

## **APPENDIX 1**

### **Pendle Alcohol Test Purchase Operation – Wednesday 12<sup>th</sup> April 2017**

#### **OPERATIONAL PROCEDURES**

At 11.00 hours on Wednesday 12<sup>th</sup> April 2017, an Alcohol Test Purchase Operation in off licensed premises took place within the Borough of Pendle. The purpose of the Operation was to utilise an under aged person in order to enter off licensed premises in an attempt to purchase alcohol.

It was hoped that each of the premises visited during the course of the operation would refuse the sale of alcohol to the test purchaser. Retail premises, with either on/off licences or both in order to sell alcohol should adopt and adhere to a Challenge 25 Policy.

The Challenge 25 Policy advises retailers of alcohol, that any person, who may look below the age of 25 years, should be challenged in order to show proof of their age before any alcohol sale takes place. Documents that can be accepted as proof of age are the individuals personal driving licence, personal Passport or a Government Approved PASS Card.

During the course of the Operation on Wednesday 12<sup>th</sup> April 2017, a lone, young looking 14 year old female test purchaser was used. (Photographs circulated to members.) The female was of natural appearance and was not subject of having any form of facial make up applied. The female wore her general day to day clothing. The female test purchaser was in possession of her own personal Passport that clearly displayed her date of birth as being the 30<sup>th</sup> August 2002.

Prior to the commencement of the Operation, the test purchaser was briefed with a strict scripted scenario. The below actions and events were to take place:

- To enter the premise, select alcohol and if chosen, other non-age related items and present them to the cashier. If the cashier did not Challenge the test purchaser for her age and the sale of alcohol took place, payment for the goods should be made and the test purchaser should leave with the goods that were purchased.
- To enter the premise, select alcohol and if chosen, other non-age related items and present them to the cashier. If the cashier did Challenge the test purchaser for her age, the test purchaser was to state that she was aged 18 years of age. If challenged further, the test purchaser was to provide the date of birth to make her aged 18 years of age – 30<sup>th</sup> August 1998. If the sale of alcohol then took place, payment for the goods should be made and the test purchaser should leave with the goods that were purchased.
- To enter the premise, select alcohol and if chosen, other non-age related items and present them to the cashier. If the cashier did Challenge the test purchaser for her age, the test purchaser was to state that she was aged 18

years of age. If challenged further, the test purchaser was to provide the date of birth to make her aged 18 years of age – 30<sup>th</sup> August 1998. If a further challenge re the age of the test purchaser was made, the test purchaser was to present her Passport that would show her true age as being 14 years of age. If the sale of alcohol then took place, payment for the goods should be made and the test purchaser should leave with the goods that were purchased.

### **DISPOSAL OPTIONS AVAILABLE TO THE POLICE WHEN DEALING WITH THE OFFENDER**

Test purchasing operations are a pro-active tool to test compliance of licensed premises with regards to underage sales of alcohol and these operations are carried out in all Policing Divisions across Lancashire. Should any person fail a test purchase then they commit a criminal offence and are liable to prosecution, however subject to certain circumstances they can be dealt with by way of PND (Penalty Notice for Disorder).

#### **PND-E Scheme – Underage Sales of Alcohol**

There is a commitment to change offending behaviour and where appropriate an educational intervention approach will be taken. Therefore; Lancashire Constabulary has established a PND educational scheme (PND-E) which provides a person with the opportunity to discharge their liability to be convicted of the penalty offence by paying for and completing an educational course which is nationally accredited. The ARAR Course (Award Responsible Alcohol Retailing) provides knowledge and understanding of the responsibilities of alcohol retailers and will enable those who complete the nationally recognized qualification to act within the law and to retail alcohol responsibly.

In cases where a PND-E is not an appropriate disposal, a conditional caution may be offered which is also subject to an educational intervention.

#### **Award in Responsible Alcohol Retailing (ARAR)**

##### **Introduction**

BIIAB has developed the BIIAB Level 1 Award in Responsible Alcohol Retailing to meet industry-wide training requirements to demonstrate commitment to responsible alcohol retailing. This qualification provides essential knowledge and understanding of the responsibilities of alcohol retailers authorised by a personal licence holder to sell alcohol. It will enable those who complete the qualification to act within the law to support the designated premises supervisor to retail alcohol responsibly on their licensed premises. The BIIAB Level 1 Award in Responsible Alcohol Retailing provides additional protection to licensed premises operators and candidates alike as it contains 3 mandatory questions that ensure that every candidate fully understands the legislation concerning underage sales, serving persons who are drunk and the licensing objectives.

Who is the course for?

The BIIAB Award in Responsible Alcohol Retailing is designed for anyone who works on licensed retail premises who is, or likely to be, involved in the sale of alcohol including bar staff, supermarket cashiers, waiters/waitresses, and licensed shop cashiers in any licensed premises where alcohol is sold. The ARAR is a great stepping stone for someone looking to complete a personal license course.

What does the course cover?

- The nature of alcohol and the effect that it has on the human body
- The main issues in the 2003 Licensing Act as they relate to alcohol retailers and servers
- Licensing law in relation to the protection of children from harm
- The social responsibilities relating to the retail sale of alcohol
- How to recognise drunkenness, and your duty not to serve drunk customers
- Appropriate strategies that can be adopted to prevent or eliminate alcohol-related crime and conflict and the importance of personal safety.

How is the qualification assessed?

The examination consists of 25 multiple-choice questions, three of which are compulsory. To pass the examination candidates must answer the three compulsory questions in section one correctly and 14 out of 22 in section two correctly.

### **DETAILS OF THE PERSONS WHO FAILED THE TEST PURCHASE AND THE ACTIONS TAKEN BY THE POLICE**

During the course of the Operation, seventeen premises within Pendle were visited. Twelve of the premises visited passed the Operation and failed to sell alcohol to the test purchaser.

Listed are the 5 premises that failed the Operation and sold alcohol to the test purchaser. The details of the respective seller/purchase made are also included:

<b>PREMISES</b>	<b>ADDRESS</b>	<b>SELLER</b>	<b>PURCHASE</b>
Spend N' Save	112 Higher Reedley Road, Brierfield	Raja Sumair (Sam) Jillani – who challenged for age, challenged for ID, viewed ID and made sale	Bottle of WKD
Beer Hut	193 Barkerhouse Road, Nelson	Haider Ali – who did not challenge for age, did not challenge for ID. Straight sale of alcohol.	Bottle of WKD

Premier Hill Place	12 Hill Place, Nelson	Bhutta Azeem – who did not challenge for age, did not challenge for ID. Straight sale of alcohol	Tin of Carlsberg Lager
K&A Food & Booze	158 Skipton Road, Colne	Ghulum Mustafa – who did not challenge for age, did not challenge for ID. Straight sale of alcohol.	Bottle of Kopperberg Cider
Knotts Lane Shop	Unit 1, Cotton Works Mill, Knotts Lane, Colne	Shamriz Ansar – who challenged for age, challenged for ID, viewed ID and made sale.	Bottle of WKD

### **ACTION TAKEN BY THE POLICE**

Each of the offenders have now been dealt with by the Police and disposed of by way of the following action:

#### **Spend n' Save, 112 Higher Reedley Road, Brierfield**

##### **Raja Sumair (Sam) JILLANI**

MR. JILLANI was issued with a PND-E. He stated that it is intention to attend the ARAR Course at Blackpool by paying the £50.00 Course Fee.

#### **Beer Hut, 193 Barkerhouse Road, Nelson**

##### **Haider ALI**

MR. ALI was issued with a PND-E. He stated that it is intention to pay the £90.00 PND charge and not to attend the ARAR Course.

#### **Premier Hill Place, 12 Hill Place, Nelson**

##### **Bhutta AZEEM,**

MR. AZEEM is scheduled to be interviewed on 15<sup>th</sup> May 2017. Action taken by the Police is to be reported at the meeting

**K&A Food & Booze, 158 Skipton Road, Colne**

**Ghulum MUSTAFA**

MR. MUSTAFA was issued with a PND-E. He stated that it is his intention to pay the £90.00 PND charge and not to attend the ARAR Course.

**Knotts Lane Shop, Unit 1, Cotton Works Mill, Knotts Lane, Colne**

**Shamriz ANSAR**

ANSAR was issued with a PND-E. He stated that it is intention to pay the £90.00 PND charge and not to attend the ARAR Course.