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Dear Member

LICENSING SUB-COMMITTEE - THURSDAY, 22 AUGUST 2013

I am now able to enclose, for consideration at the Thursday, 22 August 2013 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	Licensing Act 2003 – An application for a Premises Licence – Bargain Booze, 105 Foxhole Road, Paignton TQ3 3SU	(Pages 21 - 43)

Yours sincerely

Kay Heywood
Clerk

Agenda Item 5



New Premises Licence Hearing 22nd August 2013

Bargain Booze
105 Foxhole Rd
Blatchcombe
Paignton
TQ3 3SU

Supporting documentation

CONTENTS

- Page 3** **Bargain Booze the company**
The Licensing Department & Licensing Matters
- Page 4** **The Bargain Booze Training Structure**
Internal training
- Page 5** **External training**
- Page 6** **The Bargain Booze Refusal & Challenge system**
Franchisee Meetings – keeping the retailers in touch & up to date
- Page 7** **Other policies**
The ‘Challenge 25’ Policy
Reward for ‘proxy’ sales convictions
- Page 8** **membership of organisations and proactive responsible retailing**
- Page9** **Excerpts from the Bargain Booze Internal Training Manual**
- Page 10** **Details of the Refusals and Challenges till system**

BARGAIN BOOZE - THE COMPANY

'Bargain Booze Limited' has been trading for over 20 years & now has over 600 franchised stores.

In becoming a Bargain Booze franchisee, store owners have a two day induction. During this time they are trained in the use of the training manuals and how they should train staff. They are taken through several scenarios and sit a licensing test. They are also trained in all elements of the equipment such as the till.

Once part of the group, franchisees are supported by Bargain Booze in several ways as outlined in detail below.

The Licensing Department & Licensing Matters

The internal licensing department is permanently staffed and always on hand for help and advice. It is dedicated to licensing and all franchisees are fully aware that they should contact the department in the event of any issues or concerns.

If further advice or assistance is needed the licensing consultancy, Licensing Matters are employed on a permanent basis to be available to all store owners at all times. This gives an extra layer of support and assistance and provides all involved with Bargain Booze access to the highest level of advice from the top licensing advisors in the country.

Members of the Development Section have the responsibility of maintaining standards in all shops. Part of their duties is to visit stores at random to assess the way the shops are being conducted.

The Bargain Booze Training Structure

Bargain Booze has a comprehensive structure of training available for all stores.

Internal training

The first level is the Bargain Booze Staff Training Distance Learning package. This is four-unit course that must be signed off by the DPS. It includes 2 DVD's and all the test papers and forms to ensure 'Due Diligence'. The package and accompanying video have been recognised within the industry and nominated for an award.

There are examinations at the end of each module and the staff member must pass each module to qualify.

Every 3 months a new set of refresher training questions are provided to all Bargain Booze stores to ensure that training is kept up to date.

A comprehensive excerpt from the internal training manual is included at Appendix 1.

Bargain Booze is an accredited BII (British Institute of Innkeeping) training centre. The Level 2 accredited qualification, the Award for Personal Licence Holders course is held at Bargain Booze headquarters every month. The course is offered to stores at £75 which is half the usual rate. This is to make to course affordable and available to owners for not only themselves and management but for all staff.

It is Company Policy that whenever possible all members of staff in each shop should also be trained to this level. This policy reflects Bargain Booze's commitment to supporting their retailers in the responsible retailing of alcohol.

External Training

Through the relationship with Licensing Matters, Bargain Booze are able to offer their stores a wide range of licensing training to cover all eventualities. Licensing Matters are able to tailor training courses to any given circumstances and to suit the retailer's requirements specifically.

The Bargain Booze Refusal & Challenges System.

All Bargain Booze stores benefit from a dual system of recording refusals and challenges for identification. The first element of it is the use of a standard refusals register which is completed detailing the facts relating to the incident.

The refusals register is complimented by a till system with an in-built refusal mechanism.

All of these refusals and challenges are not only stored at the store but are also automatically downloaded to the Bargain Booze head office and stored electronically.

Details of the refusals and challenges system are shown at Appendix 2.

Franchise Meetings – Keeping the retailers in touch and up to date.

Ten franchise meetings per year are held at the company's headquarters in Crewe, and also in Leeds and Tewkesbury. These conferences are well attended and provide a forum for problem solving and identification of best practice. Licensing is on the agenda every meeting with particular focus on training and maintaining 'Due Diligence' procedures. In this way 'Bargain Booze' is consistently moving forward, using both the companies experience and that of its franchises to provide professionalism and a responsible attitude in relation to licensing legislation & their involvement with their local community.

Other policies

'Challenge 25' Policy

Bargain Booze maintains a 'Challenge 25 Policy'. The object is that any person who appears to be under the age of 25 years will be asked for identification before alcohol is sold to them. The only acceptable forms of identification are a passport, driving licence, or PASS approved cards.

Reward for 'proxy' sales convictions

Bargain Booze is aware that many problems with underage drinkers are not due to the underage person buying the alcohol but adults purchasing it on their behalf (proxy purchasing). In an attempt to help tackle this Bargain Booze run a £200 reward scheme throughout its stores, for information leading to convictions from PROXY sales.

Membership of external organisations & proactive responsible retailing

In 2004, Bargain Booze became the first Off-Licence retailer to become a member of the British Institute of Innkeeping.

Bargain Booze is also a member of the Retail & Alcohol Standards group (RASG).

BARGAIN BOOZE AWARDS

Bargain Booze has received many awards over the years; here are some of the most prestigious.

2003

TRAINING INITIATIVE OF THE YEAR AWARD AT THE DRINKS RETAILING AWARDS

MULTIPLE OFF LICENCE RETAILER OF THE YEAR AWARD (HIGHLY COMMENDED) AT THE RETAIL INDUSTRY AWARDS

2004

MOST RESPONSIBLE OFF TRADE RETAILER OF THE YEAR AT THE RESPONSIBLE DRINKS RETAILING AWARDS

2005

OFF LICENCE RETAILERS MULTIPLE STORES (HIGHLY COMMENDED) AT THE RESPONSIBLE DRINKS RETAILING AWARDS

2006

OFF TRADE RETAILER (MULTIPLE STORES) AWARD AT THE RESPONSIBLE DRINKS RETAILING AWARDS

2008

OFF LICENCE RETAILER OF THE YEAR AWARD (HIGHLY COMMENDED) AT THE RETAIL INDUSTRY AWARDS

Appendix 1 - The Bargain Booze Internal Training Manual

SECTION ONE ALCOHOL

Strength of intoxicating drinks
Units of Alcohol
How alcohol affects the body
Alcohol Sales
Underage Customers
Adults buying for minors
Refusing Sales
Test Purchasing and Responsible Retailing

SECTION TWO OTHER AGE RESTRICTED PRODUCTS

Penalties for supplying age restricted products

SECTION THREE LICENSING ACT 2003

Licensing Objectives
Premises Licences
Personal Licences
Mandatory Conditions for Premises Licences
Authority to Sell Alcohol
The Designated Premises Supervisor
Police Officers Right of Entry
HM Revenue and Customs Right of Entry
Review of Premises Licences
Duties and Responsibilities of Premises Licence holder
Duties and Responsibilities of Personal Licence holder
Additional Responsibilities of the DPS
Violent Crime Reduction Act

SECTION FOUR GENERAL RESPONSIBILITIES

Sales
Appearance
The Shop Presentation
Supervision

DUE DILIGENCE

25 Policy
Information for Staff
Authority to Sell Alcohol
Offences under the Licensing Act 2003
Licensing Training Check List
Incident Book Sheets

STAFF TRAINING

Multiple Choice Questions (Master copies)
Quarterly refresher questions (Master copies)

OFFICE USE

Completed staff forms
Completed staff training

LICENSING MANUAL

INTRODUCTION

This manual is to be read in conjunction with viewing the training DVD. It is designed to promote best practices required in every good retail environment.

The package will be as useful to employees who have worked in the licensed trade for a number of years, as it will be to new employees.

HOW TO USE THIS PACKAGE

The manual contains a comprehensive overview of the basic information employees should have an understanding of in order to sell age restricted products in a responsible fashion.

There are four written tests for employees to take to complete their training. Refresher questions will be issued on a regular basis, which will ensure that knowledge is up-to-date. These completed question papers should be retained at the back of this folder or in the employees personnel file as evidence of training.

This staff training manual and the DVD will be retained in the store to be referred to (*if necessary*) at a later date.

INTRODUCTION

The sale of age-restricted products is strictly controlled by two factors: -

- The Law
- Company Policy

When dealing with age-restricted products, both of the above issues must be complied with.

We all have a: -

- Legal Responsibility
- Company Responsibility
- Social Responsibility

You must be extremely careful how and to whom you sell such products.

This manual is a reference and training tool for the storeowner and all employees. Please ensure that you have a good working knowledge of your responsibilities with regard to the responsible retailing of alcohol and, if appropriate, that you have completed the training and all relevant forms within this manual.

Alcohol Sales

1. Selling an alcohol product to a person under the age of 18 years is unlawful. Bargain Booze, Bargain Booze Plus, Bargain Booze Select Convenience and Thorougoods stores operate a **25 Policy**. This means that anyone who appears to be under 25 must be challenged to produce valid proof of age. This must contain a photograph and date

of birth and the only ID we can accept is a photographic driving licence, a passport or a PASS approved Proof of Age card. (Further details can be found on page12)

2. If you suspect somebody to be intoxicated, (drunk or under the influence of drugs), it is illegal for you to serve them.
3. Drinking of alcoholic products on the premises, whether bought in the shop or elsewhere is prohibited by law.
4. Alcohol can only be sold during the hours permitted by your Premises Licence. Selling alcohol outside these times is unlawful. (The permitted hours for your store are stated on the Premises Licence Summary, which must be on display behind the counter.)

The above are all criminal offences under the Licensing Act 2003 and as such are examples of Gross Misconduct within your employment. Criminal conduct can result in disciplinary action, which may include summary dismissal.

The following is also valuable information

- It is a Company Policy that no person under the age of 18 years should be employed to sell alcoholic products. **This may also be a condition of your Premises Licence.**
- Theft of alcoholic products by underage persons is a particular problem. When young persons are in the shop be particularly vigilant that they do not steal. Apart from the loss of revenue the alcohol may fall into the hands of young children.

UNDERAGE CUSTOMERS

You may find the following points useful in spotting those who are attempting to buy age restricted products whilst underage. Remember such people will be nervous, as they know they are committing a criminal offence. Please note that if you are subject to a test purchase, the minor may not exhibit these traits. A test purchase is different to a 'real life' situation because the child is doing something he or she has been instructed to do by a Police Officer or a Trading Standards Officer. Therefore, he or she may not exhibit the following signs of nervousness.

1 Body Language

Look out for signs of nervousness such as stuttering and becoming pale. Over confidence and giggling is sometimes a give away clue.

2. Physical Appearance

In boys, ask yourself: Are they shaving? Look at how they are dressed. Do they have an adult hairstyle? With girls, look for evidence that they have tried to make themselves look older by using excessive make up, high heels to make them appear taller and wearing more mature clothing.

3. Product

What is the person buying? If it is a product which is age restricted and is likely to be favoured by underage (e.g. – *alcopops, cider etc*), be particularly careful.

4. Payment Method

Payment with large quantities of loose change can be an indication of an underage person as it may be the result of a collection. Money obtained from a wallet or purse is a more normal practice amongst adults. People who pay by credit or debt card are, perhaps, less likely to be underage but you cannot be certain.

ADULTS BUYING FOR MINORS

Adults buying alcohol for underage persons or 'proxy purchasing' is a big problem as youths try to find ways to get around producing their ID.

You have a responsibility to refuse the sale if you suspect that an adult is buying alcohol to pass on to persons under 18.

Legislation does not prevent parents buying alcoholic products and then allowing their children over 5 years of age to drink them at home under supervision. In any other circumstances both the adult who buys an alcohol product and the person who serves them may commit a criminal offence. This is therefore a difficult area. There can be no doubt that the bulk of alcohol that falls into the hands of children is supplied to them by adults. You can only do the best you can to prevent it.

There have been occasions when parents have brought their children into the shop to choose which alcohol products they want. In such cases we cannot be sure that the alcohol will be consumed in the home, therefore we should refuse service. Likewise children have produced notes from their parents authorising the supply of alcohol and other age restricted products to the child. These should be ignored and service refused. If you suspect that an adult is buying to give to a child the following course of action should be adopted:

- Question the person politely as to the eventual destination of the purchase.
- Explain to them that they commit a criminal offence if they purchase the product with the intention of giving it to a person underage. (**£80 fixed penalty notice or Maximum fine on conviction £5000**)
- Tell them that if they are found to have supplied this alcohol to a person underage, they will be barred from the shop.
- Let them know that they are on CCTV (with audio recording if your system has this facility) and that the footage can be supplied to the Police should they request it.

If you serve the customer and later find that the alcohol has been given to underage persons, speak to your employer about barring them so that the other staff can be given the information also.

Bargain Booze and Thorouggoods stores operate a Reward scheme to help publicise the issue and to ask members of the public for their assistance in preventing proxy purchases. The reward is for information, which leads to the conviction of adults purchasing alcohol and supplying it to those under 18. This would involve the person testifying against the purchaser in Court.

BARGAIN BOOZE

**£200
REWARD**

**FOR INFORMATION LEADING
TO THE CONVICTION OF ANY
PERSONS PURCHASING ALCOHOL
FROM THIS STORE AND
SUPPLYING IT TO PERSONS
UNDER THE AGE OF 18**

**FOR FURTHER INFORMATION
CALL 0845 345 0001 AND
ASK FOR LICENSING DEPT.**

**PLEASE NOTE:-
IT IS AN OFFENCE TO BUY ALCOHOL
WITH THE INTENT TO SUPPLY IT TO MINORS.
MAXIMUM FINE - £5000**

thorouggoods

**£200
REWARD**

**FOR INFORMATION LEADING
TO THE CONVICTION OF ANY
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WITH THE INTENT TO SUPPLY IT TO MINORS.
MAXIMUM FINE - £5000**

The following may help if you are suspicious

REFUSING SALES

REFUSING SALES TO CUSTOMERS WHO ARE UNDERAGE, INTOXICATED OR SUPPLYING ALCOHOL TO MINORS

IF IN DOUBT, DON'T SELL

Take special care during busy periods. The standard procedure for age-restricted products must be followed no matter **how** busy you are. Be vigilant but remember to be calm and understanding. Be aware that if you break the law, **you** will be liable, as well as the Management and any Supervisor in the shop at the time you made the sale.

After the customer has chosen, but **before** they pay for the age-restricted product you must:

LOOK AT THEM

Remember that Bargain Booze and Thorougoods stores operate a 25 Policy. You should request ID from anyone who appears to be under 25. This should be easier to judge than whether they are under 18. If you are in any doubt about their age in relation to the age restriction of the product,

DON'T ASK QUESTIONS

Once you have a doubt about their age you **must not serve them** until they have provided adequate identification. **DO NOT ASK THE PERSON'S AGE, SIMPLY ASK IF THEY HAVE ID.** When asking for proof of age documentation you may only accept those which contain a photograph and a date of birth, from which you can discover the persons age. This must **ONLY** be: -

- A Passport
- A Photocard Driving Licence
- A Proof of Age Card with a PASS hologram logo
(The PASS hologram has to our knowledge not been successfully forged. Therefore, we only accept cards carrying the logo).

(Note – If the identification is given and the sale is made, you can log the fact that ID was checked by keying the code 333 (Dos Tills only; automatic ‘prompts’ replace 333 system in Windows tills).

Please note that some shops still running the DOS till system have opted to install ‘till prompts’. These prompts will appear at the end of the transaction whenever an age-restricted product is scanned during the transaction. See procedure below:

ID CHECK-DOS TILLS

Scan your items

If an age restricted product has been scanned, a list of the following options will appear at the tender stage (When totalling the sale)

Have you asked for ID

Valid Passport

Valid Driving licence

Pass Hologram Card

Biometric check

Not Required

Enter Reason

Select the relevant option by choosing the number assigned to the prompt.
Continue with the sale by pressing total again
Enter the cash tendered and payment method to complete the sale.

UNIT ONE

QUESTIONS

NB – these are multiple choice questions. Some questions may require you to choose more than one answer.

1. When serving alcohol, you should ask for ID from -
 - a Anyone who looks under **16**
 - b Anyone who looks under **18**
 - c Anyone who looks under **25**

2. What two factors are used to control the sale of age restricted products?
 - a The Law
 - b Your Manager
 - c Company Policy
 - d Schools

3. What is the maximum fine upon conviction for selling an alcohol product to a person under age?
 - a up to £100
 - b up to £300
 - c up to £500
 - d up to £5000

4. Who must NOT be served with an alcohol product?
 - a A person under 18 years
 - b Somebody who is drunk
 - c A person who you suspect is buying for persons underage
 - d All of the above

5. How much alcohol by volume does a product need to have in it to be called an alcoholic drink?

- a 1%
- b 2%
- c 0.05%
- d more than 0.5%

6. What is the fixed penalty (on the spot fine) for serving alcohol to an under-age Customer?

- a £30
- b £50
- c £80
- d £100

7. What is the recommended weekly alcohol consumption limit for women?

- a 5 units
- b 10 units
- c 14 units
- d 20 units

8. What is the recommended weekly alcohol consumption limit for men?

- a 15 units
- b 21 units
- c 25 units
- d 30 units

9. How long does it take for the body to eliminate 1 unit of alcohol?

- a 10 minutes
- b 30 minutes
- c 1 hour
- d 2 hours

10. Which of the following forms of ID should you **NOT** accept?

- a Passport
- b Student Card
- c Photographic Driving Licence
- d Birth Certificate

Name of staff member -----

Branch Number -----

Signature -----

Date -----

I certify that the above named member of staff has completed Unit 1 to a satisfactory standard.

Name: -----

Signature: -----

Date: -----

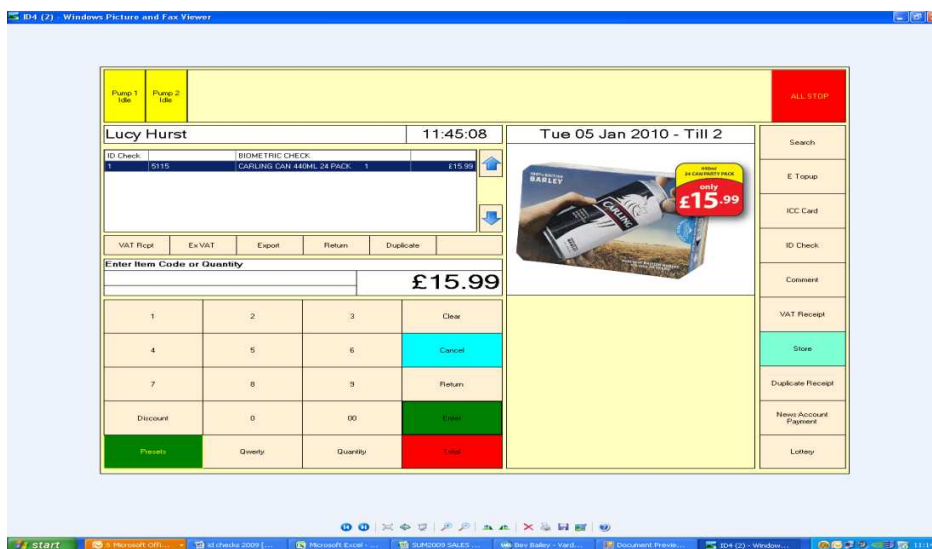
Appendix 2 – Details of the refusals and challenges till system

To follow are example pages from the till refusals system. These will demonstrate the system in detail.

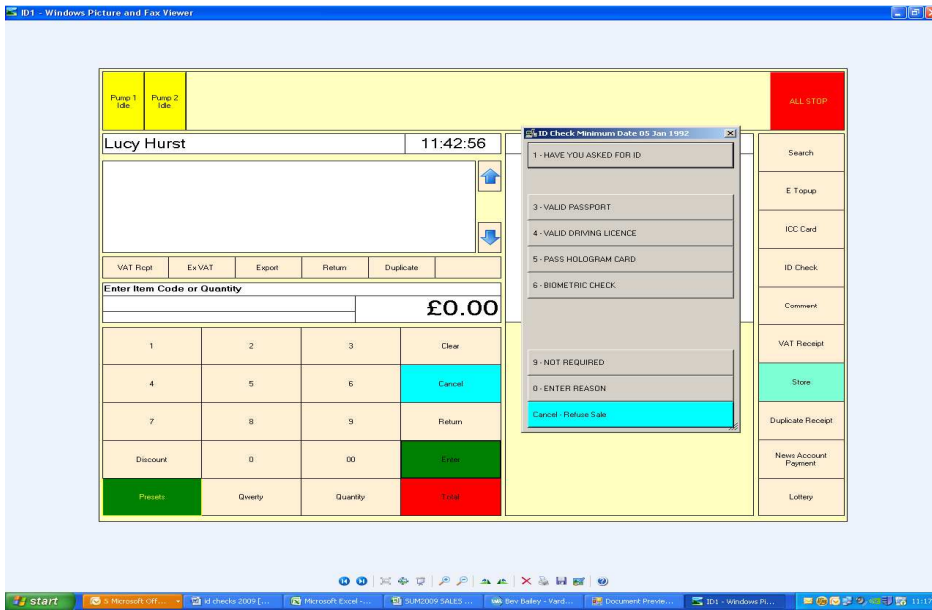
On the Windows till system the till prompt procedure is an automatic part of the software and it operates as follows:

On Windows tills the following screens will appear when a product is of an age limit.

Scan the product on the till



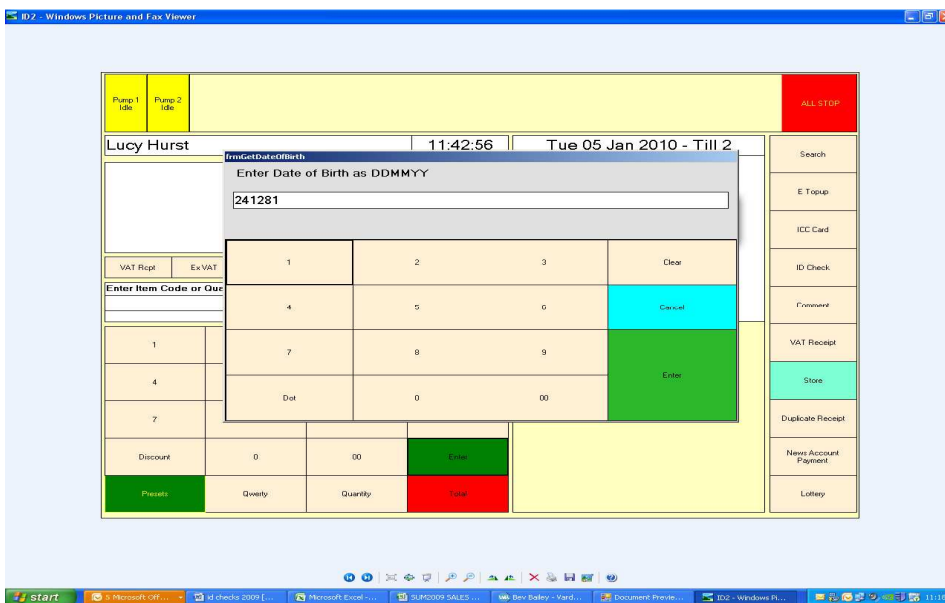
The screen will now ask you to select an option of what proof of ID the customer has or if ID is not required. If the customer has no ID then follow the refusal sale procedure further down.



If you select options

- 3. Valid Passport
- 4. Valid Driving Licence
- 5. Pass Hologram card
- 6. Biometric check

Then a screen will appear to prompt for an age to be entered



If an age is typed in under the age limit of the product then the screen will follow the refusal sale procedure

Once an age of the above age limit of the product has been entered then the rest of the sale can be completed. The prompt for ID will only appear at the beginning of the sale.

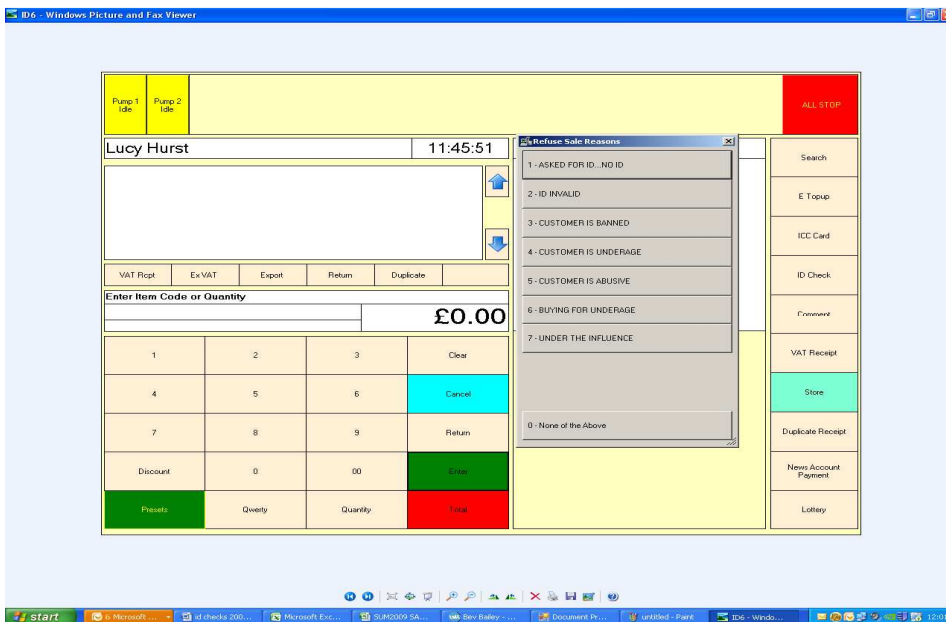
Refusal of sale

If a person is under age or has no ID then follow the refusal sale procedure below.

A refusal sale can be done at two stages

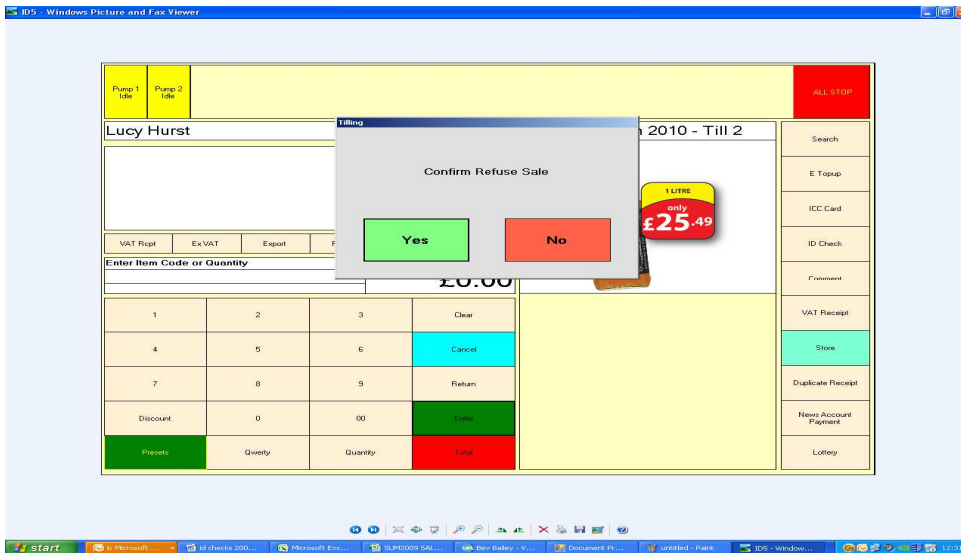
1. Before a product has been scanned as long as you have clocked on
2. After scanning a product and the customer has no ID or is under age.

Stage 1 - Before a product has been scanned as long as you have clocked on



Click on the ID check on the right hand side and a menu in grey will appear.

Choose one of the options on the menu.



Select yes to refuse the sale or no to continue selling. Once yes has been pressed, this will print of a refusal slip that must be kept with the end of day reports so the manager/ess can balance at the end of the day.