



NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Premises licence number

NWL20320

Part 1 – Premises details

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

Tudor News, 91 Belvoir Road, Coalville

Post town Leicestershire

Post code LE67 3PH

Telephone number 01530 837419

Where the licence is time limited the dates**Licensable activities authorised by the licence**

1. The sale by retail of alcohol for consumption off the premises

The time the licence authorises the carrying out of licensable activities

Monday to Sunday – 04.30hrs to 22.00hrs

The opening hours of the premises

Monday to Sunday – 04.30hrs to 22.00hrs

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

The sale by retail of alcohol for consumption off the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Kanta Devi
88 Kerrysdale Avenue
Leicester
LE4 7GL
TEL: 01530 837419

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

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

Kanta Devi
Tudor News
91 Belvoir Road
Coalville
Leicestershire
LE67 3PH
TEL: 01530 837419

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

Personal Licence number of Designated Premises Supervisor: LEIPRS2307
Issuing Authority: Leicester City Council

Annex 1 – Mandatory conditions

The permitted hours set out above do not prohibit:

1. During the first twenty minutes after the above mentioned hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
2. The ordering of the alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
3. The sale of alcohol to a trader or club for the purposes of the trade or club;
4. The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
5. Alcohol shall not be sold in an open container and shall not be consumed on the licensed premises.
6. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
7. No supply of alcohol may be made under the premises licence;
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory conditions coming into force from 1st October 2010:

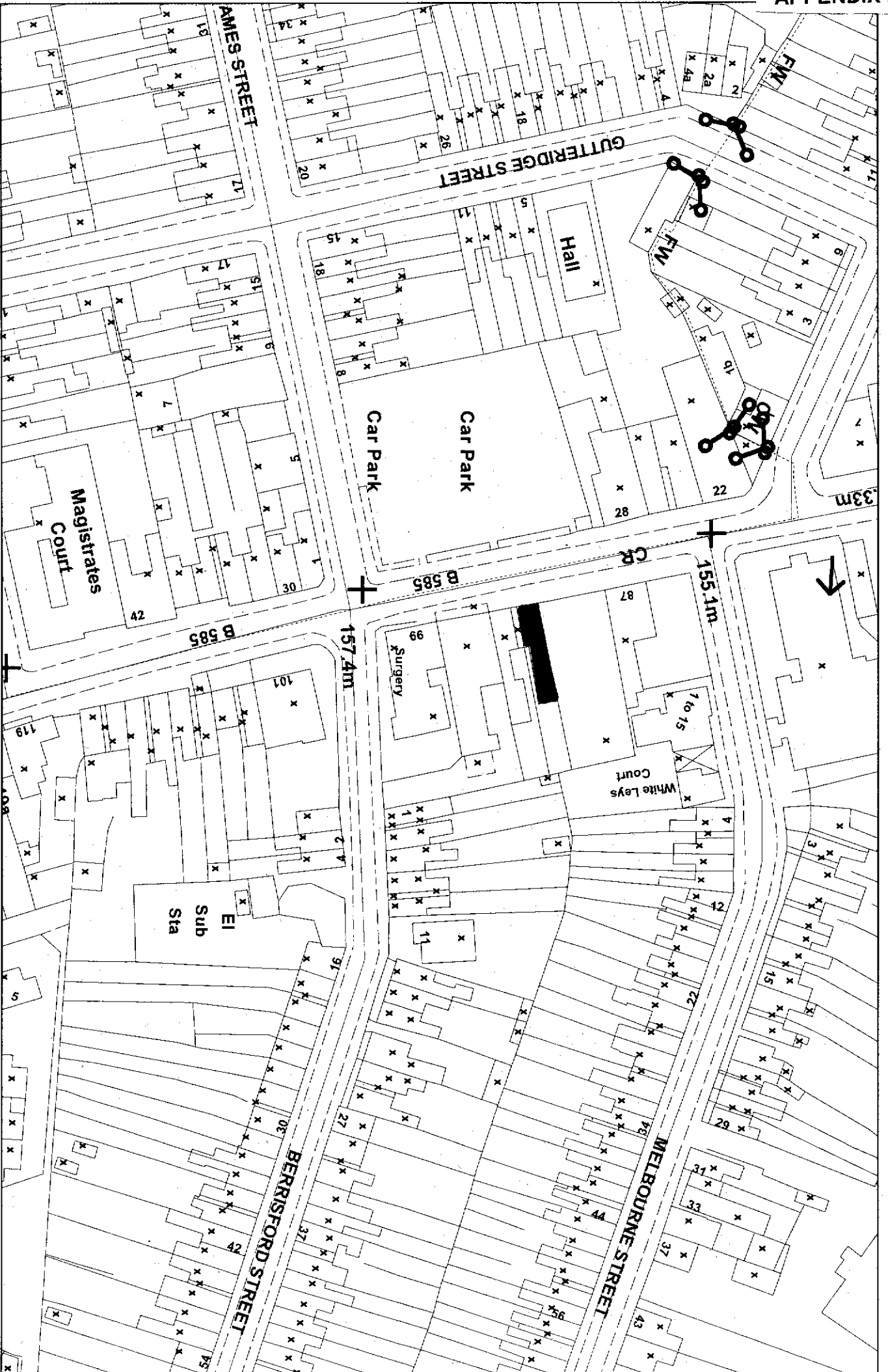
1.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or 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.

Annex 2 – Conditions consistent with the operating schedule

1. The licensee shall take reasonable steps to ensure that customers move away from the premises to consume alcohol following its purchase.
2. Prominent, clear notices shall be displayed at the premises detailing proof of age requirements.
3. CCTV shall be installed and maintained in good working order to cover the area in which alcohol is displayed, the public car park opposite the premises and externally the vicinity of the premises.
4. Exits, escape routes and aisles shall be maintained free from obstruction.
5. The designated premises supervisor shall monitor customer behaviour and control noise levels at the premises.
7. The licensee shall operate a policy requiring proof of age for any sale of alcohol that takes place where there is any suspicion that the customer is under 18 years of age.
8. No children under the age of 14 shall be permitted onto the premises unless accompanied by an adult.
9. Children under the age of 16 shall not be allowed on the premises after 10pm unless accompanied by an adult.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

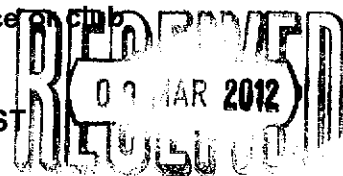


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Date: 05 April 2012
 SLA: Not Set
 Scale: 1:1000

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 Colin Hoskins

(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

Tudor Store,
91 Belvoir Road,
Coalville,

Post town Leicestershire

Post code (if known) LE67 3PH

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

Kanta Devi

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

NWL20320

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 Colin Hoskins Team Leader Leicestershire County Council Trading Standards Service County Hall Glenfield Leicester LE3 8RA
Telephone number (if any) 0116 305 7576
E-mail address (optional) colin.hoskins@leics.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 checked="" 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)

Mrs Kanta Devi is the sole proprietor of the business in question, premises licence holder and designated premises supervisor (DPS). She took over the business in November 2010.

On the 8th January 2011 alcohol was sold to a 16 year old child by the business during a test purchase operation carried out by Leicestershire Trading Standards Service. The sale was facilitated by an employee, Mr Gurnek Singh. The investigation that followed established that Mr Singh had left the country, that there were no records of training for him and the refusal register was not being used correctly, at the time of this offence 'Challenge 21' was in use, but its application was poor. The sale resulted in a warning letter being administered to Mrs Devi.

On the 15th December 2011 a further illegal sale of alcohol was made to a 15 year old child by the business. The sale was made as part of a Leicestershire Trading Standards test purchase operation and facilitated by an employee, Mr Kareer, who is also the husband of Mrs Devi. The investigation into this sale established that there were no entries in the refusals log by Mr Kareer and it was not being checked by the DPS. Mr. Kareer's understanding on age determination prevention was poor. The business preventative systems were still inadequate in terms of staff were uncertain of what age determination policy was in place; Mr. Kareer mentioned 21, 24 or 18 in interview and he had made no entries in the refusal log. This is despite a significant amount of advice and support

being provided to the business which is briefly detailed below. The investigation into this sale remains ongoing.

It is clear from the sales outlined above that advice provided to the business has not been properly implemented. On the 17th January 2011, an officer visited the shop to deliver written age restricted sales advice that had been translated into Hindi.

A full and comprehensive age restricted sales advice visit was carried by prior arrangement at the business on the 3rd March 2011. Mrs Devi was in attendance along with her husband, Mr Kareer, and daughter. The visit was arranged on the basis that a family member would be present to interpret to ensure that the advice was clear and fully understood. An age restricted sales trader advice pack was also provided to the business.

On the 3rd November 2011 a further advice visit was carried out at the premises. On this occasion the officer spoke to an employee, Mr Singh. Whilst refusals and staff training records were produced the employee was vague about the training and confused about what proof of age he could accept other than a passport or driving licence. This brings into question the thoroughness of training provided.

Mr Kareer is known to this Service. He was previously the sole owner of an off licence business based in Loughborough. Mr Kareer was investigated following the illegal sale of alcohol to children on two separate occasions 2/11/10 and 4/11/10, one of which was facilitated by him. The business closed down a few days after the second sale and the investigation resulted in a formal caution being administered to Mr Kareer for the offence of persistently selling alcohol to a child contrary to Section 147a of the Licensing Act 2003. The Service has serious concerns about the ability of Mr Kareer to responsibly sell alcohol.

When it became clear to the Service that Mr Kareer was involved in the business trading as Tudor News, our concerns were raised with Mrs Devi on 3/3/11. Mrs Devi gave an assurance to officers that Mr Kareer did not work behind the till and was rarely left on his own. Despite this, Mr Kareer was found to be serving alone in the shop prior to this 17/1/11 and at the time of the second illegal sale 15/12/11. It is therefore alleged that Mrs Devi gave an inaccurate account of Mr Kareer's involvement in the business, failed to acknowledge the concerns put forward by the Service concerning his ability to sell alcohol responsibly, and failed to keep to the assurance given to this Service.

During the advice visit mentioned above on the 3/11/11, the employee told the officer that Mrs Devi regularly travels to India. This was strongly denied during interview by Mrs Devi. Having regard to the size and set up of the business, if this is indeed the case the Service is concerned that Mr Kareer regularly serves in the shop unsupervised.

As part of the investigation into the sale by him, Mr Kareer has been asked

to surrender his personal licence. This is on the basis of his previous formal caution for persistently selling alcohol and the recent sale which is an alleged offence under Section 146 of the Licensing Act 2003. Both offences are relevant offences for the purpose of Schedule 1 to the Licensing Act 2003 which would mean that he would not be entitled to a mandatory grant of a personal licence should he apply. At the time of writing this submission, Mr Kareer has not surrendered his licence.

Two further alcohol test purchase attempts have been made at the business 2/4/11 and 19/1/12 both of which were refused. The later sale was not recorded in the business refusals log and this therefore brings into question the accuracy of the log. Further, the sale which was refused on the 19th was refused by Mr. Kareer.

In addition to the above matters, Mrs Devi also admitted during formal interview that children under the age of 14 are permitted onto the premises without being accompanied by an adult contrary to conditions attached to the premises licence, an offence under the Licensing Act 2003. This is not strictly a matter for this Service and has been referred to the Licensing Authority for any action they deem necessary. It was not established whether the condition was breached knowingly or in ignorance. In either case this is clearly unacceptable for the owner of the business, premises licence holder and DPS.

It is the view of the Leicestershire Trading Standards Service that the prevention of crime and disorder and protection of children from harm objectives have been undermined by the events set out above.

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

Supporting information to follow.

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

V. A. Ryan

Date

5th March 2012

Capacity

TRADING STANDARDS OPERATIONS MANAGER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Mr Colin Hoskins
Team Leader
Leicestershire County Council Trading Standards Service
County Hall
Glenfield

Post town

Leicester

Post Code

LE3 8RA

Telephone number (if any) 0116 3057576

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) colin.hoskins@leics.gov.uk

Notes for Guidance

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

Application for Review of Premises Licence
Tudor Stores, 91 Belvoir Road, Coalville,
Leicestershire, LE67 3PH

Leicestershire County Council
Trading Standards Service Statement of Case

1. Mrs Kanta Devi is the sole proprietor of the business in question, premises licence holder and designated premises supervisor (DPS). She took over the business in November 2010. She employs two members of staff, Mr Jagan Nath Kareer her husband and Serberjit Singh her nephew.

Under age sales

2. On the 8th January 2011 alcohol was sold to a 16 year old child by the business during a test purchase operation carried out by Leicestershire Trading Standards Service. The sale was facilitated by an employee, Mr Gurnek Singh. The Service was unable to formally interview Mr Singh regarding the sale as he had left the country. The investigation established however, that there were no records of training for him and the refusal register was not being used correctly, at the time of this offence 'Challenge 21' was in use, but its application was poor. The sale resulted in a warning letter being administered to Mrs Devi APPENDIX 1

2(a) This Service has serious concerns that this is the second employee to leave the Country following an illegal sale – see 8(b) below

3. On the 15th December 2011 a further illegal sale of alcohol was made to a 15 year old child by the business. The sale was made as part of a Leicestershire Trading Standards test purchase operation and facilitated by an employee, Mr Kareer, Mrs Devi's husband. Mr. Kareer would not comment on the volunteers age during interview, suggesting that he would need to see the child in person. He offered no reasonable explanation for the sale, stating that it was a mistake. The investigation into this sale established that the business preventative systems were still wholly inadequate. There were no entries in the refusals log by Mr Kareer and the record was not being monitored, Mr. Kareer's understanding of age determination was poor and he was uncertain of what age determination policy was in place, Mr. Kareer mentioned 21, 24 and 18 in interview. This is despite a significant amount of advice and support being provided to the business which is briefly detailed below. Mrs Devi and Mr Kareer both accepted under caution that the sale was made. The investigation into this sale remains ongoing.

4. It should be noted that when carrying out test purchasing work, Trading Standards adheres to the LACORS Test Purchasing Code of Best Practice, which stipulates that child volunteer should be representative of their age group. The Service also ensures that volunteer test purchasers are at least 18 months younger than the product's age limit i.e. 16½ years for alcohol.

Advice Visits

5. On the 17th January 2011, an officer visited the shop to deliver written age restricted sales advice that had been translated into Hindi. The advice was from a presentation used to deliver under-age sales to professionals and other businesses, its purpose was to compliment the advice pack already given to the store APPENDIX 2. At interview, Mr. Kareer remembered receiving it and stated that he had it.
6. A full and comprehensive age restricted sales advice visit was carried by prior arrangement at the business on the 3rd March 2011. Mrs Devi was in attendance along with her husband, Mr Kareer, and daughter. The visit was arranged on the basis that a family member would be present to interpret to ensure that the advice was clear and fully understood. An age restricted sales trader advice pack was also provided to the business. APPENDIX 3
7. On the 3rd November 2011 a further advice visit was carried out at the premises. On this occasion the officer spoke to an employee, Mr Serbajit Singh. Whilst refusals and staff training records were produced the employee was vague about the training and confused about what proof of age he could accept other than a passport or driving licence. This brings into question the thoroughness of training provided.

Previous history – Mr Kareer

8. Mr Kareer is known to this Service. He was previously the sole owner of an off licence business based in Loughborough. Mr Kareer was investigated following the illegal sale of alcohol to children from this business on two separate occasions (2/11/10 and 4/11/10). One of which was facilitated by him, the other an employee, name not known by Mr. Kareer. Officers were unable to formally interview the employee as Mr. Kareer was unable to provide details, stating that he had left the country..
 - a. The Service has serious concerns about the ability of Mr Kareer to responsibly sell alcohol.
 - b. This Service has concerns that an employee has left the Country following an illegal sale.
9. The business closed down a few days after the second sale and the investigation resulted in a formal caution being administered to Mr Kareer for the offence of persistently selling alcohol to a child contrary to Section 147a of the Licensing Act 2003. APPENDIX 3.

10. When it became clear to the Service that Mr Kareer was involved in the business trading as Tudor News, our concerns were raised with Mrs Devi on 3/3/11. Mrs Devi gave an assurance to officers that Mr Kareer did not work behind the till, and if there was a need to leave him, it would be very rarely.
11. Despite this, Mr Kareer was found to be serving alone in the shop prior to this (17/1/11) and at the time of the second illegal sale 15/12/11. It is therefore alleged that Mrs Devi gave an inaccurate account of Mr Kareer's involvement in the business, failed to acknowledge the concerns put forward by the Service concerning his ability to sell alcohol responsibly, and failed to keep to the assurance given to this Service.
12. During the advice visit mentioned above on the 3/11/11, the employee told the officer that Mrs Devi regularly travels to India. This was strongly denied during interview by Mrs Devi. Having regard to the size and set up of the business, if this is indeed the case the Service is concerned that Mr Kareer regularly serves in the shop unsupervised.
13. Two further alcohol test purchase attempts have been made at the business 2/4/11 and 19/1/12 both of which were refused. Neither of which were entered into the log. Therefore it questions the accuracy of the log. Further, the sale which was refused on the 19th was refused by Mr. Kareer. This demonstrates that Mr Kareer, post sale, continued to fail to follow procedures.

Licence

14. As part of the investigation into the sale by him, Mr Kareer has been asked to surrender his personal licence. This is on the basis of his previous formal caution for persistently selling alcohol and the recent sale which is an alleged offence under Section 146 of the Licensing Act 2003. Both offences are relevant offences for the purpose of Schedule 1 to the Licensing Act 2003 which would mean that he would not be entitled to a mandatory grant of a personal licence should he apply. At the time of writing this submission, Mr Kareer has not surrendered his licence.
15. With effect from the 1st October 2010, a mandatory condition was attached to the premises licence requiring premises licence holders to ensure that an age determination policy is in place. As a minimum, 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, identification showing their photograph, date of birth and a holographic mark before alcohol is supplied to them. Mrs Devi claims to operate Challenge 21 however it was not implemented at the time of the sale by Mr Kareer and as stated above he was unclear of what age determination policy was in operation. Home Office guidance states that staff "must be made aware of the existence and content of the age verification policy". The Service would question whether this has been done and accordingly whether the condition has been complied with.

16. In addition to the above matters, Mrs Devi also admitted during formal interview that children under the age of 14 are permitted onto the premises without being accompanied by an adult contrary to conditions attached to the premises licence, an offence under the Licensing Act 2003. This is not strictly a matter for this Service and has been referred to the Licensing Authority for any action they deem necessary. It was not established whether the condition was breached knowingly or in ignorance. In either case this is clearly unacceptable for the owner of the business, premises licence holder and DPS.

Conclusion

17. It is the view of the Leicestershire Trading Standards Service that the prevention of crime and disorder and protection of children from harm objectives have been undermined by the events set out above.
18. When considering the action necessary to promote the licensing objectives, this Service tries to establish the cause of any breaches. It is clear that the problems presented are due to failings on the part of both Mrs Devi and Mr Kareer.
19. Mrs Devi has failed to implement adequate systems to prevent the sale of alcohol to children in terms of an adequate age determination policy, staff training and method for monitoring that these are being followed such as a refusals record. She also allowed Mr Kareer to serve alcohol unsupervised in the shop despite being aware of his history, his clear lack of understanding of the subject, the Service concerns regarding his ability to sell alcohol responsibly and the assurance given by her to this Service.
20. Mr Kareer is responsible for three separate illegal sales of alcohol, two of which he made personally. The most recent sale was made by him despite having received clear age restricted sales training from both this Service and allegedly Mrs Devi. This clearly shows that he fails to grasp the basics of selling alcohol responsibly.
21. Because of the size and set up of the business, the Service would question whether the DPS would address the issues. In line with paragraph 11.21 of the Guidance issued by the secretary of State under the Licensing Act 2003, it would appear "that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented."
22. Having regard to the above, the Licensing Authority is therefore requested to consider the revocation of the premises licence. In considering this matter, the Service would ask that regard be given to paragraphs 11.18 and 11.19 of the Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
23. The Service would ask that is the Licensing committee does not see the need to revoke the licence then we request that as a minimum, the following be implemented:

The following conditions be placed on the licence:

1. Mr Kareer is prohibited from selling alcohol at the premises.
 2. Mrs Devi obtains the BIIAB National Certificate for Designated Premises Supervisors within 3 months. This qualification is designed to provide existing designated premises supervisors with an understanding of their roles and responsibilities both within the Licensing Act and regulatory issues not covered by the Act. It also covers key areas in relation to each of the licensing objectives and how the DPS can demonstrate due diligence.
-
1. A 'Challenge 21' policy shall be operated at the premises at all times. All those working at the premises, whether paid or otherwise, shall require identification from customers purchasing alcohol who appear to be less than 21 years old and who are unknown to the person serving as being over 18. Acceptable proof of age will be a passport, UK photographic driving licence or a 'PASS' accredited proof of age card. No other form of identification shall be accepted.
 2. Training will be provided for all those who work in the premises, whether paid or otherwise, before they are allowed to sell alcohol and will include Challenge 21, proof of age, conflict management and refusals records. The training will be documented. The Premises Licence Holder or Designated Premises Supervisor will check that the training has been understood. The training will be repeated at least every 6 months. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.
 3. The Premises Licence Holder shall operate and maintain an up-to-date record of refused sales of alcohol, indicating the date, time, reason for refusal and person refusing. This record shall be made available for inspection by any Responsible Authority and the Licensing Authority. The record will be reviewed at least once a month by the Designated Premises Supervisor or premises licence holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not following with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once they have checked it and make a record of any action taken as a result. The record need not be made in English provided the Designated Premises Supervisor is able to provide an accurate translation of the entries made upon request by a Responsible Authority or the Licensing Authority.

4. CCTV shall be installed to specifications and locations agreed with the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's Code of Practice. The CCTV shall record at all times premises are open for any licensable activity. All images held are to be made available on request by any of the responsible authorities.

Colin Hoskins
Team Leader
Leicestershire County Council
Trading Standards Service
March 2012

**Mrs. Kanta Devi,
Tudor Store,
91 Belvoir Road,
Coalville,
Leicestershire,
LE67 3Ph**

1st August 2011
MW/253493

Mark Wicks
0116 305 6567
mark.wicks@leics.gov.uk

**THE LICENSING ACT 2003.
Sale of Alcohol to a 16 Year Old Child.**

Dear Mrs. Devi,

I am writing in my capacity as an Alcohol & Tobacco Control Officer for Leicestershire County Council Trading Standards Service. I have completed my investigation against your store, with reference to a sale of alcohol on the 12.01.2011. The sale was facilitated by Gurnek Singh.

Please note the following excerpts from the Licensing Act 2003:

Section 146 of the Licensing Act 2003 :-

(1) A person commits an offence if he sells alcohol to an individual aged under 18.

Above is self-explanatory, and we have video evidence of the sale made by Gurnek Singh.

(4) Where a person is charged with an offence under this section by reason of his own conduct it is defence that:-

a) He believed that the individual was aged 18 or over, and

b) either:-

(i) He had taken all reasonable steps to establish the individual's age, or

(ii) Nobody could reasonably have suspected from the individual's appearance that he was aged under 18.

(5) For the purposes of subsection (4), a person is treated as having taken all reasonable steps to establish an individual's age if –

a) he asked the individual for evidence of his age, and

b) the evidence would have convinced a reasonable person.

placed before the court, the result could likely have ended in a successful prosecution against you. As such, I have decided to deal with this matter via means of a warning; should any further incidents occur, it is likely that court action will ensue.

If you require any further assistance in this matter, or have questions relating to this letter please contact me on the number provided at the top of this letter.

I request that you acknowledge this letter in writing no later than the 18th August 2011 in order for me to close the investigation against you.

Yours sincerely

Mark Wicks
Alcohol & Tobacco Control Officer.

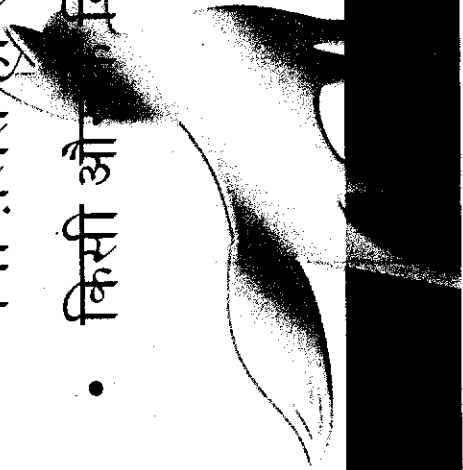
लैस्टरशर
ट्रेडिंग स्टैण्डर्ड्स सर्विस
आयु के कारणों से प्रतिबन्धित
विक्रियाँ
ट्रेडर वर्कशाप

मार्क गोगिन्स
मार्क विक्स

ऐल्कोहोल कन्ट्रोल आफिसर्स



- आयु के कारणों से प्रतिबन्धित विक्रयों के बारे में मार्गदर्शन
- रोक लगी आयु से कम के व्यक्ति को चीज़ बेचने से कैसे रोका जा सकता है?
- चैलेन्ज 21
- ट्रेनिंग
- टिल को याद कराना
- आयु का सबूत
- मना करने के लौगस
- सी सी टी वी (CCTV)
- क्या ग़लत हो सकता है?
- किसी और के लिए (प्रौक्सी) चीज़ को ख़रीदना



आयु के कारणों से प्रतिबन्धित चीज़ें क्या हैं?

- सिग्रेटें और तम्बाकू वाली चीज़ें
- फ़ायर वर्क्स/पटाखे
- चाकू/ब्लेड या तीखी धार वाली चीज़ें
- गलू और सौल्वेन्ट्स
- ब्यूटेन लाईटर रिफ़िल्स
- स्प्रे पेन्ट
- वीडियो, डी वी डी और कम्प्यूटर गेम्स
- लौटरी की टिकटें/स्क्रेच कार्ड
- शराब/ब्लैकॉहोल्

• क...



समस्याएँ क्या हैं?

- 14-16 वर्ष की आयु के 20% लोग सिग्रेटें पीते हैं
- 80% सिग्रेट पीने वाले (स्मोक्सर्स) बालिग लोगों ने बचपन से धूम्रपान आरम्भ किया था।
- जिन स्मोक्सर्स ने छोटी आयु से सिग्रेटें पीनी आरम्भ की हों, उनकी सिग्रेट सम्बन्धित रोगों से मरने की सम्भावना तीन गुणा अधिक है।
- 15-16 वर्ष की आयु के 25% लोग महीने में कम से कम तीन बार बहुत अधिक शराब पीने के कारण ड्रंक/शराबी होते हैं।
- 'ग्लू स्त्रिफिंग 10-16 वर्ष की आयु के बच्चों को अवैध नशों (ड्रगज़) से भी अधिक मारती है।
- 16 वर्ष से कम के बच्चे फ़ायरवर्कस के साथ जुड़ीं चोटों से ज़ख्मी होते हैं।



शराब के साथ सम्बन्धित विषय

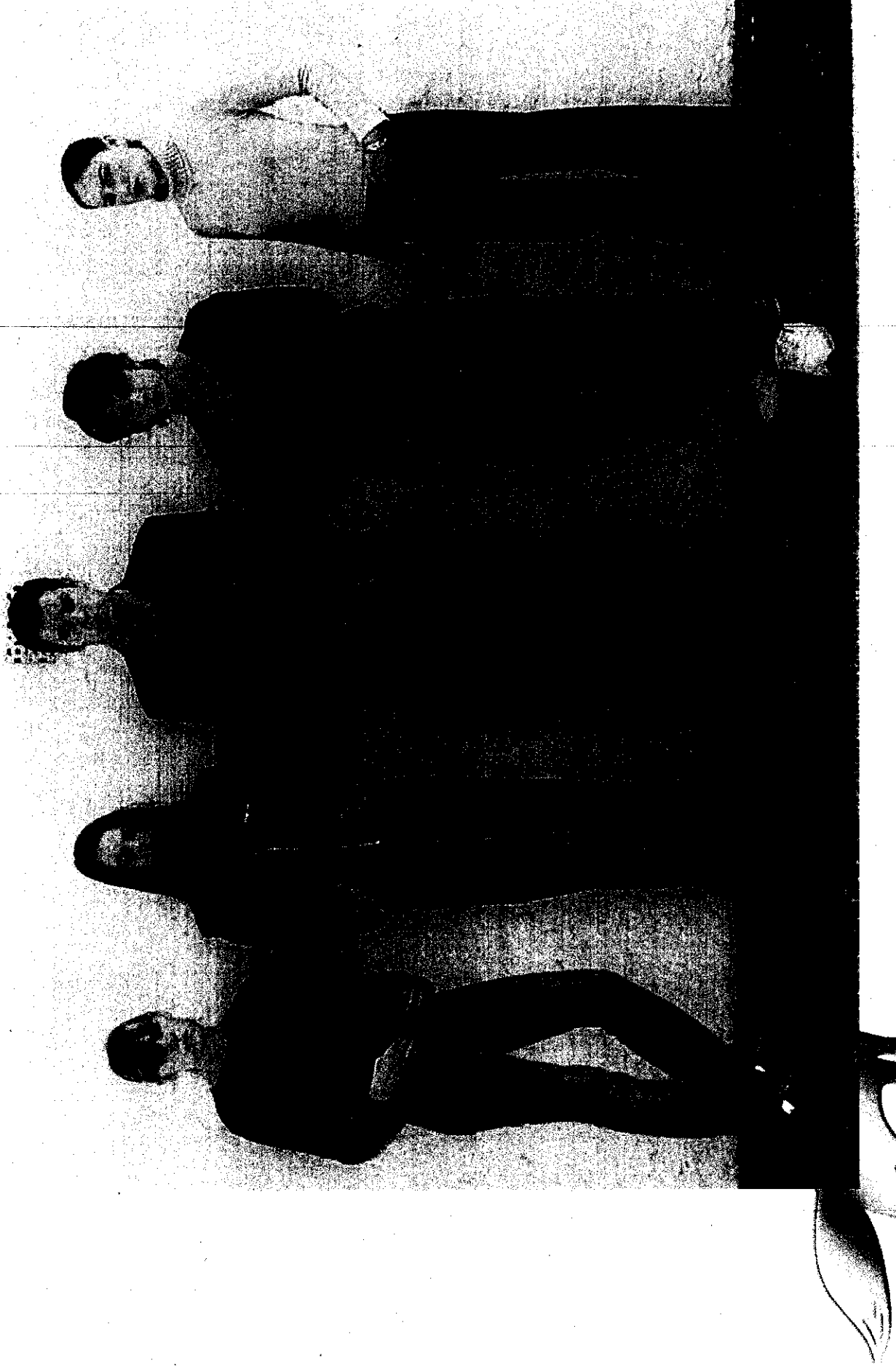


Leicestershire
County Council

- बाल भलाई (चाइल्ड वेलफ़ेयर)
- जीवन आस/मृत्यु की दर
- हिंसक अपराध
- असामाजिक व्यवहार
- घरेलू हिंसा/दुर्व्यवहार
- शराब पीने के कारण हस्पताल में प्रवेश
- शराबी/शरीर शराबे भरा व्यवहार
- RTC कारण मृत्यु या चोटें



आजकल के बच्चों की मुश्किलें



- आयु निर्धारण के बारे में मुश्किल में सहायता करती है
- गैर-कानूनी बिक्री की सम्भावना को कम करती है
- सामना करने से बचाव करती है
- अपने ग्रापकों को बताती है!
- आयु के बारे में न पूछें
- यदि सन्देह हो तो चीज़ बेचने से इन्कार कर दें!



- इससे पहले की स्टाफ़ चीज़ को बेचे उसे ट्रेनिंग दें
- इसमें मुफ़्त सहायता देने वाले और परिवार शामिल हैं
- आयु की सीमा को शामिल करें
- गैर-कानूनी बिक्री/सेल के परिणाम
- स्वीकार करने योग्य जाँच का सबूत
- मुश्किल ग्राहकों के साथ निपटना
- नियमित और ताज़ा/अपडेटेड
- समझ की स्वीकार करें
- निरस्थित करें और रिकार्ड रखें



टिल करने के समय याद दिलाना

- स्टाफ़ को याद कराना कि इस चीज़ को बेचने के लिए आयु का प्रतिबंध है
- 'आटो पायलट' दृश्य विधान से बचाव करती है
- चीज़ के बारे में औप्रेटर को सावधान करती है
- ग्राहक की आयु पर ध्यान रखती है
- सकारात्मक कार्यवाही की सलाह देती है
- शैल्फ़ों पर और टिल के स्थानों पर पोस्टर या स्टिकर लगाएँ
- चीज़ों के ऊपर निजी लेबल लगाएँ



- चैलेंज 21 और टिल जो कहता है उसका प्रभावशाली ढंग से प्रयोग करें
- स्वीकार करने योग्य फ़ार्मों का प्रयोग करें
- PASS - मान्यता प्राप्त सबूत के अधिकृत कार्ड्स
- जन्म के प्रमाण-पत्र/स्वीकार योग्य NUS कार्ड्स
- ड्राइविंग लाइसेंस के बारे में चौकस रहो
- PASS कार्ड्स को इन्कार मत करें
- झूठे सबूत से बचें
- इसमें हस्ताक्षर किया गया ट्रेनिंग रिकार्ड शामिल करें
- स्टाक ऐम्प्लिशन फ़ार्मस



बेचने से इन्कार करने के बारे में लौगस

- स्टाफ़ को निर्देश दें कि हर बार रिकार्ड करें
- आयु के साथ बदलने वाला सबूत नियमित रूप से चैक करें
- सबूत, जो स्टोर के द्वारा बच्चों को सेल्स से इन्कार करे
- इससे पता चलता है कि कर्मचारी ट्रेनिंग का पालन करें
- इससे ट्रेनिंग की ज़रूरतों का पता चलता है
- अंदेशों को उजागर करती है
- बार-बार अपराध करने वालों को पहचानती है
- नियमित इन्कार करें, हस्ताक्षर करें और तिथि लिखें
- एडमिशन को तौर पर की गई कार्यवाहियों को रिकार्ड करें



- बिज़नेस का टिकट दृष्टि पर विचार करता है
- इससे अपराध को रोकने और पता लगाने में सहायता मिलती है
- झगड़ालू ग्राहकों को दूर भगाना है
- स्टाफ़ ट्रेनिंग के लिए लाभकारी पद चिन्ह
- व्यापार के लिए 'काफ़ी व्यस्त' समयों को चैक करें
- सारे इन्कार किए गए रोज़नामों / लौगस के बारे में क्रौस रैफ़रैन्स
- जो चैक किए हैं उनका रिकार्ड रखें



- सारे प्रवेश / निकासी के दरवाज़े और ब्लॉक स्पोर्ट्स को कवर करता है
- पूरे चेहरे की रंगदार तस्वीर तैयार करता है
- उचित रोशनी
- सुरक्षित वातावरण में रंगदार मॉनिटर
- कम से कम 6 फ़्रेम प्रति सैकेन्ड
- 31 दिनों के लिए तस्वीर को सम्भाल कर रखता है
- समय, तिथि और उस स्थान की जानकारी को रिकार्ड करता है
- साधन / सामग्री को सुरक्षित रखता है





- पुलिस को देने के लिए कोई भी रूपांतर/ फॉर्मेट एकदम हासिल
- यह स्टैंडर्ड पी सी या डी वी डी पर प्ले किया जा सकता है
- यकीनी है कि यह 'डेटा प्रोटेक्शन ऐक्ट सी सी टी वी कोडस आव प्रैक्टिस' के अनुसार है
- www.ico.gov.uk
- ग्राहकों को निरीक्षण से परिचय कराता है
- स्वीकारयोग्य स्टाफ़ को चलाने की ट्रेनिंग देता है
- स्टाफ़ को पुलिस के लिए डाऊनलोड कराने के बारे में ट्रेनिंग देता है



क्या ग़लत हो सकता है ?

- बहुत ही बिज़ी थे
- मेरा ध्यान किसी और की तरफ़ था
- उनकी आयु तो काफ़ी लगती थी
- मुझे मालूम नहीं था कि यह कानून के विरूद्ध था
- मैं तो नया हूँ / केवल सहायता कर रहा था
- मैने तो कर्मचारी को ट्रेनिंग दी थी उसने सही नहीं किया / मुझे धोखा दिया
- नियमित चैक करें, सबूत रखें



प्रौक्सी(किसी और के लिए) खरीदारी

- कोई बालिंग, बच्चे के लिए खरीदने के लिए आया हो
- खरीदने और बेचने वाले दोनों ही जिम्मेवार हो सकते हैं
- इस अपराध के लिए £80 फ़िक्स्ड पैनेल्टी £5,000 जुर्माना
- सावधान रहें - यदि सन्देह हो तो इन्कार कर दें
- प्रौक्सी परचेज़िंग के बारे में पोस्टर लगाएँ
- सी सी टी वी फ़ुटेज को बहाल रखें
- पुलिस के साथ ताल-मेल रखें
- www.tapp-project.org



हम कैसे सहायता कर सकते हैं ?

- चैलेंज 21 के पालन को उत्साहित करें
- आयु के प्रमाण की स्कीमों को उत्साहित करें
- लाईब्रेरियों और स्कूलों के साथ काम करें
- गुप्त तरीके से टैस्ट ख़रीदारी लगातार जारी रखें
- छानबीन करें और उचित कार्यवाही करें
- हम बिज़नेस को सलाह और सहायता देते हैं
- मार्गदर्शन और ट्रेनिंग के पैक



मैं सहायता और सलाह कहाँ से प्राप्त कर सकता हूँ ?



- लैस्टर के व्यापारियों के लिए मुफ्त सलाह
- टेलिफोन: 08454 04 05
- trading.standards@leicester.gov.uk
- <http://www.leicester.gov.uk/business/trading-standards/>



- समय निकालने के लिए आपका धन्यावाद!
- क्या आपके पास कोई प्रश्न हैं?



**Leicestershire Trading
Standards Service**

**Age-Restricted Sales
Trader Workshop**

Mark Goggins
Mark Wicks

Alcohol Control Officers



Agenda

- Age-Restricted Sales Guidance
- How Do I Prevent Under-Age Sales?
- Challenge 21
- Training
- Till Prompts
- Proof of Age
- Refusals Logs
- CCTV
- What Could Go Wrong?
- Proxy Purchasing

***What are age-restricted
products?***

- Cigarettes & other tobacco products
- Fireworks
- Knives/bladed items
- Glues & Solvents
- Butane Lighter Refills
- Spray Paint
- Video's, DVD's & Computer Games
- Lottery Tickets /Scratchcards
- Alcohol

What's the Problem?

- 20% of 14-16 year olds smoke
- 80% of Adult Smokers started smoking as children
- Smokers who start young 3 times more likely to die of a smoking-related disease
- 25% of 15-16 year olds get drunk at least three times a month
- 'Glue sniffing' kills more 10-16 year olds than illegal drugs
- Half of fireworks-related injuries happen to under 16's

Impact Team Info

- Name 1
- Name 2

- Let impact team do their presentation

Alcohol-Related Issues

- Child welfare
- Life expectancy/mortality rates
- Violent crime
- Anti-social behaviour
- Domestic violence
- Alcohol related hospital admissions
- Drunk/rowdy behaviour
- Death/injuries relating to RTC's

How can I prevent underage sales?



Challenge 21

- Helps address difficulty of age-determination
- Decreases likelihood of making an illegal sale
- Helps avoid confrontation
- TELL YOUR CUSTOMERS!
- Don't ask age
- If in doubt, refuse the sale!

Training

- Deliver before staff make sales
- Include unpaid help and family
- Cover age limits
- Consequences of an illegal sale
- Acceptable ID
- Dealing with difficult customers
- Ongoing and updated
- Check understanding
- Monitor and keep written records

Till Prompts

- Remind staff that product age-restricted
- Avoids 'Auto-Pilot' scenario
- Alerts operators to product
- Focus on customer's age
- Positive action advisable
- Use posters/stickers at till point and shelving
- Individually label products

Proof of Age

- Use Challenge 21 and till prompts effectively
- Use acceptable forms
- PASS-accredited proof of age cards
- Birth certificates/NUS Cards unacceptable
- Be wary of Driving Licences
- Don't refuse PASS cards
- Beware of fakes
- Include in signed training record
- Stock application forms

Refusals Logs

- Instruct staff to record EVERY time
- Evidence that ages regularly checked
- Proof store refuses sales to children
- Shows employees follow training
- Identifies training needs
- Highlights trends
- Identifies 'repeat offenders'
- Review regularly, sign and date
- Record resulting action

CCTV

- Helps prevent & detect crime
- Deters aggressive customers
- Footage useful for staff training
- Share footage with Police
- Review footage periodically
- Check 'peak' periods
- Cross reference with Refusals Logs
- Make a record of checks

What could go wrong?

- It was busy
- I was distracted
- They looked old enough
- I didn't know it was against the law
- I'm new / just helping out

- I trained the employee and they let me down
- Check regularly, keep proof

Proxy Purchasing

- Adult buys on behalf of child
- Purchaser and seller can be liable
- £80 fixed penalty / £5,000 fine
- BE VIGILANT - If in doubt, REFUSE
- Display Proxy Purchasing Posters
- Retain CCTV footage
- Liaise with Police
- www.tapp-project.org

How can we help?

- Encourage adoption of Challenge 21
- Promote acceptance of schemes
- Work with Libraries and Schools
 - Continue with covert test purchasing
- Investigate and take appropriate action
- Provide advice and support to business
- Guidance and training packs
- Cascading training

Where can I get help and support?

**FREE ADVICE FOR LEICESTERSHIRE
BUSINESSES**

Tel: 0116 305 8000

tradingstandards@leics.gov.uk

www.leics.gov.uk/tradingstandards

Thank you for your time!

Any questions?

Date: 24th August 2011
My ref: GPC/HS/ca424



Leicestershire
County Council

RESTRICTED

CAUTION

Case reference:

Offender's Name: Jagan Nath Kareer
Address: 88 Kerrydale Avenue, Leicester, LE4 7GL
Date of Birth: 04/08/1951
National Insurance Number: SC 50 91 52 A
Gender: Male

Date of offence: Between 1st November and 5th November 2010

Place of offence: Loughborough, Leicestershire

Brief circumstances of offence: As the responsible person for the former business trading as Budget Buy, located at 14 High Street Loughborough, Leicestershire LE11 2PY, you did on two occasions and within a period of 3 consecutive months sell alcohol to an individual aged under 18 years, which is the offence of persistently selling alcohol, by virtue of Section 147A of the Licensing Act 2003.

The sales took place on the 2nd November and 4th November 2010 and were purchases made by child volunteers on behalf of Leicestershire County Council, authorised by an inspector of weights and measures under Section 154(2) of the said Act.

It is important that you understand the consequences of accepting this caution – See the attached document entitled "Consequences of Receiving a Caution".

Declaration

I hereby declare that I admit the offence(s) described above and agree to accept a caution in this case. I understand that a record will be kept of this caution and it may influence a decision to institute legal proceedings, if I am found to be infringing the law in the future. I also understand that this Caution may be cited, if I am the subject of proceedings for an offence in a court of law.

Name: J. N. KAREER

Signed:

Date: 1-9-11

Office Use Only

Signed:

Legal Affairs Manager

Date:

Offender's Name: Jagan Nath Kareer
Address: 88 Kerrydale Avenue, Leicester,
LE47GL
Date of Birth: 04/08/1951
National Insurance Number: SC 50 91 52 A
Gender: Male

Consequences of Receiving a Caution

1. A simple caution is not a form of sentence (which only a court can impose), nor is it a criminal conviction. It is, however, an admission of guilt and forms part of an offender's criminal record. It may influence how they are dealt with, should they come to the notice of the Trading Standards, Police or other enforcement agencies again and may also be cited in court in any subsequent proceedings.
2. A simple caution will appear on a subject access request made by the offender under the Data Protection Act 1998. It may also be disclosed for employment vetting purposes, licensing purposes or to inform judicial appointments.

Civil Proceedings

3. If a caution has been given and the victim requests the offender's name and address in order to institute civil proceedings (for example, to claim compensation or seek an injunction) the information must be disclosed. Under the 1998 Data Protection Act, personal data are exempt from the non-disclosure provisions where the disclosure is required for the purpose of, or in connection with, any legal proceedings or future legal proceedings. This includes circumstances where the data are required in order to obtain legal advice.

Rehabilitation of Offenders Act

4. Cautions will soon be covered under the Rehabilitation of Offenders Act 1974 and will become immediately spent. Until this change is made the Act does not allow an individual to lawfully conceal a simple caution if asked specifically if they have received any cautions (for example, by prospective employers). However, a person will not be required to admit the existence of previous simple cautions if asked whether they have any criminal convictions.

Prosecutions (including private prosecution)

5. A person can only be prosecuted for an offence they have already been cautioned for if there is a substantial change in the material circumstances, or new evidence comes to light which suggests that the original offence is more serious than previously thought.

Independent Safeguarding Authority

6. A simple caution may also be taken into account by the Independent Safeguarding Authority in reaching decisions about the suitability of persons to work with children or vulnerable adults, once the new Authority commences its work under the Safeguarding Vulnerable Groups Act 2008.

The following paragraphs have been listed for completeness, in order that you may assess how the Caution may affect you now or in the future.

Travel abroad and immigration

7. Countries requiring foreign nationals to obtain entry visas may require applicants to declare cautions on their application forms or at interview. Their immigration rules may mean that a person who has received a caution is refused entry as though he / she has a criminal conviction. This will vary from country to country and may apply to people who want to emigrate permanently or those who simply want to visit for short term purposes, such as on business, for a holiday or to study.

Notifiable occupations

8. Notifiable occupations are currently set out in the Home Office Circular 6/2006. Where a simple caution is issued to someone employed in a notifiable occupation, this should be disclosed by the police to their employer in accordance with the guidelines set out in that circular.