

**To:** Licensing and Gambling Acts Casework Sub-Committee

**Date:** 24<sup>th</sup> August 2021

**Report of:** Head of Regulatory Services and Community Safety

**Title of Report:** Mr Raveendrakumar Sellathurai – Application for a New Premises Licence: Budgens, Retail Unit 1 Parade Green, James Wolfe Road, Oxford, OX4 2WP

**Application Ref:** 21/02290/PREM

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To inform the determination of Mr Raveendrakumar Sellathurai application for a new premises licence
<b>Corporate Priority:</b>	A vibrant and sustainable economy
<b>Recommendation(s):</b>	That the Licensing and Gambling Acts Sub-Committee resolves to:
	1. Determine Mr Raveendrakumar Sellathurai application taking into account the details in this report and any representations made at this Sub-Committee meeting.

<b>Appendices</b>	
Appendix 1	Application form for a new Premises Licence
Appendix 2	Thames Valley Police Representation
Appendix 3	Location Plan

## Introduction and background

1. This report is made to the Licensing & Gambling Acts Casework Sub- Committee so it may determine in accordance with its powers and the Licensing Act 2003 whether to grant a new premises licence to Mr Raveendrakumar Sellathurai.

## Application Summary

- An application to grant a Premises Licence has been submitted by Mr Raveendrakumar Sellathurai. A summary of the licensable activities applied for and the time proposed for these activities can be found detailed below:

### Supply of Alcohol (Off Sales),

Sunday to Saturday 07:00 hours until 23:00 hours

- Both the application and the steps that the applicant intends to take to promote the licensing objectives (as set out in the operating schedule) can be found at **Appendix One**

## Relevant Representations

- Valid representations have been received from the Responsible Authority as detailed in the table below. Copies of these representations are attached at **Appendix Two**.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police	Objection	Crime and Disorder, Protection of Children from harm
Fire and Rescue Service	No Representation	
Environmental Health	No Representation	
Health and Safety	No Representation	
Planning	No Representation	
Trading Standards	No Representation	
Child Safeguarding	No Representation	
Licensing Authority	No Representation	

- No valid representations have been received from Interested Parties.

## Location

- A map is attached at **Appendix Three** showing the general location of the applicant's premises, and the proximity to the premises of those who have raised objections to the application.

## Statement of Licensing Policy

7. The Sub-Committee is referred to the Council's Statement of Licensing Policy\*. In particular, the following paragraphs have a bearing upon the application:

Relevant Policy Matters	Section	Policy
Hours for off sales of alcohol	5.5.1 to 5.5.2	LH8
Prevention of alcohol consumption by minors	6.2.1 to 6.2.2	CH5
Supply of alcohol for consumption off the premises	7.5.20 to 7.5.21	PP11
Public Safety	8.2.1 to 8.2.3	OS1 to OS3 & OS 6
Crime and Disorder	8.3.1	Crime and Disorder

8. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at:

[https://www.oxford.gov.uk/downloads/file/1303/statement\\_of\\_licensing\\_policy](https://www.oxford.gov.uk/downloads/file/1303/statement_of_licensing_policy)

## Home Office Statutory Guidance

9. Members are also referred to the statutory guidance issued by the Home Office. Of particular relevance to this application are the following matters:

Relevant Sections	Relevant Paragraph
Crime and Disorder	2.1 to 2.6
Public Safety	2.6 to 2.9
Public Nuisance	2.15 to 2.21
Age verification	10.46 to 10.50

10. A copy of the Home Office Statutory Guidance may be found online at:  
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

## Other Relevant Considerations

11. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the

applicant and the rights of local residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

12. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
13. When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance of each representation.
14. In making its decision, Members must also have regard to the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
15. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - a) **Grant the licence in accordance with the application.**
  - b) **Modify the conditions of the operating schedule by altering or omitting or adding to them.**
  - c) **Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.**
  - d) **Reject the whole of the application.**

The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises or the different licensable activities.

16. Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives. Any such step must relate to a relevant representation made.
17. If Members grant the application, the details of the operating schedule will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.
18. Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

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Please note in the table below the version number of your report that was finally cleared at each stage

Report Stage	Version Number
<b>First Draft:</b> <i>Cleared by Manager</i>	13.08.2021
<b>Second Draft:</b> <i>Cleared by Legal</i>	16.08.2021

**APPENDIX ONE**

**Oxford**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[elms@oxford.gov.uk](mailto:elms@oxford.gov.uk)  
 Telephone: 01865 252565



\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference  This is the unique reference for this application generated by the system.
- Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes  No

**Applicant Details**

- \* First name
- \* Family name
- \* E-mail
- Main telephone number  Include country code.
- Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	160
* Street	BUCKINGHAM ROAD
District	
* City or town	AYLESBURY
County or administrative area	BUCKS
* Postcode	HP9 9QN
* Country	United Kingdom

### Agent Details

* First name	CHRIS
* Family name	MITCHENER
* E-mail	
Main telephone number	
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

Is your business registered in the UK with Companies House?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is your business registered outside the UK?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Note: completing the Applicant Business section is optional in this form.

Business name	LICENSING SOLUTIONS
VAT number	- 566 4798 82
Legal status	Sole Trader
Your position in the business	OWNER
Home country	United Kingdom

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	23
Street	SOLENT ROAD
District	HILL HEAD
City or town	FAREHAM
County or administrative area	HAMPSHIRE
Postcode	PO14 3LB
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	BUDGENS - RETAIL UNIT 1
Street	PARADE GREEN
District	JAMES WOLFE ROAD
City or town	OXFORD
County or administrative area	OXFORDSHIRE
Postcode	OX4 2WP
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	35,250

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

#### Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

### Section 4 of 21

#### INDIVIDUAL APPLICANT DETAILS

##### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text" value="160"/>
Street	<input type="text" value="BUCKINGHAM ROAD"/>
District	<input type="text"/>
City or town	<input type="text" value="AYLESBURY"/>
County or administrative area	<input type="text" value="BUCKS"/>
Postcode	<input type="text" value="HP9 9QN"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> dd mm yyyy
* Nationality	<input type="text" value="British"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)  
[Right to work share code if not submitting scanned documents](#)

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### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

This is a new ground floor retail premises to be developed as a Budgens convenience store to serve the immediate local community and those from further afield together with online/telephone orders to be delivered and collected

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text" value="PE2092"/>
Issuing licensing authority (if known)	<input type="text" value="AYLESBURY VALE DC"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

TUESDAY

Start  End

Start  End

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

FULL ALARM SYSTEM, CCTV SYSTEM WITH 28 DAY RECORDING FACILITIES WITH ACCESS BY THE POLICE AND RESPONSIBLE AUTHORITIES UPON REQUEST TO THE DPS OR HIS DELEGATE, TRAINED STAFF WITH RECORDED INITIAL ALCOHOL TRAINING REGIME AND ONGOING 6 MONTHLY RECORDED REFRESHER TRAINING COPIES OF WHICH TO BE MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES OR THE POLICE UPON REQUEST TO THE DPS OR HIS DELEGATE, CHALLENGE 25 AND PROOF OF AGE INITIATIVE TO BE APPLIED TO ANY CUSTOMERS WHO APPEAR TO BE UNDER THE AGE OF 25, SUPPORTED BY FULL RECORDED STAFF TRAINING AND INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK OR COMPUTERISED TILL SYSTEM TO BE UTILISED TO RECORD ALL ALCOHOL REFUSALS TO BE MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES AND THE POLICE UPON REQUEST AND COPY KEPT FOR 12 MONTHS, AND A SEPERATE INCIDENT LOG TO BE MAINTAINED AND MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES OR THE POLICE UPON REQUEST TO THE DPS OR HIS DELEGATE, ALL ONLINE/TELEPHONE DELIVERED AND COLLECTED SALES TO FOLLOW A SET PROCEDURE TO ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18

**b) The prevention of crime and disorder**

ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25 , REFUSALS SYSTEM AND INCIDENT LOG, SIGNAGE REQUESTING CUSTOMERS TO RESPECT OUR NEIGHBOURS

**c) Public safety**

STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT

**d) The prevention of public nuisance**

STAFF TRAINED TO DEAL WITH SITUATIONS, CCTV, NOTICES

**e) The protection of children from harm**

FULL ALCOHOL TRAINING REGIME IN USE WITH RECORDED ALCOHOL TRAINING AND ONGOING RECORDED REFRESHER TRAINING TO BE CARRIED OUT EVERY SIX MONTHS, CHALLENGE 25 TRADING INITIATIVE EMBRACED, CHALLENGE SIGNAGE, REFUSALS SYSTEM AND REFUSALS BOOK

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

**DECLARATION**

**Continued from previous page...**

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

\*

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/oxford/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

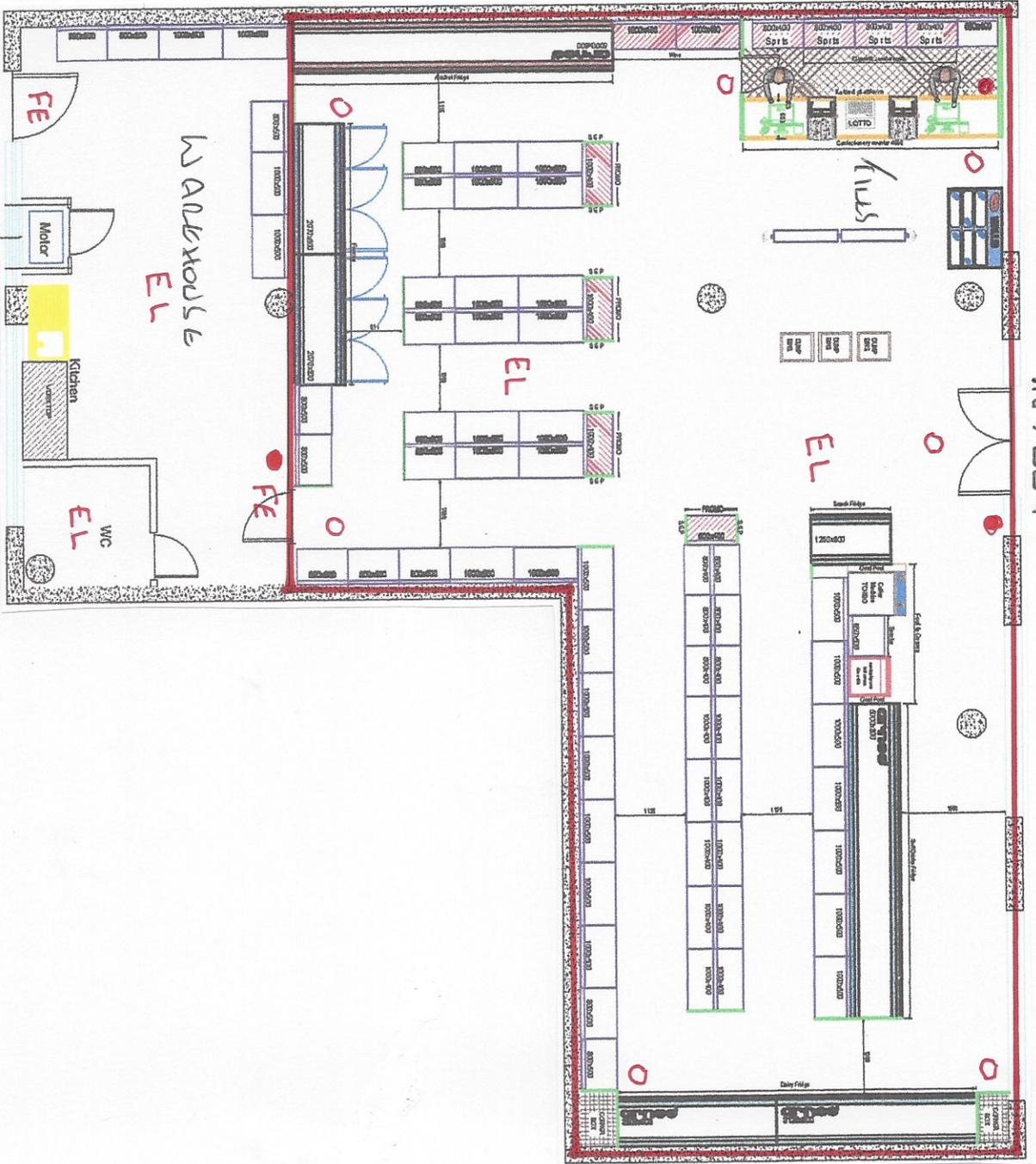
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="RAVI - PARADE GREEN OXFORD"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

IN/OUT



ALSO ON DISPLAY DIMENSIONS OF THE STORE WITH THE RED BORDER

KEY  
 CEILING END ○  
 EXTERIOR EL ●  
 ENGINEERING EL  
 FINE EXIT FE

**LINK SHOPFITTING**  
 UNIT 4, CLIFPER PARK ESTATE  
 THURROCK PARK WAY, TILBURY  
 ESSEX, RM18 7HG  
 Tel: 020 8591 2110 Mob: 078 1823 1355  
 E-mail: info@linkshopfitting.com

Client: Mr Ruben

Address:  
 Boddeans  
 The Parade Green  
 Oxford  
 OX4 2PY

Date: 14/02/2019  
 Reference: 12/02/2019  
 Scale: 1:100 @A1  
 Revision:  
 Drawing by: Jorinda Kollceku

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**sure**  
**plus**  
**EDEN**



06/08/2021

To The Licensing Authority- Oxford City Council

**Subject: Budgens, Retail Unit 1, Parade Green, James Wolfe Road (21/02290/PREM)**

Thames Valley Police have recently received an application for a Budgens to operate off sales of alcohol as part of the overall grocery offer from a new site on James Wolfe Road.

The off sales are for 7am until 11pm each day and are intended not only to be used for the conventional purposes of purchasing directly from staff on site as part of a grocery shop offer, but also for remote ordering and delivery.

The application at section 18 of the form (which will form the annex 2 conditions of the licence if granted) outlines some generic intentions toward promoting the more standard challenges to the licensing objectives.

There are of course certain risks inherent with off sales as well as further risks posed by the remote ordering and delivery. They are however not such that they could not easily be mitigated by conditions.

We have been in conversation with the applicant's licensing consultant on this matter however we have appeared to reach an impasse.

The police do not of course believe an outright objection is appropriate, but nor do we believe that the application as submitted is appropriate.

Having not been able to find sensible common ground with the applicant on a raft of our suggested amendments appropriate to the business model we believe that perhaps the matter should go to the Licensing Authority to decide upon on behalf of both parties.

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Since the Licensing Act 2003 has come into force (2005) the challenges faced by the licensed trade and the impact on the authorities from the licensed trade has not remained static, but has evolved over time.

This is in terms of both the usual more conventional issues such as underage sales that are inherent with standard operating practises such as a typical shop with an off licence, but also with new and varied ways of operating such as the remote ordering and/ or home delivery.

Within the licensing regime, the authorities seek to try to encourage and support innovation where it is responsibly done. This has very much been at the forefront of the police's consciousness in the last 18 months with the restrictions imposed on business by

the coronavirus, in which we have seen the trade reach out to new markets and continue to maintain existing customer bases within what is permitted via new ways. As such the rise of remote sales and delivery has very much been a common theme.

It has always been the case such is the impact from alcohol, that the trade is not an absolute but a qualified one requiring a permission. Sadly with the evolving challenges in this day and age, it is no longer sufficient to merely state a challenge 25 policy is enough to promote all four of the licensing objectives and thereby secure a licence.

In reviewing an application therefore, the police do not only look to such matters as the hours but consider the proposed business model and more importantly section 18 of the form, which affords the applicant the opportunity to demonstrate to the authorities it is fully aware of the challenges it will be expected to manage and outline steps to mitigate these matters.

Certainly, in reading any application the police hope to see anyone looking to operate in Oxford to go over and above their expected duties rather than tick boxes to join a community of licensed practitioners that work with everyone else to promote a world renowned brand.

The application as submitted however only outlines very basic buzz words on certain hot topics, making it impossible to judge the proposal or how it will be conducted.

ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18
b) The prevention of crime and disorder
ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25, REFUSALS SYSTEM AND INCIDENT LOG, SIGNAGE REQUESTING CUSTOMERS TO RESPECT OUR NEIGHBOURS

If a licence were to be granted as it was applied for, it would mean the licensing authority would be transferring verbatim in to annex 2 of the licence such matters as the above. Certainly it would be difficult at best for the Police or the Council's own licensing officers to enforce a matter pertaining to say 'trained staff'

When it comes to conditions section 1.16 of the government's own guidance on the licensing act states that:

*'Conditions on a premises licence..... are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged.*

*Licence conditions:*

- *must be appropriate for the promotion of the licensing objectives;*
- *must be precise and enforceable;*
- *must be unambiguous and clear in what they intend to achieve;*

- *should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
- *must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- *should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- *should not replicate offences set out in the 2003 Act or other legislation;*
- *should be proportionate, justifiable and be capable of being met;*
- *cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- *should be written in a prescriptive format.*

Further at 8.41 (regarding an application and steps to promote the licensing objectives)

*In completing an operating schedule, applicants are expected to.....also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.'*

In this matter despite the police's concerns at first instance, it is fair to say the applicant has sought local crime data. However 'stats' when it comes to licensing are often under reported and usually take the form of unqualified intelligence.

The police have certainly shared with the applicant where our concerns sit and what we advocate are the best steps forward (annex two).

Central government guidance goes on to state:

*8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area.*

Again referring to what has been severed in the application at hand as an example being:

<p>ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18</p> <p>b) The prevention of crime and disorder</p> <p>ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25 , REFUSALS SYSTEM AND INCIDENT LOG, SIGNAGE REQUESTING CUSTOMERS TO RESPECT OUR NEIGHBOURS</p>
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This clearly falls somewhat short.

With the above test in mind and being of the view upon receiving the initial application from the applicant that the police were not adverse to the proposal per se at first instance, we put forward the following:

Steps to promote the licensing objectives regrading direct off sales

1	<p>The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:</p> <ul style="list-style-type: none"> <li>• The need to ensure the responsible sale and supply of alcohol</li> <li>• The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage</li> <li>• The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old</li> </ul> <p>Where subsequent issues related to the training is brought to the premises licence holder’s attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority</p> <p>Records of the training programme shall be maintained and made available to Authorised Officers upon request.</p> <p>The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.</p>
2	<p>. A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:</p>

	<ul style="list-style-type: none"> <li>• The name of the person responsible for the premises on each given day.</li> <li>• The name of the person authorising the sale of alcohol each day.</li> <li>• All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call.</li> <li>• Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused)</li> <li>• In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol The premises daily register will record: <ul style="list-style-type: none"> <li>○ The date and time of each delivery</li> <li>○ The customer name and address to which the delivery was made</li> <li>○ Any request made for proof of age/ID by the delivery person</li> <li>○ What ID was provided</li> <li>○ Any refusals and the reason for that refusal</li> <li>○ Any further action or outcome from this (ie refund given subsequently / this address/person now barred etc)</li> </ul> </li> <li>• Weekly checks of the CCTV, to ensure it is fully operational and any faults are dealt with including the time of the check and the person that carried it out.</li> <li>• Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter.</li> </ul> <p>The Designated Premises Supervisor, or in their absence duly appointed member of staff, shall check the Premises Daily Register on a weekly basis ensuring that it is completed and up-to-date, sign the Premises Daily Register each time that it is checked, and make the Premises Daily Register available for inspection by any Authorised Officer throughout the trading hours of the premises.</p>
3	<p>The premises shall implement written policies. Such documents shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• CCTV</li> <li>• Conditions of Entry</li> <li>• Customer Dispersal</li> <li>• Safeguarding Children &amp; Vulnerable Adults</li> <li>• Responsible Service of Alcohol</li> </ul>

	<ul style="list-style-type: none"> <li>• Security Measures</li> <li>• Underage Sales &amp; False Identification</li> <li>• Zero Tolerance Drugs</li> </ul> <p>From these written policies and operating procedures, the premises licence holder will implement written staff training ensuring that all staff employed at the premises receive full training on those policies that are relevant to their specific role. Staff shall sign and date training records to confirm they have had, fully understand the training, and that they will carry out their duties in accordance with them. These training records will be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.</p> <p>Where subsequent issues or concerns related to one or more of the policy(s) are brought to the premises licence holder's attention by the licensing authority and/or one of the responsible authorities named under the licensing act , the premises licence holder will make amendments as directed by that authority(s).</p> <p>Hard copies of the most up to date policy/procedures will be kept on the premises. They will be readily accessible to staff for their own reference whilst working, and will be made available to any of the authorities upon request to check for compliance.</p>
4	<p>A CCTV system will be installed and maintained. The CCTV system will incorporate the following basic requirements:</p> <ul style="list-style-type: none"> <li>• Be switched on and fully operational when the licensable activities are being carried out.</li> <li>• Record for a minimum rolling period of 31 days</li> <li>• Have a camera covering any entrance which will provide a facial shot of identification quality.</li> <li>• Have cameras covering any pertinent public areas (internally and externally)</li> <li>• Have a means of copying any footage to another medium as evidence if requested by the Police</li> <li>• Have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular be able to provide copies of any footage requested by The Police.</li> <li>• A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed</li> </ul>
5	<p>All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol from the premises. Such credible</p>

	evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo
6	Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces.
7	Alcohol other than sprits will only be merchandised in areas that are within clear line of sight of till staff and directly and comprehensively covered by CCTV
8	Spirits will only be mechanised behind the point of sale counter and these items will only be accessible to the public via a member of staff providing it.
9	No super-strength beer, lagers or ciders of 6 %ABV (alcohol by volume) or above shall be sold from the premises.

Steps to promote the licensing objectives **regrading remote sales and delivery**

10	In the event the premises under its 'off sales' function provides a home delivery service for alcohol, it shall only be delivered to a residential or business address.
11	<p>The receiver of the alcohol must be able to prove to the person delivering the alcohol they are a resident or employee at the premises and must be inside the building or at the doorway of the business, house or flat.</p> <p>(i.e. Not standing in the entrance or the grounds/garden etc.) Alcohol shall not be delivered to a person who is in a public place i.e. in a street, a park etc.</p> <p>This requirement will be clearly displayed in any advertising and prior to the transaction being authorised at the point of sale. It will be confirmed in the receipt afterward for the customer's awareness</p>
12	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service orders all persons delivering alcohol must be aged 18 years or over</p> <p>An employment register will be kept of all those staff that deliver alcohol. This register will document the full name, date of birth, and home address. This register will be made readily available to Thames Valley Police upon request (in line with and subject to relevant data protection legislation ) to aid in any investigations related to a delivery person whilst in execution of their job role at the premises.</p>
13	In the event the premises under its 'off sales' function provides a home delivery ordering service orders, delivery staff shall be readily identifiable as being a persons delivering on behalf of the premises (ie high visibility

	premises/courier branded vest etc) and to remove any helmet, mask or other head gear etc that might obscure their face when at the front door.
14.1	In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a member of staff employed directly by the premises and not by a third party (ie A taxi/private hire Driver, delivery service etc etc)
Or (dependant on how the applicant intends to operate)	
14.2	In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a reputable third party company that specialises in the delivery of age restricted products.
15	In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, all sales of alcohol will only be made by way of credit or debit card transaction (including that by way of third party proxy such as 'Paypal' etc)- no cash upon delivery
16	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service for alcohol the premises will adopt a policy whereby any person attempting to buy or take delivery of alcohol who appears to be under 25 will be asked for photographic identification to prove their age. The only identification that will be accepted are passports, UK driving licences with a photograph or Photographic Card bearing the 'PASS' hologram the details of which correspond to the details of the customer that made the order.</p> <p>Failure to provide the requested identification will result in non delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.</p> <p>This requirement will be clearly displayed in all advertising related to this service, and will be clearly stated to the customer prior to the transaction being authorised at the point of sale. It will be reiterated in the receipt given with the delivery afterward for the customer's awareness.</p>
17	<p>All staff involved in the delivering of alcohol orders shall receive full training in:</p> <ul style="list-style-type: none"> <li>• challenge 25 policy</li> <li>• approved forms of identification,</li> <li>• fake and fraudulent proof of age/ID</li> <li>• the company's policy of non-delivery/refusals and refund</li> </ul>

	<ul style="list-style-type: none"> <li>• conflict resolution</li> </ul> <p>A record of all training will be kept, which staff/third party agency will sign and date each time they receive this training to confirm they have had, fully understand its content and will adhere to the training.</p> <p>Copies of the content of this training and the staff training confirmation records will be made readily available to the Licensing Authority or Thames Valley Police upon request.</p> <p>Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority</p> <p>Where delivery of alcohol is carried out is by a third party delivery courier the premises licence holder will ensure that the couriers have also had the above training and understand and agree to meet the expectations specifically placed upon them under the contact of service in executing the business operation on their behalf .</p> <p>This will all be documented in writing by the DPS prior to any persons being authorised to deliver alcohol. Again this written documentation will be made readily available to the Licensing Authority or Thames Valley Police upon request.</p>
18	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, when an order is taken for delivery to a customer, upon delivery all customers shall sign a delivery note which will contain:</p> <ol style="list-style-type: none"> <li>i. A list of the individual items delivered;</li> <li>ii. The delivery address;</li> <li>iii. The method of payment;</li> <li>iv. The name of the person ordering and receiving the alcohol;</li> <li>v. The date and time of delivery;</li> <li>vi. If proof of age was asked for, confirmation of the type of proof of age document presented and accepted;</li> <li>vii. The name or designated employee ID number of the employee that made the delivery.</li> </ol>
19	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol all vehicles used in the delivery of alcohol will have a means of tracking (GPS etc) by the premises and</p>

	a means of contacting either the premises or the emergency services (i.e. mobile phone). These will be in full working order at all times whilst the vehicle is being utilized for delivery, and delivery staff will understand how to operate them as required for the job role.
20	In the event the premises under its 'off sales' function provides a home delivery ordering service, customers placing a remote order including alcohol shall be required to confirm that they are over the age of 18 at the time of making payment.
21	In the event the premises under its 'off sales' function provides a home delivery /remote ordering service orders of or orders including alcohol will be delivered no later than 30 minutes after the terminal hour for the sale of alcohol
22	In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol Where a customer ordering alcohol for delivery is found to be ordering irresponsibly (i.e. is underage, excessively intoxicated, abusive, violent etc ) the premises shall operate a refusals registers when future orders by that customer are declined.
23	<p>In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol any vehicle used by a member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will have and operate whilst completing the delivery a dash camera or other such video recording</p> <p>The member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will :</p> <ul style="list-style-type: none"> <li>• understand how to properly operate the dash camera,</li> <li>• they will ensure it is properly operational before leaving the premises.</li> <li>• It will be in operation whilst the vehicle is out on delivery</li> </ul> <p>The premises will ensure that footage is downloaded to a central hard drive and retained for a rolling period of 31 days.</p> <p>The premises will have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular is able to provide copies of any footage requested by The Police.</p> <p>The premises will have a means of copying any footage to another medium as evidence if requested by the Police</p> <p>The premises will have a system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed</p>

Some of the above are based on what has been put forward in the application (for instance reference to staff training, CCTV and a customer notice regarding behaviour etc) and should not therefore be in anyway obstructive, some of the police's proposed further conditions do seek to take the application beyond the frame work of that outlined and address certain risk areas that have not been addressed in section 18 but identify very real risks, However again do not as far as we are aware undermine the profitability of the shop. Certainly they meet the definition outlined in the government guidance.

Guidance also states that:

*8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached Revised Guidance issued under section 182 of the Licensing Act 2003 I 57 to premises licences with the minimum of fuss.*

As is the purpose of the statutory consultation period there is the opportunity to discuss and amend the suggested steps. Certainly the police, whilst being the experts on at least crime and disorder and the ones out of all the authorities that must accommodate a new alcohol outlet into their demand and resourcing plan, are no business experts and therefore seek a dialogue to discuss our concerns and understand any matters that may mean such steps are impractical. As maybe seen in the email chain in annex one.

---

**From:** Bloomfield, Alex (C0714)  
**Sent:** 30 July 2021 16:19  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Chris

[Please outline what is negating your client from meeting theses?](#)

I cannot help if [it's](#) not communicated to us where the issues sit

Alex

C0714 Alex Bloomfield | Force Licensing Officer | Local Policing | Address: Licensing, Thames Valley Police, HQ South, Oxford Rd, Kidlington, OX5 2NX

As is be seen by annex one we have asked, why certain steps would be detrimental to the business operator

However from the applicant there has been much insistence on 'stats' and there has been resistant to any undertaking. (Again as may be seen in annex one) to any sort of commitment.

Whilst an evidential basis is of course ideal especially when it comes to an actual review of a licence, the test is 'what is appropriate to the promotion of the licensing objectives'.

Alcohol matters often fall into what is termed 'hidden harm' especially with such matters as home delivery and there are often no 'stats'. There are however one or two instances (not the cascade that would illustrate and hopefully justify such steps

----- Conclusion -----

The police are in no way adverse to the grant of a new licence along the lines of such that is being proposed as long as there are proper checks and balances in place. We believe that what we suggested is in no way onerous, however we have yet to see a legitimate argument that would negate clear and appropriate steps that should already as a matter of course already be in place from being implemented in annex two.

We have asked for constructive advice as to why those steps we put forward would be detrimentally onerous. Certainly one would hope that there is no ambiguity on the part of the applicant as to the benefits to each step certain steps that we have found to be

We ask therefore that the Licensing Authority please hear the matter and decide on the matter on behalf of both parties

----- End of Main Text -----

**From:** [REDACTED]  
**Sent:** 04 August 2021 21:48  
**To:** Licensing Solutions . [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Thank you for your email.

On Wed, 4 Aug 2021 at 15:45, Licensing Solutions . [REDACTED] wrote:  
Good afternoon,

I am sorry because I am not being terribly helpful here as I should also have supplied our training manual and diary and failed to attach them properly to the first email along with the data and whilst I picked up on the data I have only just picked up on the training but you will note on page 10 the written authorisation to sell alcohol on behalf of the DPS and that the training diary carries affirmation by each member of staff on a monthly basis that they have been trained and are fully aware of their responsibilities on the sale of alcohol on behalf of the DPS you will also note the DPS premises licence quarterly checklist

Sorry again for the delay

Regards

Chris

Chris Mitchener FBItp  
Licensing Solutions

---

On 4 Aug 2021, at 09:02, Licensing Solutions [REDACTED] wrote:

I am so sorry - I meant to attach the crime data that we have access to and thought I had then realised that I had not ...

---

On 4 Aug 2021, at 08:42, Licensing Solutions [REDACTED] wrote:

Hi Ian and Alex

I am truly disappointed that you still have not provided any data as to why this application is considered to be anything other than a completely benign application by anybody let alone Area or yourselves and you are making this very difficult for us to address the need for the suite of conditions you are seeking to force upon us and again may I ask for the third time that you provide the data for the immediate area that your are basing your representation on.

I get that there are areas in Oxford that are not that easy to operate in and trust me when I say I have operated in some nasty areas like estates in Coventry and Millbrook in Southampton and West Howe in Poole or Hoxteth in Liverpool and this area in Cowley is, as far as we are concerned not from that arena so all we are asking is why do you want such a suite of conditions when the operating schedule forms a de facto condition in its own right ?

May I remind you that this is an application for a small food store to sell alcohol which will represent between 15 and 20% of its total weekly turnover and not a vertical drinking establishment in the centre of the city open until 2am.

It is also the case that the suite of conditions you require for our application are based on what you require for vertical drinking establishments which have in a limited number of areas been tweaked to include off sales.

The Act is very clear that each application has to be judged on its own merits so you have already gone against this by saying that Area would not accept it - what we are asking is why not. Equally you are saying Area will accept it if we accept your raft of conditions but the Act is also clear that we should not have blanket conditions applied which is what you are doing.

We have located crime figures for June 2021 which indicate that there were only three reportable incidents in the whole month within our catchment area and named off as James Wolfe Road, two public order and one theft in the whole month and a little further away a vehicle theft - previous months figures are all lower so again we are asking for your figures to show why these conditions are necessary because the Act requires that conditions applied to any licence are both proportionate and necessary and based on the stats we have access to they are neither.

In spite of the fact that you are avoiding sharing the data supporting your insistence on these conditions we can agree to several of them so below I have pasted your conditions with comments or amendments to each one, red would indicate that they are unacceptable to us without supporting data and green would indicate wording changes reference data protection requirements and the like whilst blue would be comment - legislation we have to follow sitting outside of the Act:

10. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:

- The need to ensure the responsible sale and supply of alcohol
- The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
- The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old

Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible

authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority

Records of the training programme shall be maintained and made available to Authorised Officers upon request to the DPS or the manager.

The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.

16. There is no requirement in the Act for any of this and there is nothing to suggest that it is necessary

A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:

- The name of the person responsible for the premises on each given day.
- The name of the person authorising the sale of alcohol each day.
- All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. This is an on licence condition not an off licence condition. The Act requires a DPS who is the named person at the premises responsible for the sale of alcohol and our training regime requires that staff are trained and tested and then authorised in writing to sell alcohol on behalf of the DPS and this training is refreshed with written tests every six months with records kept for a rolling six months to be made available to an authorised officer upon request to the DPS or Manager upon request in order to satisfy Data Protection requirements.

A refusals book will be held at the premises which will be maintained for a rolling minimum period of twelve months and shall record:

- . Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused)
- In the event the premises provides a remote ordering/ home delivery ordering service for alcohol the refusals book will record:
  - Any refusals and the reason for that refusal
  - Any further action or outcome from this (ie refund given subsequently / this address/person now barred etc)

Αν ινχιδεντ λογ ωιλλ βε μαινταινεδ ατ τηε πρεμισεσ ωηιχη ωιλλ βε μαινταινεδ φο ρ α ρολλινγ μινιμυμ περιοδ οφ τωελπε μοντησ ανδ σηαλλ ρεχορδ:

- Weekly checks of the CCTV, to ensure it is fully operational and any faults are dealt with including the time of the check and the person that carried it out.
- Any calls to or visits by any responsible authorities and the reasons for the call or visit

The Designated Premises Supervisor, or in their absence duly appointed member of staff, shall check both the refusals book and the incident book on a weekly basis ensuring that it is completed and up-to-date, sign both each time that they are checked, and make both available for inspection by any Authorised Officer throughout the trading hours of the premises.

17. The premises shall implement written policies. Such documents shall include, but not be limited to, the following:

- CCTV
- Conditions of Entry
- Customer Dispersal
- Safeguarding Children & Vulnerable Adults
- Responsible Service of Alcohol
- Security Measures
- Underage Sales & False Identification
- Zero Tolerance Drugs

This regime is based on on licence operations and is not required under the Act. We have a training regime that is acknowledged by the Big as being fit for purpose copy attached and the following condition should be applied instead - this is a small food store selling alcohol not a vertical drinking establishment in the centre of the city open until 2am

From these written policies and operating procedures, the premises licence holder will implement written staff training ensuring that all staff employed at the premises receive full training on those policies that are relevant to their specific role. Staff shall sign and date training records to confirm they have had, fully understand the training, and that they will carry out their duties in accordance with them. These training records will be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.

Where subsequent issues or concerns related to one or more of the policy(s) are brought to the premises licence holder's attention by the licensing authority and/or one of the responsible authorities named under the licensing act , the premises licence holder will make amendments as directed by that authority(s).

Hard copies of the most up to date policy/procedures will be kept on the premises. They will be readily accessible to staff for their own reference whilst working, and will be made available to any of the authorities upon request to check for compliance.

All relevant staff to receive training in the sale of alcohol and to prove their understanding of their responsibilities by taking and passing a written test - which may be computerised in the future - before being authorised to sell alcohol in writing on behalf of the DPS. Refresher training with written test and reauthorisation in writing to be carried out at least every six months after the initial training or more frequently if required and records to be kept for a rolling 12

months and produced upon request to the DPS or Manager by any responsible authority.

19. A CCTV system will be installed and maintained. The CCTV system will incorporate the following basic requirements:

- Be switched on and fully operational when the licensable activities are being carried out.
- Record for a minimum rolling period of 28 days - 31 days does not roll - 28 days does and ACPO have even commented on a minimum of 14 days being proportionate
- Have a camera covering any entrance which will provide a facial shot of identification quality.
- Have cameras covering any pertinent public areas (internally and externally) We do not have external areas
- Have a means of copying any footage to another medium as evidence if requested by the Police
- Have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular be able to provide copies of any footage requested by The Police to the DPS or Manager and in any event within 24 hours. Data protection requires that the supply of footage is properly controlled
- A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed

28. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol from the premises. Such credible evidence, which shall include a photograph of the customer and a hologram, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

33. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces.

72. Alcohol displays other than spirits will only be merchandised in areas that are within clear line of sight of till staff and directly and will be comprehensively covered by CCTV

73. Spirits will only be merchandised behind the point of sale counter and these items will only be accessible to the public via a member of staff providing it.

76. No super-strength beer, lagers or ciders of 6 %ABV (alcohol by volume) or above shall be sold from the premises in plastic bottles or cans

Once again on deliveries your requirement whilst unclear is also out of proportion to what our clients may or may not seek to do under the deliveries of off sales within their delivered offer

and very prescriptive without being operationally viable particularly for such a small scale operation - we are not Tesco or Sainsburys.

Firstly we have already provided you with our guidance on deliveries and would suggest that - as with so many other applications we have made a simple condition which states :

ALL ONLINE/TELEPHONE DELIVERED AND COLLECTED SALES TO FOLLOW A SET PROCEDURE TO ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18 AND NOT UNDER THE INFLUENCE OF DRINK OR DRUGS AND ONLY DELIVERED TO PROPER ADDRESSES EITHER COMMERCIAL OR RESIDENTIAL WITH NO KERBSIDE DELIVERIES COMPLETED.

This simple condition whilst not prescriptive gives ample opportunity for review and even revocation if the procedure is not followed and you have provided nothing to suggest that more is needed.

You alluded to our application above but may I paste in the operating schedule below to show to any body else reading this email that we have addressed the issues raised by you and indeed some that you have not raised and whilst we consider our application addresses the needs of this particular location if you had provided the data we have requested twice before now that shows a bigger problem than we are aware of with our limited access to data we would of course adapt it to suit the revised scenario. As it is we have responded to your requirements and agreed to your conditions in black above or sought changes as set out.

FULL ALARM SYSTEM, CCTV SYSTEM WITH 28 DAY RECORDING FACILITIES WITH ACCESS BY THE POLICE AND RESPONSIBLE AUTHORITIES UPON REQUEST TO THE DPS OR HIS DELEGATE, TRAINED STAFF WITH RECORDED INITIAL ALCOHOL TRAINING REGIME AND ONGOING 6 MONTHLY RECORDED REFRESHER TRAINING COPIES OF WHICH TO BE MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES OR THE POLICE UPON REQUEST TO THE DPS OR HIS DELEGATE, CHALLENGE 25 AND PROOF OF AGE INITIATIVE TO BE APPLIED TO ANY CUSTOMERS WHO APPEAR TO BE UNDER THE AGE OF 25, SUPPORTED BY FULL RECORDED STAFF TRAINING AND INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK OR COMPUTERISED TILL SYSTEM TO BE UTILISED TO RECORD ALL ALCOHOL REFUSALS TO BE MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES AND THE POLICE UPON REQUEST AND COPY KEPT FOR 12 MONTHS, AND A SEPERATE INCIDENT LOG TO BE MAINTAINED AND MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES OR THE POLICE UPON REQUEST TO THE DPS OR HIS DELEGATE, ALL ONLINE/TELEPHONE DELIVERED AND COLLECTED SALES TO FOLLOW A SET PROCEDURE TO ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18

Once again may I ask for sight of the data on which Area and yourselves are going to be relying on to support your representation before the Committee at any hearing

Regards

Chris

HD 1. In the event the premises under its 'off sales' function provides a home delivery service for alcohol, it shall only be delivered to a residential or business address.

HD 2. The receiver of the alcohol must be able to prove to the person delivering the alcohol they are a resident or employee at the premises and must be inside the building or at the doorway of the business, house or flat.

(i.e. Not standing in the entrance or the grounds/garden etc.) Alcohol shall not be delivered to a person who is in a public place i.e. in a street, a park etc.

This requirement will be clearly displayed in any advertising and prior to the transaction being authorised at the point of sale. It will be confirmed in the receipt afterward for the customer's awareness

HD 3. In the event the premises under its 'off sales' function provides a home delivery ordering service orders all persons delivering alcohol must be aged 18 years or over

An employment register will be kept of all those staff that deliver alcohol. This register will document the full name, date of birth, and home address. This register will be made readily available to Thames Valley Police upon request (in line with and subject to relevant data protection legislation ) to aid in any investigations related to a delivery person whilst in execution of tier job role at the premises.

HD 4. In the event the premises under its 'off sales' function provides a home delivery ordering service orders, delivery staff shall be readily identifiable as being a persons delivering on behalf of the premises (ie high visibility premises/courier branded vest etc) and to remove any helmet, mask or other head gear etc that might obscure their face when at the front door.

HD 5.1 In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a member of staff employed directly by the premises and not by a third party (ie A taxi/private hire Driver, delivery service etc etc)

Or

HD 5.2 In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a reputable third party company that specialises in the delivery of age restricted products.

HD 6. In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, all sales of alcohol will only be made by way of credit or debit card transaction (including that by way of third party proxy such as 'Paypal' etc)- no cash upon delivery

HD 7. In the event the premises under its 'off sales' function provides a home delivery ordering service for alcohol the premises will adopt a policy whereby any person attempting to buy or take delivery of alcohol who appears to be under 25 will be asked for photographic identification to prove their age. The only identification that will be accepted are passports, UK driving licences with a photograph or Photographic Card bearing the 'PASS' hologram the details of which correspond to the details of the customer that made the order.

Failure to provide the requested identification will result in non delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.

This requirement will be clearly displayed in all advertising related to this service, and will be clearly stated to the customer prior to the transaction being authorised

at the point of sale. It will be reiterated in the receipt given with the delivery afterward for the customer's awareness.

HD 8. All staff involved in the delivering of alcohol orders shall receive full training in:

- challenge 25 policy
- approved forms of identification,
- fake and fraudulent proof of age/ID
- the company's policy of non-delivery/refusals and refund
- conflict resolution

A record of all training will be kept, which staff/third party agency will sign and date each time they receive this training to confirm they have had, fully understand its content and will adhere to the training.

Copies of the content of this training and the staff training confirmation records will be made readily available to the Licensing Authority or Thames Valley Police upon request.

Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority

Where delivery of alcohol is carried out is by a third party delivery courier the premises licence holder will ensure that the couriers have also had the above training and understand and agree to meet the expectations specifically placed upon them under the contact of service in executing the business operation on their behalf .

This will all be documented in writing by the DPS prior to any persons being authorised to deliver alcohol. Again this written documentation will be made readily available to the Licensing Authority or Thames Valley Police upon request.

HD 9. In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, when an order is taken for delivery to a customer, upon delivery all customers shall sign a delivery note which will contain:

- i. A list of the individual items delivered;
- ii. The delivery address;
- iii. The method of payment;
- iv. The name of the person ordering and receiving the alcohol;
- v. The date and time of delivery;
- vi. If proof of age was asked for, confirmation of the type of proof of age document presented and accepted;
- vii. The name or designated employee ID number of the employee that made the delivery.

HD 10. In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol all vehicles used in the delivery of alcohol will have a means of tracking (GPS etc) by the premises and a means of contacting either the premises or the emergency services (i.e. mobile phone). These will be in full working order at all times whilst the vehicle is being utilized for delivery, and delivery staff will understand how to operate them as required for the job role.

HD 11. In the event the premises under its 'off sales' function provides a home delivery ordering service, customers placing a remote order including alcohol shall be required to confirm that they are over the age of 18 at the time of making payment.

HD 12. In the event the premises under its 'off sales' function provides a home delivery /remote ordering service orders of or orders including alcohol will be delivered no later than 30 minutes after the terminal hour for the sale of alcohol

HD 13. In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol Where a customer ordering alcohol for delivery is found to be ordering irresponsibly (i.e. is underage, excessively intoxicated, abusive, violent etc ) the premises shall operate a refusals registers when future orders by that customer are declined.

HD 14. In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol any vehicle used by a member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will have and operate whilst completing the delivery a dash camera or other such video recording

The member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will :

- understand how to properly operate the dash camera,
- they will ensure it is properly operational before leaving the premises.
- It will be in operation whilst the vehicle is out on delivery

The premises will ensure that footage is downloaded to a central hard drive and retained for a rolling period of 31 days.

The premises will have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular is able to provide copies of any footage requested by The Police.

The premises will have a means of copying any footage to another medium as evidence if requested by the Police

The premises will have a system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed

Chris Mitchener FBlltp  
Licensing Solutions

---

**From:** Bloomfield, Alex (C0714)

**Sent:** 30 July 2021 16:19

**To:** Licensing Solutions [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Chris

Please outline what is negating your client from meeting theses?

I cannot help if it's not communicated to us where the issues sit

Alex

C0714 Alex Bloomfield | Force Licensing Officer | Local Policing | Address: Licensing, Thames Valley Police, HQ South, Oxford Rd, Kidlington, OX5 2NX

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**From:** Licensing Solutions [REDACTED]

**Sent:** 30 July 2021 16:16

**To:** Bloomfield, Alex (C0714) [REDACTED]

**Cc:** [REDACTED]

**Subject:** Re: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Hi Alex

I have been operating convenience stores since 1974 and licensing Convenience Stores and Forecourts for just coming up to 30 years and I have never had such a suite of conditions expected by a Police Licensing Officer under threat of committee hearing for such a benign application such as this, unless there are are problems in the vicinity of the store that requires under the Licensing Act, in protection of the Licensing Objectives, conditions to mitigate the grant of the application. I include stores and forecourts that I have licensed in the Thames Valley area in this.

Accordingly I would ask once again is there data supporting and highlighting problems in the immediate area of the store that would support your requirement for the suite of conditions sought in order that we can adjust the application to address these problems directly that we can have sight of please.

As you have said already that you are preparing your representation this request does not impact on that and we would be happy for Ian to provide the information next week before the end of the 28 days so that we have time to adjust the application on the basis of the data in liaison with Ian.

Regards

Chris

---

**From:** Licensing Solutions [REDACTED]

**Sent:** 30 July 2021 16:16

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** Re: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

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Regards

Chris

Chris Mitchener FBItp  
Licensing Solutions

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On 30 Jul 2021, at 15:56, Bloomfield, Alex (C0714) [REDACTED] wrote:

Hi Chris

It think it's somewhat mutual surprise as this is a very basic raft we are seeking to be honest.

Please would you outline where your client thinks the issues are so onerous that they are not appropriate to the promotion of the licensing objectives and that they cannot or should not be implementing what are appropriate steps firstly so I may better understand where the sticking points are in the hope I may try and accommodate them but also to facilitate my representations should it have to go to a sub-committee as the application in its current form is not one we support

.

Whilst I will be on holiday I will now take my work phone to pick emails as I think it sounds like this is going to be a problematic application I do not think it would be fair to land my colleague with this now

Alex

C0714 Alex Bloomfield | Force Licensing Officer | Local Policing | Address: Licensing,  
Thames Valley Police, HQ South, Oxford Rd, Kidlington, OX5 2NX

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**From:** Licensing Solutions . [REDACTED]

**Sent:** 30 July 2021 15:04

**To:** Bloomfield, Alex (C0714) [REDACTED]

**Cc:** [REDACTED]

**Subject:** Re: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Hi Alex

I am in truth more than a little surprised that you require so many conditions on this licence and that the area command team see it as such a specific threat to the Licensing Objectives.

Would it be possible for you to share the stats for the area on which this position is being based please as currently I am at a loss at the moment to understand your position and this would help us enormously to model the application based on the needs of the area rather than a set of conditions applied just because that is what is wanted.

I also enclose our operations guidance for deliveries which has been received very well by authorities in other areas of the country and would like a better understanding of why your conditions are so prescriptive in this particular area in case we are missing something fundamental.

Enjoy your holiday and I look forward to liaising with Ian to address your concerns

Regards

Chris

Chris Mitchener FBlltp  
Licensing Solutions

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**From:** Bloomfield, Alex (C0714)

**Sent:** 30 July 2021 12:48

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** FW: New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Dear Mr Mitchener,

Following my previous email I can confirm that my advice was correct and that the application concerns the local area command team for Oxford but that a more appropriate raft of conditions would address these at first instance.

I am however having to take some much needed annual leave next week and the deadline for representations is 7 days from today. I have copied in my opposite Ian (Wares) who I share the County with as he will be providing cover in my absence. I would ask that you please liaise with him in the coming days. I have been instructed by the area though that unless we can agree something we should air our concerns and put the matter to a sub-committee to decide upon given the risks presented by such a proposal. To that end I will be drafting a representation today as I do not feel it would be fair on Ian to have to write such a document at such short notice and if he reaches an impasse to simply add the most recent set of correspondents and send it on my behalf. I am hopeful though I am simply being overly cautious and such a document will not be needed.

As mentioned the conditions put forward either reflect what was already contained in the application (albeit with more detail) or common trade practice already and I cannot see them being onerous to negate their inclusion so I am hopeful we can find a common agreement here.

Yours Sincerely

Alex

[C0714 Alex Bloomfield | Force Licensing Officer | Local Policing | Address: Licensing, Thames Valley Police, HQ South, Oxford Rd, Kidlington, OX5 2NX](#)

**From:** Bloomfield, Alex (C0714)

**Sent:** 27 July 2021 17:00

**To**

**Cc:**

**Subject:** New Premises Licence application: Budgens, Retail Unit 1, Parade Green, James Wolfe Road, Oxford, OX4 2WP

Dear Mr Mitchener,

My name is Alex and I am one of the Thames Valley Police licensing officers. As my geographical portfolio includes Oxford area your clients application has come to me.

As Oxford suffers greatly with issues stemming from the already exhaustive provisions of licensable activities (more so than most within the Thames Valley) unlike the licensing process elsewhere in the region each and every licensing matter has to go to the area command team as the ones that have to incorporate new licensed premises into the demand profile and are of course that ones that must account to the public for matters in the city including those stemming from the licensed trade to decide upon. As such the application has gone to the area team for their review.

However 14 years of working with the Oxford area team have ensured that I have a rough idea of where their concerns may sit.

As such whilst I await to hear their response I would like to highlight a few areas that I would ask you discuss with you client please as I highly suspect them to the areas of concern for them.

Most of these concerns are to a degree already covered in the points in section 18 (steps to promote the licensing objectives) listing the standard sorts of topics (ie age policy, CCTV etc.) it does not go into the sorts of expected detail we need to make an informed decision. Further as licensing practitioners we also both know that the issues facing the trade have not remained static over the years and there have been numerous new challenges that your client will face such as safeguarding of the vulnerable etc so it is no longer just about checking age etc that will also have to be addressed in his operating schedule

I have taken the liberty of outlining the sort of conditions we would expect your client to have in operation which as you will see provide much better detail and will therefore make them better suited as conditions. I would also suggest given that the raft of conditions these were drawn from were created by the authorities and in consultation with the trade that they are areas that should already be in your client's mind, but also cover common trade practice and should therefore not be onerous in any way negating their inclusion.

10. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
  - The need to ensure the responsible sale and supply of alcohol
  - The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
  - The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old

Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority

Records of the training programme shall be maintained and made available to Authorised Officers upon request.

The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.

16. A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:
- The name of the person responsible for the premises on each given day.
  - The name of the person authorising the sale of alcohol each day.
  - All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call.
  - Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused)
  - In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol The premises daily register will record:
    - The date and time of each delivery
    - The customer name and address to which the delivery was made
    - Any request made for proof of age/ID by the delivery person
    - What ID was provided
    - Any refusals and the reason for that refusal
    - Any further action or outcome from this (ie refund given subsequently / this address/person now barred etc)
  - Weekly checks of the CCTV, to ensure it is fully operational and any faults are dealt with including the time of the check and the person that carried it out.
  - Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter.

The Designated Premises Supervisor, or in their absence duly appointed member of staff, shall check the Premises Daily Register on a weekly basis ensuring that it is completed and up-to-date, sign the Premises Daily Register each time that it is checked, and make the Premises Daily Register available for inspection by any Authorised Officer throughout the trading hours of the premises.

17. The premises shall implement written policies. Such documents shall include, but not be limited to, the following:
- CCTV
  - Conditions of Entry
  - Customer Dispersal
  - Safeguarding Children & Vulnerable Adults
  - Responsible Service of Alcohol
  - Security Measures

- Underage Sales & False Identification
- Zero Tolerance Drugs

From these written policies and operating procedures, the premises licence holder will implement written staff training ensuring that all staff employed at the premises receive full training on those policies that are relevant to their specific role. Staff shall sign and date training records to confirm they have had, fully understand the training, and that they will carry out their duties in accordance with them. These training records will be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.

Where subsequent issues or concerns related to one or more of the policy(s) are brought to the premises licence holder's attention by the licensing authority and/or one of the responsible authorities named under the licensing act, the premises licence holder will make amendments as directed by that authority(s).

Hard copies of the most up to date policy/procedures will be kept on the premises. They will be readily accessible to staff for their own reference whilst working, and will be made available to any of the authorities upon request to check for compliance.

19. A CCTV system will be installed and maintained. The CCTV system will incorporate the following basic requirements:
  - Be switched on and fully operational when the licensable activities are being carried out.
  - Record for a minimum rolling period of 31 days
  - Have a camera covering any entrance which will provide a facial shot of identification quality.
  - Have cameras covering any pertinent public areas (internally and externally)
  - Have a means of copying any footage to another medium as evidence if requested by the Police
  - Have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular be able to provide copies of any footage requested by The Police.
  - A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed
  
28. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol from the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

33. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces.
72. Alcohol other than spirits will only be merchandised in areas that are within clear line of sight of till staff and directly and comprehensively covered by CCTV
73. Spirits will only be merchandised behind the point of sale counter and these items will only be accessible to the public via a member of staff providing it.
76. No super-strength beer, lagers or ciders of 6 %ABV (alcohol by volume) or above shall be sold from the premises.

Having dealt with the basic licensing matters we must address the concept of remote ordering of alcohol and home delivery.

This I am afraid is a significant concern for us. Having seen this new facet of the trade grow significantly from the main supermarkets 'home delivery' as part of their food offer we have also seen increasing issues that have impacted on us from it over the years as more and more people try to hop on to the band wagon.

We are of course not talking about the criminal offences such as a direct sale to a child or a drunk but the promotion of the objectives such matters and of course the broader operation to ensure a business is carried out from start to finish in a responsible and safe fashion which does not impact on the police. Remote sales and delivery are exceptionally concerning to us and have over the years proven to be a significant threat to the licensing objectives and indeed attracts and if not properly managed by the licence holder. Not only have we seen issues steaming from it not being properly managed at the point of delivery but it has also in a couple of circumstances attracted those involved in serious criminality such as drug dealing and child sexual exploitation as it affords opportunities otherwise not available to such activity. In order to carry this business activity out your client will need off sales of course and to that end we will need to see conditions to ensure the very likely risks are managed. I have taken the liberty of attaching TVP guidance on this area of business for your client to read through and at the end there is a list of conditions on this topic to be drawn from to help with your clients application.

However to my mind based on what has been put in the application I would be expecting something along the lines of the following (some of which will of course turn on whether your client intend to use staff directly under his employment or a third party courier service:

- HD 1. In the event the premises under its 'off sales' function provides a home delivery service for alcohol, it shall only be delivered to a residential or business address.

HD 2. The receiver of the alcohol must be able to prove to the person delivering the alcohol they are a resident or employee at the premises and must be inside the building or at the doorway of the business, house or flat.

(i.e. Not standing in the entrance or the grounds/garden etc.)  
Alcohol shall not be delivered to a person who is in a public place i.e. in a street, a park etc.

This requirement will be clearly displayed in any advertising and prior to the transaction being authorised at the point of sale. It will be confirmed in the receipt afterward for the customer's awareness

HD 3. In the event the premises under its 'off sales' function provides a home delivery ordering service orders all persons delivering alcohol must be aged 18 years or over

An employment register will be kept of all those staff that deliver alcohol. This register will document the full name, date of birth, and home address. This register will be made readily available to Thames Valley Police upon request (in line with and subject to relevant data protection legislation ) to aid in any investigations related to a delivery person whilst in execution of tier job role at the premises.

HD 4. In the event the premises under its 'off sales' function provides a home delivery ordering service orders, delivery staff shall be readily identifiable as being a persons delivering on behalf of the premises (ie high visibility premises/courier branded vest etc) and to remove any helmet, mask or other head gear etc that might obscure their face when at the front door.

HD 5.1 In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a member of staff employed directly by the premises and not by a third party (ie A taxi/private hire Driver, delivery service etc etc)

Or

HD 5.2 In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a reputable third party company that specialises in the delivery of age restricted products.

HD 6. In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, all sales of alcohol will only be made by way of credit or debit card transaction (including that by way of third party proxy such as 'Paypal' etc)- no cash upon delivery

HD 7. In the event the premises under its 'off sales' function provides a home delivery ordering service for alcohol the premises will adopt a policy whereby any person attempting to buy or take delivery of alcohol who appears to be under 25 will be asked for photographic identification to prove their age. The only identification that will be accepted are passports, UK driving licences with a photograph or Photographic Card bearing the 'PASS' hologram the details of which correspond to the details of the customer that made the order.

Failure to provide the requested identification will result in non delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.

This requirement will be clearly displayed in all advertising related to this service, and will be clearly stated to the customer prior to the transaction being authorised at the point of sale. It will be reiterated in the receipt given with the delivery afterward for the customer's awareness.

HD 8. All staff involved in the delivering of alcohol orders shall receive full training in:

- challenge 25 policy
- approved forms of identification,
- fake and fraudulent proof of age/ID
- the company's policy of non-delivery/refusals and refund
- conflict resolution

A record of all training will be kept, which staff/third party agency will sign and date each time they receive this training to confirm they have had, fully understand its content and will adhere to the training.

Copies of the content of this training and the staff training confirmation records will be made readily available to the Licensing Authority or Thames Valley Police upon request.

Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority

Where delivery of alcohol is carried out is by a third party delivery courier the premises licence holder will ensure that the couriers have also had the above training and understand and agree to meet the

expectations specifically placed upon them under the contact of service in executing the business operation on their behalf .

This will all be documented in writing by the DPS prior to any persons being authorised to deliver alcohol. Again this written documentation will be made readily available to the Licensing Authority or Thames Valley Police upon request.

HD 9. In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, when an order is taken for delivery to a customer, upon delivery all customers shall sign a delivery note which will contain:

- viii. A list of the individual items delivered;
- ix. The delivery address;
- x. The method of payment;
- xi. The name of the person ordering and receiving the alcohol;
- xii. The date and time of delivery;
- xiii. If proof of age was asked for, confirmation of the type of proof of age document presented and accepted;
- xiv. The name or designated employee ID number of the employee that made the delivery.

HD 10. In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol all vehicles used in the delivery of alcohol will have a means of tracking (GPS etc) by the premises and a means of contacting either the premises or the emergency services (i.e. mobile phone). These will be in full working order at all times whilst the vehicle is being utilized for delivery, and delivery staff will understand how to operate them as required for the job role.

HD 11. In the event the premises under its 'off sales' function provides a home delivery ordering service, customers placing a remote order including alcohol shall be required to confirm that they are over the age of 18 at the time of making payment.

HD 12. In the event the premises under its 'off sales' function provides a home delivery /remote ordering service orders of or orders including alcohol will be delivered no later than 30 minutes after the terminal hour for the sale of alcohol

HD 13. In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol Where a customer ordering alcohol for delivery is found to be ordering irresponsibly (i.e. is underage, excessively intoxicated, abusive, violent etc ) the premises shall operate a refusals registers when future orders by that customer are declined.

HD 14. In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol any vehicle used by a member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will have and operate whilst completing the delivery a dash camera or other such video recording

The member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will :

- understand how to properly operate the dash camera,
- they will ensure it is properly operational before leaving the premises.
- It will be in operation whilst the vehicle is out on delivery

The premises will ensure that footage is downloaded to a central hard drive and retained for a rolling period of 31 days.

The premises will have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular is able to provide copies of any footage requested by The Police.

The premises will have a means of copying any footage to another medium as evidence if requested by the Police

The premises will have a system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed

At this time the proposal possess enough concerns for me to say that TVP cannot I am afraid support the matter. I am hopeful (subject to what the area team say) that with some modification we can find ourselves in a position where we can support the matter.

Whilst I speak to them on the matter please would you be kind enough to speak to your client about the listed conditions and what his views are in the hope we can find a way to modify it in such a way as to make more acceptable.

Yours Sincerely

Alex

C0714 Alex Bloomfield | Force Licensing Officer | Local Policing | Address:  
Licensing, Thames Valley Police, HQ South, Oxford Rd, Kidlington, OX5 2NX

----- End of Annex One -----

**Remote Sales & Home Delivery of Alcohol (Off Sales)  
Guidance**

A premises licence under the Licensing Act 2003 permits and regulates a number of different business activities.

Amongst these is both the sale of alcohol as well as what is termed late night refreshment (LNR) which is the sale of hot food and/or (hot) soft drinks any time between the hours of 23:00 and 05:00 the following day.

These activities require a licence because if they are not carried out in a responsible fashion the detrimental effects can be far reaching not only for the customer, but the premises' staff, third party agents working on behalf of the premises, the local residents to the area the business in question chooses to locate itself in as well services such as ambulance, police, A&E etc.

Remote ordering, whether that is over the phone, online or other medium for take away food has been a long established business model and has for the most part has been both lucrative and not problematic.

There is however a growing trend that where a premises licence permits sales of alcohol for offsite consumption, whether that is a pub or bar as well as of course an off licence shop, to now include an ability for customers to also place remote orders for alcohol to be collected or delivered.

Whilst we appreciate these remote sales are a good way to generate income, they are exceptionally problematic when it comes to the licensing act. This is because the end user is removed from the whole physical process of the sale, until the very end of the completion of the transaction (delivery). This makes it difficult for the premises to verify that the person is indeed suitable under the requirements of the Licensing Act to be sold those restricted products until the very end of that process.

However even at the late juncture of giving over the products when a member of staff or a third party delivery person acting on behalf of your premises is then stood at the customer's door and has the opportunity to still prevent the completion of a possible irresponsible alcohol sale, being faced with the difficult decision, the person making that delivery might feel intimidated or simply believe that its easier not to do the right thing rather than the hassle of refusing the completion of the transaction.

Referring back to the beginning this is one of the reasons why the sale of alcohol requires a specific permission from the authorities and is so tightly regulated.

As such, if this is now an area of the licensed trade you are looking to explore, it is important to ensure that you have due diligence throughout the whole process and robust and effective refusals procedures at the point of delivery to ensure that alcohol is not given over to someone it should not.

Whether that delivery is made by:

- i. a member of staff directly employed by the premises and as such there is a direct employer/employee relationship with a contract of employment, direct line management with training and disciplinary procedures for non adherence to that that job role,

or

- ii. via a third party courier/delivery service where an agent acting on your behalf collects and delivers for you

There is a legal framework in place to ensure that each sale is conducted responsibly i.e. preventing sales to drunks and sales to children. As the premises licence holder (PLH) you, and your designated premises supervisor (DPS) are the ones ultimately accountable under the law for the operation of that licence and the actions of anyone associated with it.

With the growth of home delivery alcohol we have found that not all the trade have properly considered the likely risks and implemented proper steps to ensure this is mitigated as far as is possible.

The legal framework regarding all matters associated with licensing fall under three main headings.

Firstly there are of course the various criminal offences contained within the licensing act 2003 regarding intoxication and children:

S141	Sale of alcohol to a person that is drunk
S146	Sale of alcohol to children
S147	Allowing a sale of alcohol to a child
S151	Delivering alcohol to children

Secondly there potentially will be conditions of your premises licence placing control measures on you and those associated with the operation of the licence regarding age verification and mitigating the opportunity for sales to those that are drunk.

These maybe under the national mandatory conditions set by central government or there may also be further ones contained in subsequent annexes of the licence's operating schedule.

The Law states that failure to meet these conditions means that the premises is actually operating without a licence.

This is means the business commits the criminal offence of:

S136	Unlicensed activity
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Finally there is a duty place on all licensed premises and those acting on its behalf by the licensing act to '*promote the four licensing objectives*'.

These are:

*The prevention of crime and disorder*

*The promotion of public safety*

*The prevention of public nuisance and*

*The protection of children from harm*

There is no order of importance and each objective is afforded equal weight.

The objectives are a '*catch all*' for anything that is not already covered by the offences of the act or the premises licence and its conditions regarding responsible alcohol sales. These are steps that one would reasonably expect a premises to have in place to deal matters inherent with the licensable activities stemming from the business operation from start to finish.

With the mounting trend of premises offering home remote ordering and/or delivery of alcohol it is our aim to try and work with the licensed trade as a whole, as well as on a one to one basis with individual premises to ensure that business growth is successful but is done in such a way that it is also safe and responsible. As such we have created the following advice to help steer a premises through the authorities expectations and to avoid some of the issues that we have encountered in this matter

It is not an exhaustive list as the matter is constantly evolving as technology provides new means to order remotely and each premises' size and operation means that one size does not fit all so the document does not cater for everything. There may be further steps not included here, that you have thought of, or through carrying out research online that , you believe would work well in you business on this matter

A good rule to thumb in any licensing matter is to always consult with the Licensing Authority and other responsible authorities such as a the police for further advice and a steer as to whether this is a matter they would be willing to support

#### i) Setting up the operation

Having decided on the business model, it is incumbent on you to then ensure that all staff involved in this area of the business are fully trained on what your expectations of them are. The better trained and educate they are on what the legal aspects involved are and what the potential fall out on them and/or the premises if they do not work to that expectation, the more likely they are to adhere to these requirements and not try to cut corners. This therefore

needs to include what the law says regarding age restricted products, what the licence conditions state, and what your specific expectations of them regarding age restricted products and what they are to do to meet these.

As such all staff involved at any point with sale and/or supply of alcohol must have been trained prior to the being authorised carry out that function.

It is strongly advised that training is contained within written packs. This is so staff may refer back to them should they have any subsequent questions if they are unsure on any matter. It also means that should a matter arise that the authorities have to investigate, then you can provide them with the exact content to what that member of staff should have done. This goes to helping to prove a due diligence defence and demonstrating to the authorities you take the matter seriously.

Further you should maintain training records for each member of staff on age restricted products/ home delivery etc that they sign and date upon completion of the training. This means that again you can demonstrate to the authorities that specific member of staff has had the training. It also means you are better placed as an employer to take disciplinary action if a staff member puts the licence at risk.

If you are uncertain as to the type of content that needs to be included, there is a wealth of information freely available on the internet as well as licensing consultants and training companies that can help.

Where you utilise a third party company/franchise to carry out the delivery process, ensure that you have ascertained what training staff have had on delivery of age restricted items. Ask to see their 'responsible delivery of age restricted products policy', ensure you are satisfied with it (after all they are providing you a service). Discuss with them the requirements of the premises licence to ensure they are able to comply with any conditions that might impact on them. Also explain your expectations on responsible delivery/supply of age restricted products and retain a copy for your files. Again if the authorities for instance are made aware of a delivery to a child they will want to see this as part of their investigation.

## ii) Advertising

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Highlighting this service to the public is of course key to it being successful. This is however also an early juncture to manage customer expectations of any requirements you may have around restricted products. This will hopefully deter those that are seeking to buy alcohol underage for example, or manage expectations when delivery staff arrive and have to refuse because the customer did not have the correct proof of age or is intoxicated.

Make it clear in any literature that customers will need to confirm they are over 18 years of age and that upon delivery the person that placed the order will need to take receipt of the order and that they may be asked for credible photographic proof of identification (age) if they look younger than the permitted age. A challenge 25 policy is the trade standard.

Advertising should also highlight that if they appear to be under age and are not able to prove otherwise, or that they are already excessively drunk then the delivery will be refused and a refund offered.

Again responsible advertising demonstrates your good intentions to the authorities.

## iii) The ordering process.

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This is your first contact with the customer and the first step in carrying out a responsible sale and supply of alcohol.

Ask yourself how will this order happen. IE phone, email, online ordering or other medium, and what steps can I implement to ensure it's done responsibly?

This is exceptionally tricky. You are looking to ascertain the person is indeed the right age, and is not overly intoxicated in circumstances where all too often the customer is so far removed as to make this impossible with any reliable accuracy.

However in terms of the contract of sale you need to ensure you are legally covered and that in forming that contract you the customer consents to the terms and conditions which includes being

Having a means of the customer signify they agree to these stipulations, whilst you will not be able to check at that point, does provide you with an additional layer of due diligence defence, both interims of licensing but also with regard to any deliveries that have to be refused as the cline has not conformed to the requirement of the contract.

An example of this is the need to enter your date of birth as you enter a website for age restricted products. Whilst there is nothing to stop a customer from make a fraudulent entry at the point, it is just that a fraudulent attempt to obtain goods and everything from that point onwards (until you have an opportunity to validate these matters) is based on that fraud.

If you are using a third party ordering and/or delivery service ask what their process is and what steps they have in place for age verification and prevention of delivering alcohol to drunks. Again ensure you are satisfied with it (after all they are providing you a service) and retain a copy for your files.

Keep a detailed record of any delivery orders that are processed. Not only is this good for you stock and accounting but if the authorities have cause to investigate a matter it is more often than not only reported in the weeks or months later.

Generally the authorities find that premises that do not have and retain such records for at least a rolling period of 6-12 months are usually unable to provide them with the required information should they need to scrutinise a particular order. The Licensing Authority and the police advise most licensed premises to keep a 'daily premises register'. Which logs certain matters that can occur at a premises. We also advise that any remoter order/deliver records are also kept within this book as well for ease.

#### iv) Payment

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The most advisable method is payment by debit/credit card or other electronic means such as a proxy pay service like 'paypal' rather than cash upon arrival.

This obviously negates non-payment at the customers address. It also mitigates the likelihood of underage sales.

It is also important to remember regarding the '*promotion of the four licensing objectives*' that it is for example '*the prevention of crime and disorder*' and not just '*alcohol related crime and disorder*'. A licensed company must be able to carry out all aspects of the business in such a way as to not unduly impact on the authorities or the local area. This includes crime prevention measures such as mitigating robbery of delivery staff who might be carrying money with them and as such be a tempting target for criminals.

#### v) The Delivery Process

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This tends to be the part of the process most fraught with risks. It is also ultimately the first face to face interaction the premises will have with a customer.

As mentioned in the last section the four licensing objectives cover a broad spectrum of subject matters and trying to consider and asses all the likely risks is difficult. However some of the following headings are typically key areas.

##### **Safety**

As above no money should be on the person delivering. As a lone worker they may encounter verbal abuse, threatening behaviour and potentially physical attack. Is conflict resolution training needed? Should they have a personal attack alarm, should they have a means of relative instantaneous communication with the premises or the blue light services such as a mobile phone? Do they need a GPS tracker? (Mobile phones also offer this service)

Often working at night high visibility jackets or tabards are a good idea. Not only will the help the delivery person stand out to traffic on the road or on the pavement. It will also mean that a customer will be able to readily identify the person at their front door as working in that capacity, especially if the jacket/tabard carries a company logo or markings to identify them as working in that capacity . It is also important that any delivery person who is wearing a motorcycle helmet remove it so their features are not obscured possibly intimidating, Safe driving /cycling/ parking and waiting is an emerging issue with some delivery services. The police are seeing new hot spots emerging where complaints of antisocial behaviour

(ASB) is on the rise linked to inconsiderate parking, driving etc. from couriers. This impacts on police resources and away from other matters.

### **Responsible Actions**

Delivery Times- Part of the duty of the licence holder as has been reiterated a number of times in this document is to carry out their business in a considerate way that is not to the detriment of the local community or the authorities.

Late evening and night delivery activity may add to complaints from other members of the public either near to the business premises itself or to customer's addresses from other neighbours.

Whilst statutory noise nuisance starts at 11pm general public nuisance (one of the four licensing objectives) is a much broader subject.

However the later a company operates the more noise sensitive the timings become.

Stepping away from the matter of nuisance there is also the general responsibility to consider as well when it comes to considering terminal hour for the last delivery.

Whilst the police seek to work in partnership with business, and for the most part this documents concerns itself with food and alcohol deliveries, there is one business model that we find hard to reconcile with the licensing objectives when it comes to alcohol delivery and that is the so called '*24/7 booze hotlines*'.

These are where alcohol may be purchased and delivered at any time night or day. This sort of service typically tends to attract those that have already been out drinking in the night time economy (pub crawls, clubbing etc) and now that the bars and clubs have closed, upon returning home the customer wishes for the party to continue. Not only does it run the risk of delivery to drunks and or those under the legal age, there is an increased risk to the personal safety of the delivery person at the time as well as potentially contributing toward the antisocial behaviour, noise nuisance of late night rowdy house parties.

The police advocate that any deliveries are made no later the 11pm.

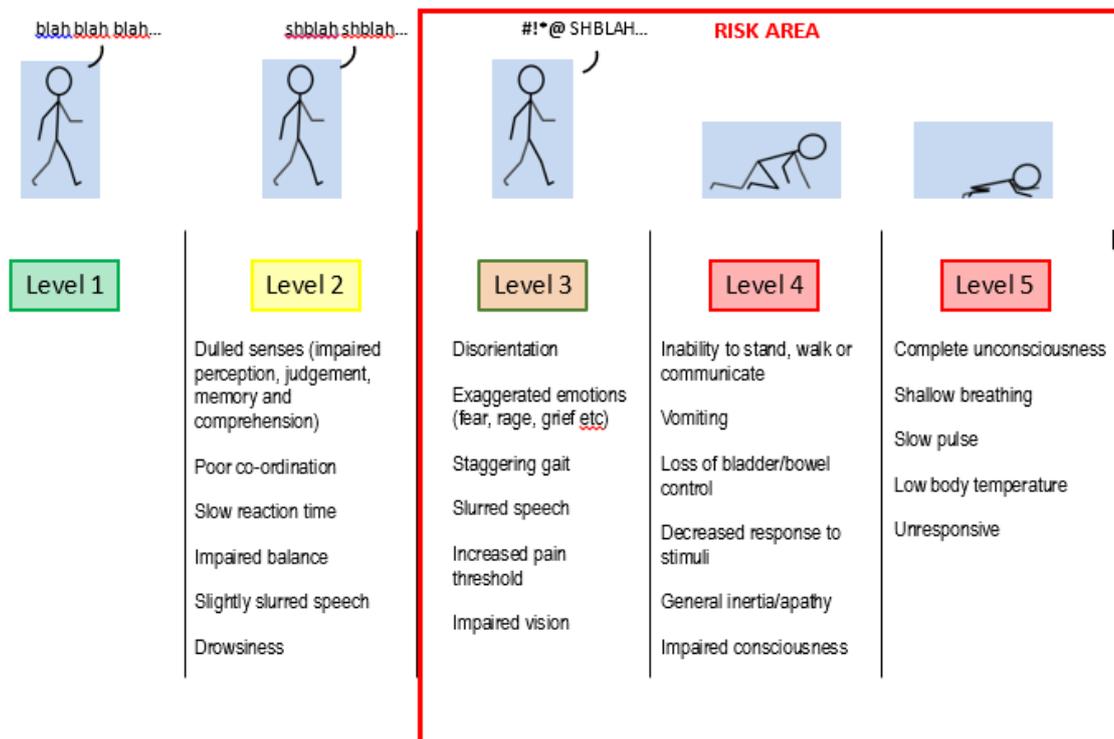
Intoxication In completing the sale it is important to ensure that the customer is not already intoxicated. There is no practical way to ascertain this until the point of delivery and as such the duty sits with the person delivering.

Identifying the sorts of behaviours that indicate such a state can be problematic.

Certainly alcohol effects everyone differently and the sorts of volumes that might lead to one person being drunk may not be the case in another.

However some behaviours to be aware of are as follows:

## Levels of Intoxication



Anything from the sorts of behaviours at level three or above and the person should not be receiving yet further alcohol.

A calm, polite but robust approach in this matter is called for. As the licence holder you must be satisfied that anyone that is acting on your behalf will be able to recognise when a challenge is needed and that they are confident enough to see it through without either caving in to pressure or escalating the matter to the point of some form of disorder or assault.

It is critical to remember that anyone that is intoxicated will not always be acting in a rational manner and trying to explain matters logically will not always prevail. This however is one of the keys risks when running licensable activities

and one of the major risk factors that will have to be managed when deciding that you want to operate a remote order/home delivery service.

### **Asking for id/proof of age**

Ensuring that alcohol does not fall into the hands of a child is also a major tenant of being permitted to carry out sale and supply of alcohol.

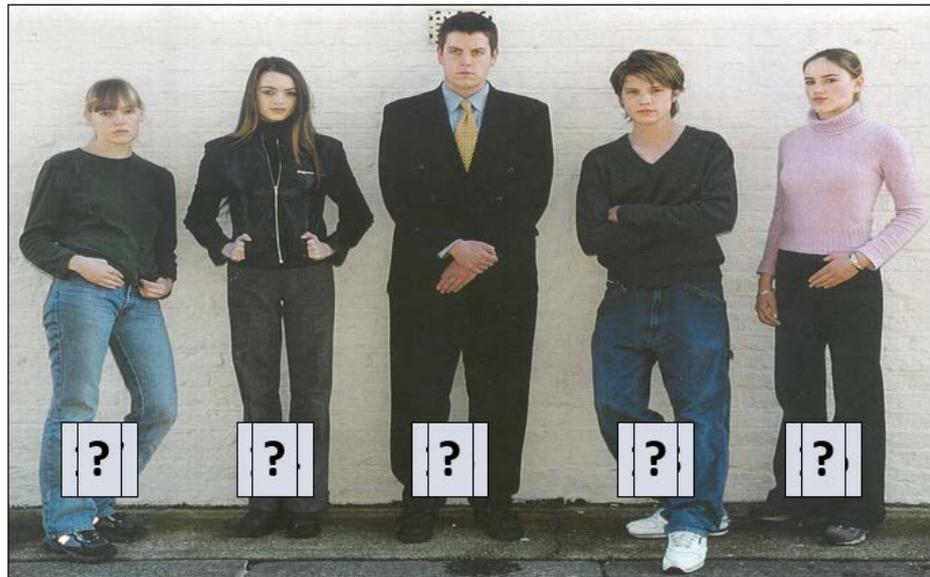
There are some subtle nuances to the offences here regarding criminal offences, however in terms of licensing setting that aside we are looking at the

Setting aside the fact it is often a key driving factor in youth related crime and antisocial behaviour, due to the effect it has on the human body alcohol is a drug and these effect can be very detrimental especially on a developing child or adolescent.

In terms of trying to complete a responsible alcohol delivery it is not always easy to identify the age of a person that presents themselves at the door. After all the physical difference between someone that is 17 and someone that is 18 is in most cases non-existent, but can make all the difference between a criminal offence and possibly losing the alcohol licence.

Each of the below look young, however some are 20 and some are 16:

How old would you say these individuals are?



It is common trade practice these days to operate a safety mechanism to prompt staff/agent to avoid this problem. A challenge 25 policy requires anyone providing alcohol to a customer to carry out reasonable checks to ascertain if the person in question is of the correct age if they appear to look 25 years or younger. This higher threshold mitigates against ambiguity. This might not negate completely the risk as some individuals may still look a lot older than they actually are and thereby still not trigger an age check, or they may provide fake/fraudulent id (see below). However having such a policy and documenting both the training on those occasions when ID was requested (reasonable steps) will provide the staff/agent as well as the premises licence holder with a due diligence defence.

As with all things in the hospitality/service industry customer service is a corner stone. Asking for ID/proof of age whilst being a norm of life can still prove to be an area of friction and annoyance for the customer particular if they do not have the required id or if they are indeed not legally suitable.

Again as with excessively intoxicated persons, a calm, polite but robust approach in this matter is called for. As the licence holder you must be satisfied that anyone that is acting on your behalf will be able to recognise when a challenge is needed and be confident enough to see it through without either caving in to pressure or escalating the matter to the point of some form of disorder or assault.

Some helpful points to consider are:



## Age Verification – Asking for ID

- Keep calm
- Let the customer have their say
- Explain why
- Show empathy and understanding
- Don't make the customer wrong – don't blame them
- Offer solutions
- Remain professional

What sorts of identification are acceptable?

Official documents with a photograph and certain details such as a name and date of birth of the holder are the recognised means:

### Acceptable Forms of ID



**Driving Licence**



**Passport**



**PASS Card**

These forms of accepted ID/proof age should be highlighted in any advertising and during the ordering process so the customer is left in no doubt should they be required to provide some.

## Acceptable Forms of ID



**Driving Licence**

Bear in mind:

- The design and security features of the British driving licence change from time to time – most recently in August 2015.
- The current design (pictured) has the Union flag on it, but because licences should be renewed every 10 years, there will be older designs in circulation.
- The acceptance of foreign driving licences would be a matter for individual premises, but they (as with any ID) should only be considered if the seller can be 100% certain of its legitimacy.

## Acceptable Forms of ID



**Passport**

Bear in mind:

- The acceptance of foreign passports would be a matter for individual premises, but they (as with any ID) should only be considered if the seller can be 100% certain of its legitimacy.

## Acceptable Forms of ID



**PASS Card**



Bear in mind:

- There are several authorised suppliers of PASS cards but, since 2015, they all use one standard design (pictured) – the only difference will be the supplier logo which features at the top of each card.
- Prior to that, each supplier had its own card design, many examples of which will still be in circulation – they all have the PASS hologram (pictured) though.
- All of the features on the card (photo, hologram etc) are part of the card and will not be raised or stuck on.

Fake or Fraudulently amended/used ID:



### The Law – Fake/False ID

With fake or false ID, there are various offences that can be committed under three pieces of legislation:

- Fraud Act 2006
- Identity Documents Act 2010
- Forgery and Counterfeiting Act 1981

Generally, anyone in possession of, or using, fake/false ID (of the types shown on the next slide), is likely to be breaking the law.

Some of these offences carry a maximum penalty of up to 10 years in prison and/or significant fines.



## Types of Fake/False ID

In the context of underage sales, there are generally 5 types of fake/false ID:

- **Genuine ID being used by someone else**  
e.g. using an older sibling's or friend's ID
- **Genuine ID that has been altered**  
e.g. by changing the date of birth to appear older
- **Genuine ID that has been fraudulently obtained**  
e.g. by lying about the date of birth on the application form
- **Fake ID that is a copy/forgery of a genuine ID**  
e.g. a forged driving licence
- **Fake ID which is a form of ID that doesn't exist**  
e.g. a 'novelty' ID

## Common 'Novelty' IDs



National Identification Cards



International/European Driving Licences



Student ID Cards



Provisional Motorcycle Permit

There is seemingly no end to the sorts of so called 'novelty' ID available. The golden rule though should always be:

***'IF IN DOUBT REFUSE'***

After all it is better to have sided with caution and safe guarded both businesses and the customer in question from themselves then allow irresponsible supply of alcohol.

When presented with ID then what's sort of steps can be taken to ascertain its validity, some might include:



## Age Verification – Challenging ID

There are a number of questions that you can use to potentially catch out those people who are presenting you with fake/false ID:

- **Ask them their date of birth**

Normally they will have the false one memorised, but when put on the spot they may get mixed up

- **Ask them their star sign**

This is more likely to work when they are using someone else's ID – they might know the date of birth but not necessarily the star sign

- **Ask for their post code**

Again, this won't work if they have their own details on the fake ID or are using the ID of someone they live with, but in other cases it is something they are unlikely to know

- **Ask for a second piece of ID**

If they are using someone else's ID, they are unlikely to also have that person's bank card or student card

## Knock back cards

In both cases, but perhaps more so for when the customer is intoxicated and may not properly understand what is occurring, it is useful to have a 'knock back' card.

This is a small slip that can be given to the customer explaining what the licensing act requires of the staff/agent and the reasons why they have not been supplied with their alcohol. It also outlines a prescribed method to address complaints, thereby taking the pressure off the delivery person.

<p style="text-align: center;"><b>You have been refused Delivery of alcohol because:</b></p> <p><input type="checkbox"/> You appear to be under 25 years of age and have not produced the required form of ID:</p> <ul style="list-style-type: none"> <li>• Photographic Drivers Licence</li> <li>• Passport</li> <li>• PASS card</li> </ul> <p><input type="checkbox"/> The ID provided is possibly be fake or has been altered/defaced</p> <p><input type="checkbox"/> You appear to be drunk</p> <p><input type="checkbox"/> You have been disorderly/abusive or violent towards our staff/agent</p>	<p>As a responsible business operator we employ staff to adhere to the Licensing Act 2003.</p> <p>Such actions overleaf put mine and my staff's livelihood in jeopardy.</p> <p>A refund in respect of the alcohol will be forth coming in line with our refund policy.</p> <p>Please address any complaints in writing to the premises</p> <p>Date: ...../...../.....</p> <p>Staff Id:.....</p> <p>Delivery Ref Number:.....</p>
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Whilst it may be an additional cost, the provision of body worn video (BWV) to those delivering provides additional reassurance to the member of staff/agent, has been found to be key in modifying customer behaviour as people are less likely to be abusive/aggressive if they are being recorded and will help the police or other agency/authority if called to investigate a complaint whether it is against the staff member/agent or against the customer.

## Banning

A premises should not accept bad behaviour from a customer whether that is abuse of its staff, or customers putting the licence at risk but trying to fraudulently gain access to alcohol by the use of fake ID of instance.

It is important to remember there is no obligation to sell alcohol to anyone. As such where a member of the public is found to be abusing a service, that premises should take steps to ensure that unacceptable behaviour is challenged.

Just as a pub may ban a violent customer from their premises, a delivery service may exclude anyone from future ordering if the premises feels that their service has been abused in some way. Again records should be maintained within the 'premises daily register' as to why that decision has been taken as inevitably these steps tend to get challenged.

### **Refund Process**

As with various consumer rights if a premises is in a position where they are obligated to refuse the delivery of a product (in this case alcohol), a clear and fair refund process needs to be in place. This should be highlighted as part of any (pre-ordering) advertising of the ordering/delivery service and reiterated during the ordering process itself. This ensures that in the event of a refusal which in itself will be a highly emotional moment for the customer they may quickly find some reassurance of recouping their money. This will go a long way in deescalating any likely conflict that the delivery person may have to manage.

### **Delivery slip**

When a delivery is thoroughly completed successfully however, best practice is that the customer should receive a receipt as proof of purchase that contains similar details regarding the order as is recorded in the 'daily premises register' that was referred to previously. This not only provides customers with transactional reassurance, but also provides the authorities with evidential due diligence should they need to investigate a matter related to a particular delivery.

### **Summary**

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The duties and responsibilities of the licensed trade are manifold.

Whilst remote ordering and/or home delivery may seem like a lucrative revenue stream, you must ask the question am I able to do it properly, giving ample provisions to doing it safely?

Consider all the links in the chain of the operation and ask yourself what are the risks/ what could go wrong and then think of steps to prevent/mitigate them. The benefits still outweigh the steps needed then speak to the authorities (a list may be found on your Local Authority licensing home page) and seek their views before going ahead.

Some types of steps they might seek to be implemented may be found in annex 1 (Licensing conditions below).

## Pool of Conditions

TVP 1	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service, it shall only be delivered to a residential or business address.</p> <p>The receiver of the alcohol must be able to prove to the person delivering the alcohol they are a resident or employee at the premises and must be inside the building or at the doorway of the business, house or flat.</p> <p>(i.e. Not standing in the entrance or the grounds/garden etc.) Alcohol shall not be delivered to a person who is in a public place i.e. in a street, a park etc.</p> <p>This requirement will be clearly displayed in any advertising and prior to the transaction being authorised at the point of sale. It will be confirmed in the receipt afterward for the customer's awareness</p>
TVP 2	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service orders all persons delivering alcohol must be aged 18 years or over</p>
TVP 3	<p>An employment register will be kept of all those staff that deliver alcohol. This register will document the full name, date of birth, and home address. This register will be made readily available to Thames Valley Police upon request (in line with and subject to relevant data protection legislation ) to aid in any investigations related to a delivery person whilst in execution of tier job role at the premises.</p>
TVP 4	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service orders, delivery staff shall be readily identifiable as being a persons delivering on behalf of the premises (ie high visibility premises/courier branded vest etc) and to remove any helmet, mask or other head gear etc that might obscure their face when at the front door.</p>
TVP 5.1	<p>In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a member of staff employed directly by the premises and not by a third party (ie A taxi/private hire Driver, delivery service etc etc)</p>
OR	
TVP 5.2	<p>In the event the premises under its 'off sales' function provides a home delivery service of alcohol delivery will be made by a reputable third party company that specialises in the delivery of age restricted products.</p>
TVP 6	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol, all sales of alcohol will only be made by way of credit or debit card transaction (including that by way of third party proxy such as 'Paypal' etc)- no cash upon delivery.</p>

TVP 7	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service for alcohol the premises will adopt a policy whereby any person attempting to buy or take delivery of alcohol who appears to be under 25 will be asked for photographic identification to prove their age. The only identification that will be accepted are passports, UK driving licences with a photograph or Photographic Card bearing the 'PASS' hologram the details of which correspond to the details of the customer that made the order.</p> <p>Failure to provide the requested identification will result in non delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.</p> <p>This requirement will be clearly displayed in all advertising related to this service, and will be clearly stated to the customer prior to the transaction being authorised at the point of sale. It will be reiterated in the receipt given with the delivery afterward for the customer's awareness.</p>
TVP 8	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol The premises will maintain a daily register. The register will comprise of a bound printed paginated note book to prevent fraudulent amendment. It will document:</p> <ul style="list-style-type: none"> <li>• The person in charge of the premises for that day</li> <li>• The person authorising the sale of alcohol for that day if they are not the same as the above.</li> </ul> <p>It will also record every delivery made and will include:</p> <ul style="list-style-type: none"> <li>• The date and time of each delivery</li> <li>• The customer name and address to which the delivery was made</li> <li>• Any request made for proof of age/ID by the delivery person</li> <li>• What was provided</li> <li>• Any refusals and the reason for that refusal</li> <li>• Any further action or outcome from this (ie refund given subsequently / this address/person now barred etc)</li> </ul> <p>The register will be maintained for a minimum rolling period of 24 months and will be readily made available to Thames Valley Police, or the Licensing Authority upon request.</p>
TVP 9	<p>All staff/third party agency involved in the delivering of alcohol orders shall receive full training in:</p> <ul style="list-style-type: none"> <li>• challenge 25 policy</li> <li>• approved forms of identification,</li> <li>• fake and fraudulent proof of age/ID</li> <li>• the company's policy of non-delivery/refusals and refund</li> <li>• conflict resolution</li> </ul>

	<p>A record of all training will be kept, which staff/third party agency will sign and date each time they receive this training to confirm they have had, fully understand its content and will adhere to the training.</p> <p>Copies of the content of this training and the staff/third party agency training confirmation records will be made readily available to the Licensing Authority or Thames Valley Police upon request.</p> <p>Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority</p>
TVP 10	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol When an order is taken for delivery to a customer, upon delivery all customers shall sign a delivery note which will contain:</p> <ul style="list-style-type: none"> <li>xv. A list of the individual items delivered;</li> <li>xvi. The delivery address;</li> <li>xvii. The method of payment;</li> <li>xviii. The name of the person ordering and receiving the alcohol;</li> <li>xix. The date and time of delivery;</li> <li>xx. If proof of age was asked for, confirmation of the type of proof of age document presented and accepted;</li> <li>xxi. The name or designated employee ID number of the employee that made the delivery.</li> </ul>
TVP 11	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol all vehicles used in the delivery of alcohol will have a means of tracking (GPS etc) by the premises and a means of contacting either the premises or the emergency services (i.e. mobile phone). These will be in full working order at all times whilst the vehicle is being utilized for delivery, and delivery staff will understand how to operate them as required for the job role.</p>
TVP 12	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol all staff involved in the delivery of alcohol to the public will have taken an accredited course in dispute resolution training.</p>
TVP 13	<p>In the event the premises under its 'off sales' function provides a remote ordering/ home delivery ordering service for alcohol the sale of alcohol will only be made with order of food- no alcohol sales only.</p>
TVP 14	<p>In the event the premises under its 'off sales' function provides a home delivery ordering service, customers placing a remote order including alcohol shall be required to confirm that they are over the age of 18 at the time of making payment.</p>
	<p>In the event the premises under its 'off sales' function provides a home delivery /remote</p>

TVP 15	ordering service orders of or orders including alcohol will be delivered no later than 30 minutes after the terminal hour for the sale of alcohol
TVP 16	In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol the sale of alcohol shall be an ancillary service to the premises' main function of a restaurant.
TVP 17	In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol Where a customer ordering alcohol for delivery is found to be ordering irresponsibly (i.e. is underage, excessively intoxicated, abusive, violent etc ) the premises shall operate a refusals registers when future orders by that customer are declined.
TVP 18	<p>In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol any member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will have and operate whilst completing the delivery body worn video (BWV) which records both video (images) and audio footage.</p> <p>The member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will :</p> <ul style="list-style-type: none"> <li>• understand how to properly operate the BWV,</li> <li>• they will ensure it is properly operational before leaving the premises.</li> <li>• In the event of disorder, verbal abuse, threat of or actual physical violence, antisocial behaviour or any other behaviour that the member of staff/agent feels threatened or in fear they will activate the camera.</li> </ul> <p>The premises will ensure that footage is downloaded to a central hard drive and retained for a rolling period of 31 days.</p> <p>The premises will have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular is able to provide copies of any footage requested by The Police.</p> <p>The premises will have a means of copying any footage to another medium as evidence if requested by the Police</p> <p>The premises will have a system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed</p>
TVP 19	<p>In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol any vehicle used by a member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will have and operate whilst completing the delivery a dash camera or other such video recording</p> <p>The member of staff or agent acting on behalf of the premises in delivering alcohol to a customer will :</p> <ul style="list-style-type: none"> <li>• understand how to properly operate the dash camera,</li> <li>• they will ensure it is properly operational before leaving the premises.</li> <li>• It will be in operation whilst the vehicle is out on delivery</li> <li>•</li> </ul>

	<p>The premises will ensure that footage is downloaded to a central hard drive and retained for a rolling period of 31 days.</p> <p>The premises will have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular is able to provide copies of any footage requested by The Police.</p> <p>The premises will have a means of copying any footage to another medium as evidence if requested by the Police</p> <p>The premises will have a system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed</p>
TVP 20	<p>In the event the premises under its 'off sales' function provides a home delivery /remote ordering service of alcohol there will be no deliveries comprising of alcohol made after 22:30</p>

----- End -----

# APPENDIX THREE

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