

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: LICENSING COMMITTEE

DATE: TUESDAY 16TH MAY 2017

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RESULTS OF ALCOHOL TEST PURCHASE OPERATION

PURPOSE OF REPORT

- (1) To inform members of the results of a recent alcohol test purchase operation carried out on 12th April 2017 by Lancashire Constabulary and assisted by the Council's Licensing Enforcement Officer.
- (2) To interview each of the Premises Licence holders and Designated Premises Supervisors (DPS) of the five premises that failed the test purchase operation which resulted in the sale of alcohol to the fourteen years old female test purchaser.

RECOMMENDATIONS

- (1) To remind the Premises Licence holder and the DPS of their responsibilities to promote the four licensing objectives, namely – prevention of crime and disorder, public safety, prevention of public nuisance and, in relation to this report, the protection of children from harm.
- (2) To advise the Premises Licence holder and the DPS of the need to ensure that they, and all of their staff, are fully aware of the procedures that must be followed to prevent under age sales i.e. mandatory conditions attached to the premises licence and the Challenge 25 scheme.
- (3) To recommend the implementation of ongoing staff training at regular intervals to make sure that further sales to children under the age of eighteen do not occur.
- (4) The Committee must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 (Appendix 2) and its own Statement of Licensing Policy. (Appendix 3)

REASONS FOR RECOMMENDATIONS

- (1) To prevent children from purchasing alcohol.

- (2) To comply with the protection of children from harm licensing objective.
- (3) To ensure that children do not become involved in, or become victims of crime/anti-social behavior.
- (4) To make sure that children's health is not endangered by the effects of excessive alcohol consumption.

BACKGROUND

1. On Wednesday 12th April 2017 an alcohol test purchase operation was conducted by PC1683 Mark Walker on behalf of Lancashire Constabulary.
2. PC Walker was assisted by the Council's Licensing Enforcement Officer, Mick Armfield, whose role was to advise any person(s) who failed the test purchase as to the procedures they should be following in order to prevent under age sales.
3. The test purchaser used was a fourteen year's old female, a picture of whom will be circulated amongst members during the meeting.
4. A total of seventeen premises were visited in Nelson, Brierfield and Colne during the day-time operation, which resulted in five premises selling alcohol to the female.
5. The premises that failed were;

PREMISES	ADDRESS	LICENCE HOLDER	DPS
Spend N' Save	112 Higher Reedley Road, Brierfield	Umar Zaman	Umar Zaman
Beer Hut	193 Barkerhouse Road, Nelson	Iftexhar Hussain Shah	Iftexhar Hussain Shah
Premier Hill Place	12 Hill Place, Nelson	Arfan Zafar	Arfan Zafar
K&A Food & Booze	158 Skipton Road, Colne	Tulsi Bath	Tulsi Bath
Knotts Lane Shop	Unit 1, Cotton Works Mill, Knotts Lane, Colne	Sarah Hussain	Rozina Akhtar

6. None of the sellers of the alcohol were either premises or personal licence holders.
7. It was clearly evident from the sales that took place that very little or no training had been given to the sellers by the Premises Licence holder or the DPS. This was clearly a major factor which resulted in the sales of alcohol to the child.
8. All of the Premises Licence holders/DPS have been invited to this meeting.
9. Attached to this report as Appendix 1 are;
 - the details of the operational procedures
 - the disposal options available to the police when dealing with the offender
 - the details of the persons who failed the test purchase and the actions taken by the Police

IMPLICATIONS

Policy: There have been no changes to policy.

Financial: None arising directly from the report.

Legal: None arising directly from the report.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report.

Community Safety: None arising directly from the report.

Equality and Diversity: None arising directly from the report.

APPENDICES

LIST OF BACKGROUND PAPERS

Appendix 1 – Police Procedures, Details of Offender, Action Taken

Appendix 2 – Guidance issued under Section 182 of the Licensing Act 2003

Appendix 3 – Section 30.1 of the Council's Statement of Licensing Policy