

# **Merton Council**

## **Licensing sub-committee**

**29 April 2014**

### **Supplementary agenda**

2. Just Drinks, 15-17 Leopold Road, London SW19 7BB – Further Information (including photos) from the Applicant 1 - 14

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# Agenda Item 2

STATEMENT OF R JORDAN ON BEHALF OF APPLICANT FOR JUST DRINKS.

DOCUMENTS HAVE BEEN SUBMITTED TO SUGGEST THAT HIGH END GOODS WILL NOT BE SOLD FROM THE PROPOSED OFF LICENCE AT 15-17 LEOPOLD ROAD SW19 7BB

REFERENCE HAS BEEN MADE TO 208 FULHAM PALACE ROAD. W6 9NT

I RECENTLY VISITED THE PREMISES AT 208 FULHAM PALACE ROAD AFTER RECEIVING THE ADDITIONS TO REPRESENTATIONS TO BE PRESENTED AT BY THE LICENSING SUB COMMITTEE ON 29<sup>TH</sup> APRIL 2014.

HOWEVER AS I UNDERSTAND THE APPLICATION CANNOT BE DETERMINED AS PER PRODUCTS ON SALE AT ANOTHER PREMISES.

A FOUND THAT THE LOWEST WINE PRICE WINE APPEARED TO BE TWO BLOSSOM HILL FOR £9.99

THIS APPEARED TO BE THE ONLY OFFER ON THE WINES.

THERE WAS A VERY LARGE SELECTION OF WINES FOR SALE

THE APPLICANT INFORMS ME THAT THERE ARE APPROXIMATELY 480 DIFFERENT VARIETIES OF WINE RANGING IN PRICE FROM £6.99 TO £45. . THIS CANNOT BE DECRIBED AS LOW END AND CHEAP.

ALSO THE APPLICANT TELLS ME THERE IS ABOUT 20 DIFFERENT CHAMPAGNES FOR SALE, 25 SINGLE MALT WHISKIES AND ABOUT 350 PLUS VARIETIES OF OTHER SPIRITS AND PORTS ETC.

I WOULD SAY THIS IS CORRECT FROM MY OBSERVATIONS DURING MY VISIT.

I OBSERVED ONE PURCHASE OF ALCOHOL WHILE I WAS AT THE PREMISES WHEN TWO LADIES PURCHASED THREE BOTTLES OF SAV BLANC VILLA MARIA WINE AT £9.99 PER BOTTLE.

I NOTED THE PRICE OF THE FOLLOWING WHICH IS JUST AN EXAMPLE.

CHATEAU BUTAILLEY GRAND CRU £49.99

BEUNE BRESSANDES 1<sup>ST</sup> CRU £36.99

THE LOWEST PRICE WINE I SAW WAS JACOBS CREEK AT £7.99 APART FROM THE BLOSSOM HILL OFFER.

TAYLORS LATE BOTTLED PORT

BARROS 1991 VINTAGE £42.99

BOLLINGER AND MOET CHAMPAGNE

A DON PERIGNON AT £329

KRUG £122

A CHIVAS REGAL AT £129

GLENFIDDICK

GLENMORANGIRE

JOHNNY WALKER BLUE LABEL AT £199

THE APPLICANT WOULD NOT WISH TO SELL ANY BEER OF LAGER OR CIDER ABOVE 6.5% AT HIS NEW PREMISES AT WIMBLEDON.

THIS WILL LOSE SOME SPECIALIST BEER INCLUDING EVEN LEFFE WE UNDERSTAND.

WE WOULD ASK THE POLICE TO APPROVE SALES OF SPECIALIST BEERS AND CIDERS AND LAGERS ABOVE THIS IF REQUIRED.

WE WOULD ALSO CLARIFY THAT THE ON SALES ARE FOR TASTING EVENTS ONLY WHICH OCCUR USUALLY EVERY TWO TO THREE MONTHS WHEN NEW PRODUCTS COME ON TO THE MARKET.

THE ON SALE IS THERE JUST TO COVER THAT.

IT WOULD NOT BE A VERTICAL DRINKING ESTABLISHMENT AND IN ANY CASE WOULD NOT BE ALLOWED UNDER PLANNING CONSENT

ALSO AS PRICE IS MENTIONED I WOULD POINT OUT THAT IN SOME OTHER OFF LICENCE S IN THE AREA OF 208 FULHAM PALACE ROAD ALCOHOL IS AVAILABLE AS LOW AS 27.2PENCE PER UNIT-FAR LOWER THAN ON SALE PRICES AT AT 208 FULHAM PALACE ROAD.

I DECLARE THE ABOVE IS A TRUE STATEMENT TO THE BEST OF MY BELIEF.

R.JORDAN

PR RETAIL CONSULTANTS

Staff

Training

**ALCOHOL SALES**

**It is important all staff know the four licensing objectives**

**PUBLIC SAFETY**

**PROTECTION OF CHILDREN FROM HARM**

**PREVENTION OF PUBLIC NUISANCE**

**PREVENTION OF CRIME AND DISORDER**

This booklet and training will help all staff meet these four licensing objectives

**UNDERAGE SALES**

**ONE OF THE MOST IMPORTANT ASPECTS OF RUNNING A LICENSED PREMISES IS TO PREVENT UNDERAGE SALES.**

**THEREFORE THE FOLLOWING PROCEDURE MUST BE FOLLOWED:**

**IF A PERSON APPEARS TO BE UNDER 25 YEARS OF AGE**

**THEN THEY MUST BE ASKED FOR I.D.**

**THE FOLLOWING ARE THE ONLY I.D. THAT IS ACCEPTABLE:**

**PASSPORT**

**NEW STYLE PHOTO I.D. DRIVING LICENCE**

**PASS ACCREDITED I.D. CARD SUCH AS CITIZEN CARD.**

**WHEN PRESENTED WITH THE I.D. CHECK THE FOLLOWING:**

**PASSPORT:**

**CHECK HOLOGRAM - THAT THE PASSPORT IS INTACT AND HAS NOT BEEN TAMPERED WITH. FOR EXAMPLE THE PHOTO DOES NOT STAND UP FROM THE PAGE. OR THAT THE TRANSPARENT COVER OVER THE PHOTO IS NOT DAMAGED AND A DIFFERENT PHOTO PUT INSIDE.**

**CHECK THE PHOTO IS A LIKENESS OF THE PERSON PURCHASING THE ALCOHOL.**

**CHECK THE DATE OF BIRTH ON THE PASSPORT.**

**DRIVING LICENCE:**

**CHECK ALL DETAILS AS FOR PASSPORT. CHECK THE DVLA HOLAGRAM .Check photo is likeness of person**

**Check embossed Surname or triangle or one way sign or steering wheel. Or embossed section 9**

**THE LICENCE.**

**PASS ACCREDITED CARDS**

**CHECK AS FOR PASSPORT. CHECK THE PASS HOLAGRAM ON THE CARDS.**

**IF IN DOUBT DO NOT ACCEPT ANY OF THE ABOVE I.D.**

**LIQUER CHOCALATES**

It is advisable to adopt the same procedure as above for sales of liquer chocolates and i.d. persons under 21 and not sell to persons under 18

**CONSEQUENCES OF AN UNDERAGE SALE**

**IF AN UNDERAGE SALE TAKES PLACE THE FOLLOWING MAY OCCUR .A FINE OF UP TO £5,000 FOR THE MEMBER OF STAFF WHO SELLS THE ALCOHOL- OR A FIXED £80 FINE**

- 1) THE DPS CAN BE FINED AS ABOVE
- 2) THE LICENCE CAN BE REVIEWED
- 3) ALSO DEFENDANTS MAY HAVE TO PAY COURT COSTS

The Police can issue a fixed penalty notice of £80 for the following offences:  
Consumption of alcohol by an under 18 year old

Selling alcohol to an under 18 year old  
Obtaining alcohol for an under 18 year old

Allowing consumption of alcohol by an under 18 year old  
Delivery of alcohol to an under 18 year old  
Allowing delivery of alcohol to an under 18 year old

It is an offence to persistently sell alcohol to someone under the age of eighteen. The offence is committed if on two or more occasions in three consecutive months alcohol is sold unlawfully to a person under eighteen at the same premises.

The fine can be up to £20,000 and/or six months in jail.

If this occurs the police or trading standards can agree that alcohol will not be sold from the premises for a period of from 48 to 336 hours instead of prosecution

#### **Other consequences**

- 1) Children are more vulnerable when drunk
- 2) They may supply to even younger children
- 3) They may be more inclined to commit anti-social behaviour

## **LICENSING HOURS**

Please make yourself familiar with the displayed premises licence

It is illegal to sell outside these hours and a **fine of £20,000 can be imposed.**

**Sales cannot take place a minute before or after these hours**

## **PROXY SALES**

STAFF NEED TO BEAR IN MIND THAT ADULTS MAY ATTEMPT TO PURCHASE ALCOHOL FOR PEOPLE UNDER EIGHTEEN YEARS AGE.

STAFF SHOULD ENSURE THEY USE THERE BEST ENDEAVOURS TO PREVENT THIS.

THE FOLLOWING MAY MEAN THAT PEOPLE ARE BUYING FOR

PERSONS WHO ARE UNDERAGE:

A PERSON MAY PURCHASE A GREAT DEAL OF ALCOHOL WHICH MAY SIGNAL THEY ARE PURCHASING FOR OTHER PEOPLE. THEY MAY HOWEVER JUST BE HAVING A PARTY. IF YOU ARE IN ANY DOUBT ASK

THE PURCHASER IF THE ALCOHOL IS FOR THEIR OWN CONSUMPTION.

VERY OFTEN THE CHILDREN WILL BE WAITING FOR THE ALCOHOL NOT FAR FROM THE SHOP. OBSERVE WHAT IS GOING ON OUTSIDE . DO NOT OBSCURE VIEW FROM WINDOW.

UNDERAGE PEOPLE MAY COME INTO THE SHOP AND ASK FOR SAY TWO CANS OF STELLA AND A COKE WHICH IS DECLINED

IMMEDIATELY OR SOON AFTER AN ADULT ASKS FOR TWO CANS OF STELLA AND A COKE

THIS IS A SURE SIGN THAT IT IS LIKELY A PROXY SALE



SIGNS ARE PUT UP IN THE SHOP NEAR THE ALCOHOL SALES SECTION REMINDING CUSTOMERS THAT IT IS A CRIMINAL OFFENCE TO PURCHASE ALCOHOL ON BEHALF OF PERSONS UNDER EIGHTEEN YEARS OF AGE.

IF STAFF SUSPECT AN INDIVIDUAL THEN THEY CAN REMIND THEM OF THIS LAW. ALSO AN INDIVIDUAL MAY RETURN TO THE SHOP FOR MORE ALCOHOL. IT SHOULD BE ASKED WHY THEY DID NOT BUY THE ALCOHOL THEY NEEDED ON THE FIRST VISIT

IF IN DOUBT SAY IT IS A LICENSING REQUIREMENT THAT THEY CANNOT SERVE A PERSON MORE THAN ONCE IN A DAY.

REMIND PEOPLE IT IS A CRIMINAL OFFENCE TO SUPPLY UNDER EIGHTEENS WITH ALCOHOL

**IF IN ANY DOUBT DO NOT SERVE.**

### **GROUPS OF PEOPLE**

A GROUP OF PEOPLE MAY COME INTO THE SHOP TO BUY ALCOHOL.

ONE OF THE GROUP MAY BE OVER EIGHTEEN. HOWEVER IN THIS CASE THE WHOLE GROUP SHOULD BE ASKED FOR I.D.

HOWEVER COMMON SENSE SHOULD PREVAIL.

### **TWO ADULTS AND A SEVEN YEAR OLD**

OBVIOUSLY FAMILY GROUPS SHOULD NOT BE ASKED TO PROVIDE I.D. FOR CHILDREN SO YOUNG.

HOWEVER YOU MAY HAVE A PARENT COME IN THE SHOP AND THEIR CHILD WHO IS A TEENAGER BUT NOT EIGHTEEN STARTS SELECTING THE ALCOHOL FOR THE PARENT TO BUY. IN THIS CASE CLEARLY THE ALCOHOL IS FOR THE CHILD SO THE SALE SHOULD BE DECLINED EXPLAINING THAT IT IS A CONDITION OF THE LICENCE TO ASK ALL PERSONS IN THE GROUP FOR I.D. AND THAT THE MATTER IS OUT OF YOUR HANDS.

OBVIOUSLY COMMON SENSE WILL HAVE TO PREVAIL BUT DO NOT FORGET IT IS YOU THAT WILL BE HELD RESPONSIBLE BY THE POLICE SHOULD AN ADULT PASS ALCOHOL ON TO UNDER EIGHTEENS IF YOU HAVE NOT CARRIED OUT THE REQUIRED CHECKS.

### **DRUNKS AND STREET DRINKERS**

PLEASE DO NOT SERVE DRUNKS OR STREET DRINKERS.

HOW DO WE DEFINE A DRUNK?

YOU WILL AS PART OF THIS TRAINING BE SHOWN THE KNOWN HOTSOPOTS IN THE AREA

IN AN OFF-LICENCE I WOULD DESCRIBE A DRUNK AS

SOMEONE WHO IS UNSTEADY ON THERE FEET

HAS TROUBLE SPEAKING AND SLURS THERE WORDS

HAS TROUBLE SORTING OUT THEIR MONEY.

AND DROPIING THEIR MONEY

HAVE ALCOHOL SMELL ON THEIR BREATH ALTHOUGH SOME ARE GOOD AT HIDING THE SMELL

IF IN DOUBT DO NOT SERVE.

SOME PEOPLE HOWEVER THEY WILL BE FEW AND WILL LIKELY BE KNOWN TO YOU WILL HAVE DIFFICULTY WITH THE ABOVE DUE TO ILLNESS BUT YOU MUST BE CAREFUL AND REALISE THAT SOME GENUINE PEOPLE WILL NOT GET

SERVED BUT IT WILL NOT STAND UP IN COURT IF YOU SAY YOU THOUGHT THE PERSON HAD AN ILLNESS

IF PERSONS ARE OBSERVED DRINKING ALCOHOL IN A NEARBY STREET PLEASE DO NOT SERVE THEM **ANY PRODUCTS** AND REPORT THE MATTER TO THE DPS.

STREET DRINKERS may be a problem in the area. Liaising with the police community support team MAY help identify any problem street drinkers.

STREET DRINKERS

MAY BE UNSHAVEN AND HAVE SCRUFFY APPEARANCE.

MAY BE DRUNK

The dps will talk to you about this.

THE POLICE MAY IDENTIFY STREET DRINKERS TO US.

UNDER NO CIRCUMSTANCES SERVE THESE PEOPLE.

Do not serve street drinkers. Be aware of the local area so any street drinkers go somewhere else.

**CONDITIONS ON LICENCE**

**PLEASE MAKE SURE YOU UNDERSTAND ALL CONDITIONS ON THE LICENCE**

**AS PART OF THIS TRAINING YOU WILL HAVE BEEN MADE AWARE OF ALL CONDITIONS ON THE LICENCE.**

**REFUSAL REGISTER/incident book**

THE REFUSAL REGISTER BOOK IS THERE FOR A REASON. PLEASE USE IT WHENEVER YOU REFUSE A SALE FOR WHATEVER REASON. IT MAY HELP OUT OTHER STAFF IF A PATTERN EMERGES.

ALL REFUSED SALES MUST BE ENTERED IN THE REFUSAL REGISTER

PLEASE REPORT ALL RELEVANT INCIDENTS TO THE DPS WHO WILL RECORD THEM IN THE INCIDENT BOOK

**GROUPS OF PEOPLE BEING A NUISANCE OUTSIDE THE SHOP**

PLEASE REPORT ANY SUCH INCIDENTS IMMEDIATELY TO THE DPS. MAKE SURE YOU KNOW THE DPS CONTACT NUMBER..

IF YOU ARE THE SUPERVISOR YOU SHOULD FIRST SEE IF THEY MOVE ON QUICKLY BY REMINDING THEM THAT YOU HAVE TO REPORT ALL INCIDENTS TO THE POLICE AND ASKING THEM TO KINDLY MOVE ON.

SO THEY DO NOT TAKE IT PERSONALLY AS FROM YOU STATE IT IS A CONDITION OF YOUR LICENCE.

**A FULL LIST OF CONDITIONS ON THIS LICENCE ARE ATTACHED TO THIS TRAINING  
PRGRAM AND YOU SHOULD MAKE SURE YOU KNOW ALL OF THEM.**

**YOU WILL BE MADE OF AWARE OF EACH AND EVERY CONDITION ON THE LICENCE  
DURING THIS TRAINING SESSION.**





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