



## Licensing (Liquor and Gambling) Panel – Monday 2<sup>nd</sup> September 2019

### Application for a Review of the Premises Licence at One Stop Shop, 33-37 Oundle Road, Thrapston, Northamptonshire NN14 4PA

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#### Purpose of report

Application to review the Premises Licence at One Stop Shop, 33-37 Oundle Road, Thrapston, Northamptonshire, NN14 4PA

#### Attachment(s)

Appendix 1 - Application Form for Review  
 Appendix 2 - Map of Area  
 Appendix 3 - Representation  
 Appendix 4 - Current Licence

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#### 1.0 Summary

1.1 An application to review the Premises Licence at One Stop Shop was received on 24<sup>th</sup> July 2019 from Northamptonshire Police. The appropriate blue notice was displayed on the premises during the required consultation period.

#### 2.0 Application details

2.1 The matters for which a review to the premises licence is sought relates to the prevention of crime and disorder and the protection of children from harm. The request for the review relates to underage sales of alcohol made on 15<sup>th</sup> April 2019 and 17<sup>th</sup> June 2019.

#### 3.0 Consultations

3.1 The following Consultations have been undertaken:

Child Protection	No representation
Fire	No representation
Police	Review applicant
Trading Standards	No representation
Revenues and Customs	No representation
Health Authority	No representation
Thrapston Town Council	No representation
Environmental Protection	No representation
Planning Authority	No representation
Public	No representation
Home Office (Immigration Enforcement)	No representation
Licensing (Local Authority)	Representation

3.2 The Licensing Enforcement Officer has submitted a representation. The representation relates to a Licensing Inspection held at the premises on 14<sup>th</sup> August 2019.

The representation can be seen in Appendix 3.

## **4.0 Determination**

- 4.1 The Panel must carry out its functions to promote the licensing objectives having regard to:
- The Licensing Act 2003
  - The Statement of Licensing Policy
  - S182 Guidance
- 4.2 The Act states that following a hearing the Panel may take the following actions if they deem them necessary to promote the licensing objectives:
- a) no action necessary as no steps required to promote the licensing objectives;
  - b) issuing an informal warning to the premises licence holder and/or to recommend improvement within a particular period of time. This Licensing Authority regards such warnings as important mechanisms for ensuring that the licensing objectives are effectively promoted and any warning issued will be in writing to the licence holder.
  - c) to modify the conditions of the premises licence (including adding new conditions, altering/omitting an existing condition);
  - d) excluding a licensable activity from the licence;
  - e) remove the designated premises supervisor;
  - f) suspend the licence for a period of up to three months;
  - g) to revoke the licence.

## **5.0 Policy Considerations**

- 5.1 This section highlights the elements of the licensing policy that are most relevant with respect to this application. This is not exhaustive and the policy should be considered fully prior to making decisions with respect to applications:-
- 2.10 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. This Licensing Authority wishes to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
  - 2.13 In determining a licence application the overriding principle adopted by the Licensing Authority will be that each application will be determined on its merits. Only mandatory conditions and conditions relevant to the operating plan will be imposed except where relevant representations against an application are received. Where relevant representations are received then further additional conditions to meet the licensing objectives may be added provided they are appropriate, proportionate and reasonable and deal with the issues raised. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public (e.g. Health and Safety at Work and Fire Safety legislation).

## **6.0 Section 182 Guidance Considerations**

- 6.1 Sections 11.16 to 11.23 and 11.29 of the above guidance are particularly relevant to this application. This is not exhaustive and guidance should be considered fully prior to making decisions with respect to applications.

## **7.0 Committee Consideration**

- 7.1 This Licensing Authority in determining what action to take will seek to establish the causes of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be necessary and proportionate.

## 8.0 Legal Implications

8.1 A legal officer will be present at the hearing to outline any legal matters that need to be taken into consideration.

## 9.0 Equality and Diversity Implications

9.1 There are no equality and diversity implications.

## 10.0 Financial Implications

10.1 There are no financial implications arising from this report.

## 11.0 Staff

11.1 There are no staffing implications.

## 12.0 Risk Management

12.1 There are no material risks.

## 13.0 Corporate Outcomes

13.1 The following corporate outcomes would be delivered

- Good quality of life
- Effective partnership working
- Knowledge of our customers and communities

## 14.0 Invitation to determine

14.1 The panel is asked to consider the information detailed above and determine the review application.

<b>Legal</b>	Power: Licensing Act 2003				
	Other considerations: Section 182 Guidance Statement of Licensing Policy 2014-2019				
<b>Background Papers:</b> None					
<b>Person Originating Report:</b> Samantha Edmunds Health Protection Manager <a href="mailto:sedmunds@east-northamptonshire.gov.uk">sedmunds@east-northamptonshire.gov.uk</a> 01832 742030					
<b>Date:</b> 22 August 2019					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

(Committee Report Normal Rev. 22)

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 Constable 113 Bryan on behalf of the Chief Officer of Police for Northamptonshire

*(Insert name of applicant)*

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

Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> One Stop Shop 33-37 Oundle Road	
<b>Post town</b> Thrapston	<b>Post code (if known)</b> NN14 4PA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> One Stop Stores Ltd
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<b>Number of premises licence or club premises certificate (if known)</b> 15/01409/LAPNEW
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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 PC 113 D.Bryan, Wellingborough Police Station Wellingborough Northamptonshire NN8 1HF
Telephone number (if any) 101 EXT [REDACTED]
E-mail address (optional) david.bryan@northants.pnn.police.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)**

I act on behalf of the Chief Officer of Police Mr Adderley, he has delegated responsibility and authorised me to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

Northamptonshire Police call for the Review of the Premises Licence for The One Stop Shop under the Licensing Objective of the Prevention of Crime and Disorder and the Protection of Children from Harm.

This relates to an underage sale of alcohol made on the 15<sup>th</sup> of April 2019 and the 17<sup>th</sup> of June 2019.

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

On the 15<sup>th</sup> of April 2019 Northamptonshire Police conducted a Test Purchase Operation in relation to underage sales of alcohol, this was conducted at numerous premises within the East Northamptonshire area.

At approximately 04:50pm on this day a 15 year old male involved in the operation purchase a single bottle of Kopparberg cider 500ML 4.0ABV (Alcohol by Volume) from the store witnessed by a plain clothed Police Officer employed in the operation. The seller was issued with a Penalty Notice for Disorder (PND) for £90.00 by way of disposing of the offence of Section 146 of the Licensing Act 2003.

On the 17<sup>th</sup> of June 2019 Northamptonshire Police conducted a Test Purchase Operation in relation to underage sales of alcohol, this was conducted at numerous premises within the East Northamptonshire area.

At approximately 05:10pm on this day a 15 year old male involved in the operation purchased a single bottle of Kopparberg cider 500ML 4.0ABV (Alcohol by Volume) from the store witnessed by a Licensing Compliance Officer of East Northants Council. The seller was issued with a Penalty Notice for Disorder (PND) for £90.00 by way of disposing of the offence of section 146 of the Licensing Act 2003.

Northamptonshire Police would ask the Licensing Sub-Committee of East Northants Council to consider the following conditions that Northamptonshire Police are of the opinion would promote the Licensing Objectives.

1) A CCTV system is installed and maintained within the premises, the CCTV will cover all licensable areas including the till and serving counter. The CCTV will record images and these will be retained for 31 days. A member of staff trained in the operation of the CCTV equipment will be available on the premises at all times the premises is open to the public. A copy of the recordings will be provided to the Police or an Authorised Officer of a Responsible Authority upon reasonable request but no later than 48 hours, the request will be made within the provisions of current Data Protection legislation.

2) A proof of age scheme, Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic cards, such as a driving licence, passports, holographic marked PASS scheme cards, or HM Forces identification cards.

3) Training records shall be kept and maintained in respect of the prevention of underage sales of alcohol and refresher training shall be done every six months, the records shall be signed for by all staff employed in the sale by retail of alcohol.

4) Signage shall be displayed within the premises relating to the Challenge 25 scheme.

5) A refusals book (or refusal button on EPOS Electronic Point of Sale) shall be kept on the premises and completed whenever a sale is refused to a person who cannot prove they are over the age of 18.

The book should contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.

The book will be made available to the Police and authorised Council Officers on request.

The book should be reviewed and signed by the DPS every three months (this is to see if any patterns emerge).

6) A Personal Licence Holder will be present at all times the premises is open for licensable activity for a period of three months.

In submitting this Review Northamptonshire Police have consulted the Statutory Section 182 Guidance specifically points 11.27 and 11.29.



**Please tick yes**

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

If yes please state the date of that application

Day Month Year

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

Please tick yes

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

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

**Part 3 – Signatures** (please read guidance note 3)

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

Signature



Date

22/07/2019

Capacity Northamptonshire Police Licensing Officer

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

Post town

Post Code

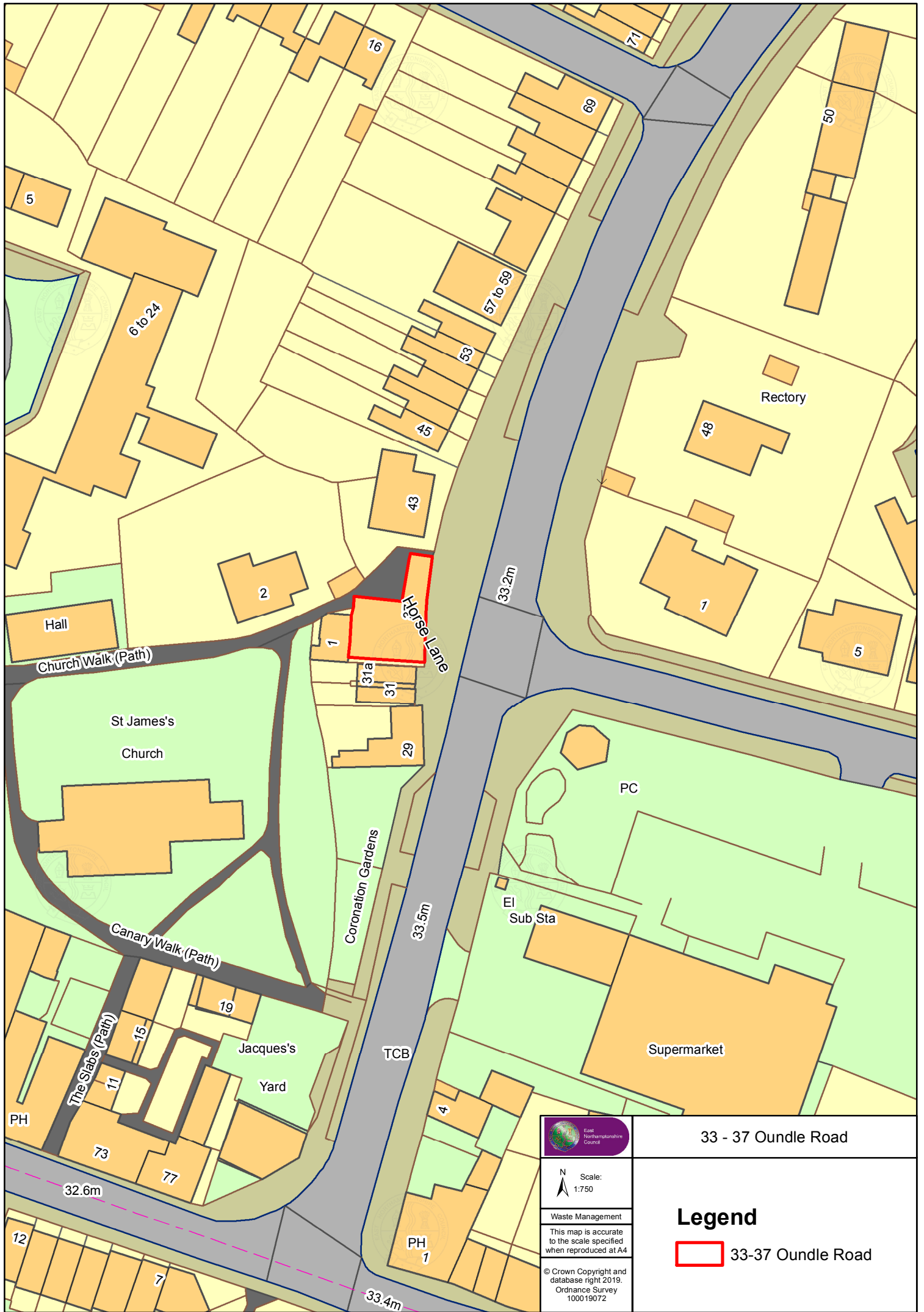
Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**Notes for Guidance**

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





33 - 37 Oundle Road




Scale:  
1:750

Waste Management

This map is accurate to the scale specified when reproduced at A4

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Ordnance Survey 100019072

**Legend**

 33-37 Oundle Road

# MEMORANDUM

**To:** Central Administration Unit

**From:** Rita Groves  
Licensing Enforcement Officer  
Environmental Services / Health Protection

**Ref:** Review application for One Stop Shop (Thrapston)  
33-37 Oundle Road, Thrapston, Northamptonshire NN14 4PA

**Date:** 15 August 2019

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In reference to the review application for the above premises I wish to make the following comments:

On the afternoon of 14 August 2019 I visited One Stop Shop (Thrapston) to carry out an inspection under the Licensing Act 2003.

On entering the premises I identified myself as the Licensing Enforcement Officer from East Northamptonshire Council and asked to speak to the Shift Manager. Sonja Evans came to speak with me and we went to the office to carry out the inspection.

The inspection on 14 August 2019 did not uncover any breaches under the Licensing Act 2003, however, we did discuss the following:

We spoke about the recent test purchase failures and that all staff have now been through the Personal Licence training course with the exception of one new starter who had completed the 'e-learning' programme that One Stop staff must complete. Ms Evans, did not know if this was documented anywhere however.

Ms Evans explained to me that a new till system was installed on 9 August 2019, but that training had not been comprehensive. The 'guide' referred to by Ms Evans was on the floor in the office not near the till.

I was advised that the till system prompts the user to check if the customer is over 18 and registers the refusal. Ms Evans was not aware however, how to retrieve this information from the till.

I suggested that all Shift Managers are shown how to retrieve the refusal list from the till should they be requested to do so by the Police, Trading Standards or an Authorised Officer from East Northamptonshire Council.

I am happy that the most recent test purchase at the premises did not result in a sale and that steps have been taken to ensure staff are fully aware of the legal requirements regarding the sale of alcohol.



## Part A

### Premises Licence

**East Northamptonshire Council,  
Cedar Drive, Thrapston, Northamptonshire, NN14 4LZ  
Tel 01832 742102  
[www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)**

<b>Premises Licence Number</b>	15/01409/LAPNEW
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#### Part 1 – Premises Details

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

One Stop Shop (Thrapston)  
33 - 37 Oundle Road  
Thrapston  
Kettering  
Northamptonshire  
NN14 4PA

**Telephone Number:** 01832 732515

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

**Sale of Alcohol**

**Alcohol consumed off premises**

Sunday	10:00 - 22:30
Monday to Saturday	08:00 - 23:00

**The opening hours of the premises**

Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

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

Alcohol is supplied for consumption off the premises

Part 2

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

One Stop Stores Ltd  
Apex Road  
Brownhills  
Walsall  
West Midlands  
WS8 7TS

Email: [Licensing@onestop.co.uk](mailto:Licensing@onestop.co.uk) Work Phone: 01543 363000

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

02462858

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

Mr Andrius Taraskevicius  
Towler Street  
Peterborough  
PE1 2TX

Mobile Phone: 

**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: 098109  
Licensing Authority: Peterborough City Council



**If this premises licence authorises the supply of alcohol, the following conditions must be complied with:**

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. 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.

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.

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.
4. 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.

**If this premises licence requires the use of door supervisors.**

5. Where the premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual 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.

## **Explanatory Notes and Definitions for Mandatory Condition 8.**

### Definitions

“duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

“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 rate 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;

“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;

“valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price calculated would not be a whole number of pennies, it shall be taken to be the price calculated rounded **up** to the nearest penny.

NOTE: This note is provided to give assistance in calculating prices, it is not a legal document. If you are unsure on any issue related to permitted prices, seek advice. Further information can be found about mandatory conditions can be found at <https://www.gov.uk/alcohol-licensing#mandatory-licensing-conditions>.

## **Annex 2 – Conditions consistent with the Operating Schedule**

Embedded Conditions Apply (The licence is granted on the condition that the restrictions contained within the enactments specified under Licensing Act 2003 Schedule 8 (6) are adhered to).

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

None

## **Annex 4 – Plans**



## Part B

### Premises Licence Summary

**East Northamptonshire Council,  
Cedar Drive, Thrapston, Northamptonshire, NN14 4LZ  
Tel 01832 742102  
[www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)**

<b>Premises Licence Number</b>	15/01409/LAPNEW
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#### Part 1 – Premises Details

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

One Stop Shop (Thrapston)  
33 - 37 Oundle Road  
Thrapston  
Kettering  
Northamptonshire  
NN14 4PA

**Telephone Number:** 01832 732515

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

**Sale of Alcohol**

**Alcohol consumed off premises**

Sunday	10:00 - 22:30
Monday to Saturday	08:00 - 23:00

**The opening hours of the premises**

Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

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

Alcohol is supplied for consumption off the premises

Part 2

**Name, (registered) address of holder of premises licence**

One Stop Stores Ltd  
Apex Road  
Brownhills  
Walsall  
West Midlands  
WS8 7TS

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

02462858

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

Mr Andrius Taraskevicius

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

NO

Signed:



Date: 15 July 2019

Name: Samantha Edmunds  
Position: Health Protection Manager  
For and on behalf of the Licensing Authority

This premises licence **15/01409/LAPNEW**  
has been issued by East Northamptonshire Council,  
Cedar Drive, Thrapston, Northamptonshire, NN14 4LZ  
Tel 01832 742102  
[www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)

Our Reference No: 19/02239/LAVDPS