcohol
- Identifying signs of intoxication
- Conflict management
- How to identify and safeguard vulnerable persons who attend and leave the premises.

a) Refresher training shall be provided every 6 (six) months.

b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training, and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request.

2. All staff to be trained to record refusals of sales of alcohol in a refusals book or electronic register. The book/register shall contain:

- Details of the time and date the refusal was made
- The identity of the staff member refusing the sale.
- Details of the alcohol the person attempted to purchase.

a) This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A weekly review of the refusals book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

3. An incident register/log shall be used, maintained and kept on the premises to record any incident which has an impact on any of the four licensing objectives, or instances when the police have had to attend the premises.

a) The register shall be made available for inspection to authorised officers of Reading Borough Council and Thames Valley Police upon request;

4. The premises shall at all times operate a Challenge 25 age verification policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport, military ID or proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme) are to be accepted as identification. The age verification policy shall be in a written form and displayed in a prominent position.

5. Posters advertising the premises' Challenge 25 age verification policy shall be displayed in prominent positions on the premises.

6. The Premises Licence Holder shall display in a prominent position a copy of their written policy on checking proof of age.

7. No beers and ciders above 6.0% ABV shall be sold at any time during permitted licensing hours.

8. The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV and an appropriate number of cameras shall be installed to cover the external areas immediately outside of the premises. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.

Thames Valley Police believe that in order to promote the four licensing objectives, and improve your ability to comply with your licence conditions that it is necessary for all of the above conditions to be applied to the premises licence.

With that in mind we would ask you to consider applying them to the licence via a minor variation in order to both support this process and also support the wider community by reducing alcohol related anti-social behaviour within the vicinity of your shop caused by the consumption of super strength beers and ciders within the public realm.

You may also be aware that Reading has a Public Space Protection Order (PSPO) in place which identifies the street consumption of alcohol as an issue serious enough to be included within the local legislation, and of course your agreement to reduce the strength of alcohol that you sell would also support this local legislative initiative.

**Please consider this proposal in detail and I would encourage you to contact us to either discuss any concerns you may have in relation to this proposal or your intention to support this process.**

**We are willing to discuss this with you via the telephone or to meet with you as part of a formal performance meeting process? You may also wish to obtain some licensing advice in the meantime. However, we would ask that you please contact us no later than Friday 18<sup>th</sup> September 2020 with your written formal decision via the email provided at the head of this letter.**

**Thames Valley Police are making this proposal as part of a formalised stepped approach. As such a failure to address the identified concerns in this letter via the manner proposed (via voluntary agreement) may result in further action being considered if it is deemed necessary to ensure the promotion of the four licensing objectives.**

**Thames Valley Police are keen to work in partnership with licensees to promote the licensing objectives and improve both the standards of your operation whilst addressing community concerns regarding the sale of alcohol in the area.**

Yours Faithfully

A small rectangular box containing a handwritten signature in blue ink. The signature appears to be 'Simon Wheeler' and is followed by the number '5787'.

PC 5787 Simon Wheeler