

From: [KEMPTON Olivia 31386](#)
To: [Licensing](#)
Subject: RE: Torbay Council premises licence application - Babbacombe Convenience Store, Torquay
Date: 10 May 2023 11:28:43
Attachments: [image001.png](#)
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[Babbacombe Stores - Suggested Conditions v2.pdf](#)

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Good Morning,

Police Licencing have attended the above-mentioned premise due to concerns that the proposed "Beer Cave" could compromise the premise meeting the relevant licencing objectives, namely the Protection of Children from Harm. We are satisfied that the business will have measures in place to support the licencing objectives but would ask that these measures are reflected the Licence conditions.

As such the Police would like to make a representation on the application. I have attached a list of conditions which have been agreed with the applicant, should these be included on the licence then Police would have no objection to the application moving forward.

Many thanks,

Olivia Kempton

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Tel: [REDACTED]

From: Licensing <Licensing@torbay.gov.uk>

Sent: 13 April 2023 17:23

To: [REDACTED]

Subject: Torbay Council premises licence application - Babbacombe Convenience Store, Torquay

Dear all

Babbacombe Stores – Suggested Conditions

Amended Operating hours – 0700-2300hrs.

Prevention of Crime and Disorder

- 1) All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
 - ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence
 - iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - iv. Recognising the signs of drunkenness.
 - v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6 monthly intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records will be retained for at least 12 months

- 2) An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:
 - i. Any incidents of disorder or of a violent or anti-social nature
 - ii. All crimes reported to the venue, or by the venue to the police
 - iii. Any complaints received
 - iv. Any faults in the CCTV system
 - v. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority

- 3) All alcohol on display will be in such a position so as not to be obscured from the constant view of the cashier/staff, either directly or via CCTV.
- 4) This premise will be operating with a Beer Cave which will have CCTV monitoring of the whole space and a lockable door. All staff must be trained to operate the Beer Cave door

and to take appropriate action should a person under the age of 18 attempt enter this space.

Further, should there be a fault with the Beer Cave door or CCTV in this area, this must be documented in the Premises Incident log and should be resolved as soon as practicable.

- 5) No super-strength beer, lagers, ciders or spirit mixtures of 6% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
- 6) The premises shall operate and maintain a digital colour CCTV system to the satisfaction of the Police and Local Authority. As a minimum, the system must:
 - i. Cover all public areas of the licensed premises, including entry and exit points.
 - ii. Record clear images permitting the identification of individuals and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.
 - iii. Continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
 - iv. Have a constant and accurate time and date generation.
 - v. Store recordings for a minimum period of 14 days with date and time stamping.
 - vi. Viewable copies of recordings will be provided on request to the police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998.
 - vii. The CCTV system will be capable of downloading images to a recognisable viewable format.
 - viii. The CCTV system will be fitted with security functions to ensure the integrity of the system and to prevent the tampering with and deletion of images (i.e. password protection).
- 7) The CCTV system will be fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document <https://ico.org.uk/fororganisations/guide-to-data-protection/cctv/> (or any renewed equivalent guidance which is subsequently issued).
- 8) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority copies of recent CCTV images or data with minimal delay, or within 72 hours of the initial request.

Protection of Children from Harm

- 1) All staff, supervisors and managers must be trained in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol and then at least every 6 months. Training shall be signed and documented. Training records must be kept on the premises and be made available for inspection and copying to an authorised officer of a responsible authority on request. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.

- 2) There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:
- A photo driving licence
 - A passport
 - An identification card carrying the PASS hologram
- Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.
- 3) The premises shall display prominent signage indicating that a Challenge 25 scheme is in operation.
- 4) An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
- i. the date and time of refusal
 - ii. the reason for refusal
 - iii. details of the person refusing the sale
 - iv. any known information about the customer
 - v. any other relevant observations.

The refusals register will be made available for inspection and copying on the request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.