

North Somerset Council

REPORT TO THE LICENSING SUB-COMMITTEE

DATE OF MEETING: 25 FEBRUARY 2020

SUBJECT OF REPORT: APPLICATION TO REVIEW THE PREMISES LICENCE AT WESTON NEWS (PREMIER), 78 REGENT STREET, WESTON SUPER MARE

TOWN OR PARISH: WESTON SUPER MARE

OFFICER/MEMBER PRESENTING: DIRECTOR OF DEVELOPMENT & ENVIRONMENT

KEY DECISION: NO

RECOMMENDATIONS

That the Committee considers the evidence presented within the application made by Avon and Somerset Police to review the Premises Licence and takes any remedial action deemed appropriate in relation to the premises licence.

1. SUMMARY OF REPORT

- 1.1 An application was received from Avon & Somerset Police; a Responsible Authority under the Licensing Act 2003, requesting the review of the Premises Licence at Weston News (Premier), 78 Regent Street, Weston-super-Mare.
- 1.2 During a routine inspection of the premises in July 2019 several breaches of the licence conditions were noted, and the licence holder informed in writing. Further breaches were noted again at a follow up inspection a few weeks later.
- 1.3 In September 2019, alcohol was sold to a drunk male who had earlier been causing anti-social behaviour and was later arrested. Verbal advice and a formal letter were given to the licence holder that further incidents would lead to more formal enforcement action.
- 1.4 Alcohol was sold to another drunk male in November 2019. On this occasion the Police had dealt with the male and in their opinion was too drunk to be sold alcohol.
- 1.5 On 20 January 2020, notification was received that the 'storenet' radio had been removed due to concerns the premises were not adhering to the agreed banning list and appeared to be actively encouraging excluded people to enter. Therefore, the premises can no longer comply with Condition 10, Annex 3 on their licence.
- 1.6 In view of concerns raised regarding the sale of alcohol to intoxicated people and breaches of the licence conditions the Police have recommended that the Premises Licence is reviewed.

2. POLICY

- 2.1 The North Somerset Licensing Authority's Statement of Licensing Policy (2015-2020) applies to the application made. In particular, paragraphs 40-48 of the Licensing Policy relate to the review application.
- 2.2 Regard must be given to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Licensing Act itself.

3. DETAILS

- 3.1 The review application was received from Avon and Somerset Police on 18 December 2019 requesting a review of the Premises Licence for Weston News. A copy of the application made is shown at **Appendix A**
- 3.2 The licence review application relates to the premises situated at 78 Regent Street, Weston super Mare. The premise is a four-storey building of which only the ground floor is subject to the Premises Licence. The licence has one licensable activity namely the sale of alcohol for off-sale only.
- 3.3 Breaches to the Premises Licence were noted during a routine licensing inspection on 9 July 2019 and the licence holder was sent a letter outlining the details. The breaches noted were:
 - a) A DPS authorisation list was not on site naming the staff authorised to sell alcohol.
 - b) Whilst CCTV was in operation, there were no cameras covering the front exterior or one covering the side access (condition 2).
 - c) Staff training was not recorded (condition 5).
 - d) No register of refusals was kept (condition 11).
 - e) Not all of the alcohol (not available for sale) was stored within the stockroom (condition 12).
- 3.4 The grounds for review are based on alcohol being sold to two intoxicated males on two separate occasions in September and November 2019 and the breaches of the conditions attached to the premises licence listed above. CCTV footage showing the incidents will be made available at the hearing. The Police have concerns that the licence holder is not promoting the licensing objectives.
- 3.5 The review application relates to the following licensing objectives:
 - a) Crime & Disorder
 - b) Public Safety
 - c) Prevention of public nuisance
 - d) Protection of children from harm
- 3.6 There are residential and commercial properties in the proximity of the licensed premises.
- 3.7 A location plan of where the licensed premises is located is shown at **Appendix B**.
- 3.8 A copy of the current Premises Licence is shown at **Appendix C**

- 3.9 Notification was received on 20 January that Weston Town Centre Partnership, who administer the town's 'storenet' radio system, that members had voted to exclude Weston News from the radiolink system. This was following concerns that the premises were not adhering to the agreed banning list and appeared to be actively encouraging excluded people to enter. It was also noted that the direct debit for the radio had been cancelled, so it was decided to remove the radio from the premises. Therefore, the premises can no longer comply with Condition 10, Annex 3.
- 3.10 Information was received from the North Somerset Parking Services Manager that the Civil Enforcement Officers (CEO's) are regularly subjected to verbal abuse from people connected to the shop. This resulted in the area being a two-officer patrol for their safety. CCTV footage showing two incidents will be made available at the hearing.
- 3.11 The Designated Premises Supervisor for the premises is Mr Mehmet Oztaskin, Personal Licence number 027878, issued by North Somerset Council.
- 3.12 The Premises Licence has been in force since August 2014, but the premises did not open. Mr Oztaskin applied to transfer the licence in January 2019 and opened the premises shortly after this date. Prior to this date the premises were not licensed.

4. CONSULTATION

- 4.1 In accordance with the requirements of the Act the Police have served copies of the application to review the premises licence upon the responsible authorities, the licensing authority and the Premises licence holder.
- 4.2 A notice of application for the review of a Premises Licence was first displayed on 19 December 2019 at Weston News, 78 Regent Street, Weston-super-Mare and at the offices of the Licensing Authority, Weston-super-Mare Town Hall, in a central and conspicuous place for a period of not less than 28 consecutive days. The 28-day consultation period was restarted on 8 January 2020 when a typing error was noted on the original notice.
- 4.3 An electronic version of the notice was also placed on the North Somerset Council website.
- 4.4 Representations regarding the review application made were invited from interested parties and responsible authorities.
- 4.5 As a result of the consultations carried out representations have been received from Weston Town Centre Partnership, North Somerset Parking Services and North Somerset Public Health (Commissioning Manager – Substance Misuse). These relate to the Crime & Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm licensing objectives. Copies of the representations can be seen at **Appendix D**.

5. FINANCIAL IMPLICATIONS

Costs - None

Funding - None

6. LEGAL POWERS AND IMPLICATIONS

- 6.1 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the service. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Vehicle Standards Agency (DVSA) towards the promotion of any licensing objectives.
- 6.2 In undertaking this licensing function, the Licensing Authority has regard to the following legislation:
- Environmental Protection Act 1990
 - Health Act 2006
 - The Smoke-free (Premises and Enforcement) Regulations
 - The Equality Act 2010
 - The European Convention on Human Rights, which is applied by the Human Rights Act 1998
 - The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
 - Licensing Act 2003
 - Gambling Act 2005
- 6.3 The Licensing Authority also has regard to any other relevant legislation, strategies, policies and guidance in its decision-making

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

There are no climatic or environmental implications within this report.

8. RISK MANAGEMENT

- 8.1 Regularly reviewing licensing policies and practices and using a risk-rated approach to both proactive and reactive enforcement reduces the risk to the Authority. Ensuring MoU agreements are in place with external partner agencies will also help strengthen roles and responsibilities surrounding Licensing work.

9. EQUALITY IMPLICATIONS

No equality impact assessment has been required as part of this report.

10. CORPORATE IMPLICATIONS

- 10.1 An appeal against the decision of the Licensing Authority may be made to the Magistrates' Court by the applicant for the review, the holder of the Premises Licence, or any other person who made relevant representation to the application, within 21 days of receipt in writing of any decision made.

11. OPTIONS CONSIDERED

- 11.1 The authority must, having regard to the application, and any relevant representations, take such of the steps mentioned below as it considers appropriate for the promotion of the licensing objectives.
- 11.2 The steps outlined in section 52 (4) of the Licensing Act 2003 which can be considered are:
- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;
- 11.3 In deciding whether to use the powers outlined above, the licensing authority is required, as far as possible, to seek to establish the cause or causes of the concerns which the representations identify. Any remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.4 Any detrimental financial impact that may result from the licensing authority's decision should be appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for the review.

AUTHOR

Kellie Trego, Licensing Officer
Tel: 01934 426 800

APPENDICES

Appendix A – A copy of the application made for review

Appendix B – A location plan of where the licensed premises are located

Appendix C - A copy of the current Premises Licence

Appendix D - Copies of the representations received

BACKGROUND PAPERS

Licensing Act 2003 and associated Regulations.

Guidance to the Licensing Act issued under section 182 of the Licensing Act 2003.

North Somerset Council Statement of Licensing Policy (2015-2020)

Representations Licensing Act 2003.



Your Name Save	Andrew Jones + Andy Manhire
Job Title	Police Licensing Officers
Postal and email address	Weston-Super-Mare Police Station Filers Way WSM BS24 7JP Andrew.Jones@avonandsomerset.police.uk Andy.Manhire@avonandsomerset.police.uk
Contact telephone number	01278 648289 / 01278 648235

Name and address of the premises you are making representations about.	Premier - Convenience Store 78 Regent Street, Weston-Super-Mare BS23 1SR
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Reason for objection	<p>The Premier Convenience Store which was previously known as Weston News - was first granted a Premises licence in September 2014, following a Licensing committee hearing, where a number of additional conditions were imposed, in addition to those offered by the applicant.</p> <p>The store is located in Regent street being a busy town centre area in WSM and is within the Cumulative Impact Area (C.I.A.)</p> <p>The original applicant did not operate a business from this premises and the Premises Licence and DPS authority was transferred to the present operator Mehmet OZTASKIN in January 2019.</p> <p>The present licence holder commenced the convenience store business at this premises a short time later.</p> <p>On the 9th of July 2019 a Licensing check was conducted by PC Phippen and a Council Licensing officer at the Premier store during which several breaches of the premises licence were identified as follows;</p> <ol style="list-style-type: none"> 1. No DPS authorisation list was on site naming the staff authorised to sell alcohol. 2. Whilst CCTV was in operation there were no cameras covering the front exterior or one covering the side access (condition 2). 3. Staff training was not recorded (condition 5). 4. No register of refusals was kept (condition 11). 5. Not all of the alcohol that was not available for sale was stored within the stockroom (condition 12).
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These breaches were highlighted to Mr OZTASKIN and a follow up letter (See attached copy) was forwarded to him by Kellie Trego from the Council Licensing department.

Following concerns raised by the investigating Police officer that despite repeated requests CCTV evidence was not being produced in relation to an ongoing criminal case a Police Licensing Officer Andy Manhire + Kellie Trego from Council Licensing again visited the premises on the 16th of July 2019 and spoke with Mr OZTASKIN.

The CCTV condition was highlighted to him and he was warned that if the CCTV was not provided promptly not only would it be a breach of his premises licence but the officer may well use his power under the Police and Criminal evidence Act to seize the hard drive.

He would then be required to replace this at his own expense or to stop all licensable activities otherwise he would be in further breach of his premises licence and liable to prosecution and or a review.

On the 22nd of July 2019 the premises was again visited by Andy Manhire from Police Licensing and the following breaches were again noted.

- 1) No CCTV outside
- 2) No CCTV sign
- 3) No noise notices

The premises licence holder was not available but the issues were pointed out to the member of staff on duty.

At 4.38 p.m. on Thursday the 19th of September 2019 the Council CCTV operator noted a gathering of youths including females in school uniform drinking from a bottle of Brandy and using a cannabis grinder by the floral clock in Regent street, WSM – directly opposite the Premier store. Among this group was a male known to the Police and Council CCTV department called [REDACTED]

Due to the behaviour of this group CCTV continued to monitor the group as they moved around the town and at one stage an ambulance was called to the group.

At 7.40 p.m. a very drunk [REDACTED] was seen to enter the Premier store and to exit carrying alcohol – after this he became very aggressive running down the High street with no shirt shouting aggressively at members of the public and punching the side of the ambulance.

Another member of the group was arrested for assault on Police and at 8.40 p.m. in company with a blood covered [REDACTED] located outside the Playhouse - was issued him with a Section 35 notice instructing him to leave the Town centre area. Despite this order he failed to comply and was later seen threatening two males with a bottle in Regent street and was arrested.

Following this incident on the 24th of September 2019 – Andy Manhire and Kellie Trego visited the premises to check the CCTV in relation to the previous incident involving [REDACTED]

The CCTV clearly showed [REDACTED] being served alcohol being a bottle of Vodka (Ciroc) by the staff member despite his plainly evident drunken state - during which he had to be supported at the counter by friends in standing. (Store CCTV evidence 1 refers).

During this visit the premises licence holder Mehmet OZTASKIN was present along with the staff member involved Mr Yaser MAGHSOUDIN who tried to claim the incident was ok and [REDACTED] was buying the alcohol for a friend. They were both advised that this alcohol sale was totally unacceptable.

During this visit it was also noted that a large quantity of alcohol was stacked in the rear corridor at the back of the shop and not secured in a secure locked and alarmed area, as required under condition 12 annexe 3 of the premises licence.

It was claimed that they had just had a delivery and that is why it was not stored securely.

Mr OZTASKIN was verbally advised in relation to the serious matter of a drunk being served along with the breach of the storage condition and warned that any further breaches would lead to formal enforcement action. This was followed up with a formal warning letter from the Council and Police Licensing departments (See attached letter).

On 25th of September 2019 Andrew Jones from Police Licensing visited the Premier store to collect CCTV that had been requested on the previous day, in relation to the [REDACTED] purchase. A memory stick had been left with a store member by Mr OZTASKIN for police collection but when later checked it was found not to be operative and it was necessary to request a second copy which was collected on the 27/09/2019.

At 2.50 p.m. on Thursday the 28th of November 2019 PC 356 O'reilly and PC 4264 Neal were requested by a community response officer from North Somerset council to assist in moving a group of males drinking in Alexandra Parade.

Amongst this group was [REDACTED] who in the experienced officer's expert opinion was drunk.

The three intoxicated males were told to stop drinking and leave the area. The officers saw the males walk off, before resuming their duties to deal with other matters.

A short while later they received a radio message informing them that [REDACTED] had been seen to enter the Premier store in Regent street and leave carrying a can of alcohol. The officers located the group of three in Walliscote road and [REDACTED] was in possession of an open can of alcohol. They were again told to leave the area due to being intoxicated and started to become abusive and anti-social but did leave the area as required.

The officers then attended the Premier store and spoke with the male shop assistant who confirmed he had sold the alcohol to [REDACTED]. The shop assistant was advised that he was intoxicated and should not have sold him alcohol but the assistant claimed that [REDACTED] was not drunk.

PC Neal asked for the manager and a second male in the store identified himself as the manager and was advised about the breach of conditions by the staff serving alcohol to the drunken male.

(See CCTV clip 2, North Somerset Council CCTV of the incident)

(See CCTV clip 3, Store CCTV of sale of alcohol to [REDACTED]).

On the 29th of November at about 8.00 p.m. Andy Manhire and Kellie Trego attended the store in order to collect CCTV of the store sale. Whilst at the store it was again noted that alcohol was stored in the insecure passage way at the back of the premises in breach of condition 12 annexe 3. When this was pointed out it was again claimed that this was due to a recent delivery. Arrangements were made for the CCTV to be downloaded and made ready for collection as required by the premises licence conditions.

On 2nd of December 2019 Andrew Jones attended the store and collected the memory stick / CCTV for the [REDACTED] incident. Unfortunately this again was later found to be inoperative and it was necessary for a second copy to again be obtained.

In conclusion the Police are very concerned that there is clear evidence that staff at the store are selling alcohol to vulnerable persons (street drinkers) who are drunk which impacts and leads to crime + disorder and anti- social behaviour (Public Nuisance) in the town centre area. It is also concerning that there is evidence that there is a risk to children i.e. school girls who are being allowed access to alcohol in the immediate area of the store.

It is clear that despite trying to work with and give repeated advice and warnings to the premises licence holder and DPS Mr Mehmet OZTASKIN – he has repeatedly chosen to blatantly breach the conditions on his licence and shown no pro-activity in supporting the licensing objectives in the Cumulative Impact Area.

As a result of the recent evidence and concerns - the Police feel that they have no option but to ask the Licensing Committee to revoke the premises Licence for this premises.

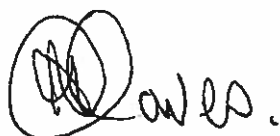
Which of the four licensing Objectives does your representation relate to? Please state yes or no.		
The Prevention of harm to children	Yes	See above.
To prevent Public Nuisance	Yes	See above.
To prevent crime and disorder	Yes	See above.

Public Safety	Yes	See above.
Would this be suitable for resolution without a hearing if all parties agree?.	No	

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>The Police have requested a revocation of the Premises Licence as a result of the continued breach of conditions.</p> <p>If the Licensing committee decide further conditions are appropriate, it is requested that the Police are consulted.</p>
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N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed:



Date: 18/12/19

This form must be returned within the Statutory Period. (With supporting evidence).

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of Justine O'REILLY

Age if under 18 Over 18 (if over insert 'over 18') Occupation Police Constable

This statement (consisting of 3 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature *Js O'Reilly*

Date 6th December 2019

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 356 O'REILLY of the Avon and Somerset Constabulary currently stationed at Weston super Mare Town Hall.

On Thursday 28th November 2019 at approximately 14:15 hours I was in full uniform when I was approached by Simon Andrews who works as Community Response for North Somerset Council.

Who stated that they was a group of males drinking on Alexandra Parade Weston super Mare, Simon had asked them to move on and they refused.

I and PC 4264 NEAL attended Alexandra Parade WSM and there were 3 males. One male I recognised as [REDACTED] and I now know the 2 other males to be called [REDACTED] and [REDACTED]

All the males were intoxicated and told to stop drinking and to leave the area.

The males then walked off and I received a call via my personal radio the [REDACTED] had gone in to Premier Stores on Regent Street Weston super Mare and was seen to leave carrying a can of alcohol.

Myself and PC NEAL located [REDACTED] by the RSPCA shop on Walliscote Road WSM and [REDACTED] was in possession of an unopened can of alcohol. After again telling

Signature: *Js O'Reilly*

Signature witnessed by:

2010/11

OFFICIAL-SENSITIVE (when completed)

Continuation of Statement of: *Justine O'Reilly*

them to leave the area due to them being intoxicated/drunk and starting to become abusive and anti-social. [REDACTED] and [REDACTED] left the area.

We then went in to the Premier Stores on Regent Street and spoke with the male shop assistant behind the counter. I asked him "DID YOU SELL THE MALE WITH THE BANDAGE ON HIS HEAD ALCOHOL"

To which he replied "YES I DID".

I advised him that he should not have served him alcohol as he is drunk/ intoxicated.

The male behind the counter then said "HE WAS NOT DRUNK".

I then said to the male "HE IS DRUNK AND I HAVE JUST BEEN DEALING WITH HIM DUE TO HIS DRUNKEN STATE".

PC NEAL then asked who the manager was and a male stood in one of the aisles said he was.

PC NEAL advised the manager that male that had just come in to the store was intoxicated, and that he was breaching his licencing conditions.

I informed the manager that I would be letting licencing know.

We then left the store. I then contacted North Somerset CCTV via my personal radio requesting a copy of the CCTV showing [REDACTED] going in to the store in an intoxicated state and coming out with alcohol

On Thursday 5th December 2019 I attended North Somerset CCTV in the Town Hall Weston super Mare and seized the CCTV of the incident and I exhibit as 356/JSO/1.

Signature: *JSO O'Reilly*

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of Justine O'REILLY

Age if under 18 Over 18 (if over insert 'over 18') Occupation Police Constable

This statement (consisting of 1 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature *Js O'Reilly*

Date 23rd December 2019

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 356 O'REILLY of the Avon and Somerset Constabulary currently stationed at Weston super Mare Town Hall.

On Monday 23rd December 2019 at 13:33 hours I viewed CCTV from Premier Stores Regent Street Weston super Mare.

On viewing this I can confirm that [REDACTED] who you can see being served alcohol, was one of the males I was dealing with on Alexandra Parade before going in to the store was drunk and causing problems in Weston Town Centre.

Signature: *Js O'Reilly*

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of Mark Christian NEAL

Age if under 18: 0'18 (if over insert 'over 18') Occupation Police Officer

This statement (consisting of 3 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature 

Date 18th December 2019

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 4264 NEAL of the Avon and Somerset Constabulary currently stationed at Weston super Mare Town Hall.

On Thursday 28th November 2019 I was on duty in full police uniform at around 14:15 hrs I received information that Simon Andrews who works as Community Response for North Somerset Council had tried to disperse as group drinking in ALEXANDRA PARADE, and that they had refused and become abusive towards him.

I have attended the location in company with PC 356 O'REILLY, there were around 5 males still at the location two of which weren't drinking or causing any issues, the other three was a male I know to be [REDACTED] and the other two I now know to be [REDACTED] and [REDACTED]

[REDACTED] was sporting a bandage around his head, on speaking with the group it was clear to me that they were all intoxicated through alcohol, All three of these males were unsteady on their feet and on engaging in conversation their speech was slurred, they were clearly drunk.

They were told to stop drinking and leave the area and not return due to the reports of them causing Anti-Social Behaviour

Signature: 

Signature witnessed by:

2010/11

Continuation of Statement of:

The three males then walked off crossing the road towards the direction of WALLISCOTE ROAD.

PC O'REILLY then informed me that she had received information that [REDACTED] had just come out of PREMIER STORES, REGENT STREET, WESTON-SUPER-MARE carrying a can of alcohol.

We have then located [REDACTED] and [REDACTED] by the RSPCA shop on WALLISCOTE ROAD, [REDACTED] was in possession of an unopened can of alcohol, once again then were told to leave the area and started to become abusive towards each other, [REDACTED] were sent off towards the direction of TESCO's on STATION ROAD whilst [REDACTED] went in the opposite direction.

We have then attended at PREMIER STORES. REGENT STREET and PC O'REILLY asked the male serving behind the counter if he had served the male with the bandage on his head, to which he replied "YES I DID"

It was pointed out to him that the male was clearly drunk and that he should not be serving him.

He has said "I WASN'T DRUNK WHEN HE CAME IN"

PC O'REILLY informed him that he is clearly drunk and that we had been dealing with him in that state prior to him attending the store.

I then asked "WHO THE MANAGER WAS"

A male stood in one of the aisles stated he was and that he wasn't present when the male was served.

I have advised him that male that had just come in to the store was clearly drunk and that he was breaching his licencing conditions by serving him.

Signature: 

Signature witnessed by:

Continuation of Statement of:

PC O'REILLY stated that she would be letting licencing know.

I had no further dealings with PREMIER STORES that day.

During the initial engagements with the three males my Body Worn Camera was activated and captured the drunken state of the males which I exhibit as 4264/MN/1

Signature:



Signature witnessed by:

Date: 9 July 2019
My ref: C&CS/LZZ32a/036240
Your ref:
Contact: The Licensing Team
Direct dial: 01934 426 800
Fax: 01934 426 230
Email: licensing@n-somerset.gov.uk

Licensing Team
Town Hall,
Walliscote Grove Road,
Weston-super-Mare
BS23 1UJ

Mr Mehmet Oztaskin
Weston News Ltd
78 Regent Street
Weston super Mare
North Somerset
BS23 1SR

Dear Sirs

Licensing Act 2003 – Compliance Visit

Re: Weston News Ltd, 78 Regent Street, Weston-Super-Mare, Somerset, BS23 1SR

Further to our joint visit with Avon & Somerset Police to your premises on the 9 July 2019 I write to confirm the outcome of the checks that were undertaken.

1. No DPS authorisation list was on site naming the staff authorised to sell alcohol.
2. Whilst CCTV was in operation there were no cameras covering the front exterior or one covering the side access (condition 2).
3. Staff training was not recorded (condition 5).
4. No register of refusals was kept (condition 11).
5. Not all of the alcohol that was not available for sale was stored within the stockroom (condition 12).

As advised, we will revisit again in a few weeks to check that the issues have been rectified but if you require any further advice or information please do contact me as detailed above.

Yours sincerely,

Kellie Trego
Licensing Officer

This letter can be made available in large print, audio, easy read and other formats. Documents on our website can also be emailed to you as plain text files. Help is also available for people who require council information in languages other than English. For more information contact the sender of this letter.

North Somerset Forwarding Incident Report

Incident

NSC-122311

Day

Thursday

Date

19/09/2019

Time

18:13

Operator

J Stanbury

Instigator

Self

Incident Type

Drink/Drugs Related

Action

Police Informed

Result

Situation Monitored

Arrests

2

Venue

Italian Gardens

Street

High Street

Area

Wsm

Event Information

Group involved in NSC-122308 now encamped in the Italian Gardens alcove. Most intoxicated. [REDACTED] on particular struggling to walk. 18:30 Ambulance crew attends for [REDACTED] who then appears to verbally abuse them. Ambulance crew leaves.

Action Information

Control updated. No available units. 19:40hrs group back at Floral Clock. More alcohol purchased from Premier. Control informed again. [REDACTED] becomes very aggressive. He runs off down the High Street, shirtless and shouting aggressively at passers by. Seen to punch the side of a parked Ambulance. Control updated throughout. Group now outside Playhouse as Police attend. [REDACTED] arrested for assault on Police. 2040hrs Officers in company with [REDACTED] outside the Playhouse, who is now covered in blood. Mr [REDACTED] issued a Section 35. 21:05hrs [REDACTED] now in Regent Street threatens two males with a bottle, which slips out of his hand and smashes on the floor. Control informed. [REDACTED] finally arrested at 21:50hrs outside Tesco

19 September 2019

North Somerset Forwarding Incident Report

Incident

NSC-122308

Day

Thursday

Date

19/09/2019

Time

16:38

Operator

J Stanbury

Instigator

Self

Incident Type

Drink/Drugs Related

Action

Police Informed

Result

Situation Monitored

Arrests

0

Venue

Floral Clock

Street

Regent Street

Area

WsM

Event Information

Monitored gathering of youths, including females in School Uniform. Among group [REDACTED] and [REDACTED]. Some of the group seen drinking from a bottle of brandy. Third male seen with a cannabis grinder.

Action Information

Control informed. No available units. Group monitored getting progressively drunker. Control updated of concerns

19 September 2019

Date: 26 September 2019
My ref: E&CS/LYC07/041191
Your ref:
Contact: Kellie Trego
Tel: 01934 426 800
Fax: 01934 426 230
Email: licensing@n-somerset.gov.uk

Mr Mehmet Oztaskin
Weston News Ltd
78 Regent Street
Weston super Mare
BS23 1SR

Licensing Team
Town Hall,
Walliscote Grove Road,
Weston-super-Mare
BS23 1UJ

Dear Sir

Premises Licence – 78 Regent Street, Weston super Mare

Further to our visit to your premises on 24 September 2019, I write to remind you of the following:

It is illegal to knowingly sell alcohol, or attempt to sell alcohol, to a person who is drunk. It is also illegal to allow alcohol to be sold to someone who is drunk.

Those who could face prosecution include:

- anyone who sells alcohol at the premises
- the premises licence holder and premises supervisor
- any member or officer of a members club who could have stopped the sale
- the premises user where there is a temporary events notice

It is also an offence for a person to knowingly get, or try to get, alcohol for a drunken person on a licensed premises. Breaking the law could result in a fine of up to £1,000. If the convicted person is a personal licence holder, they could lose their licence.

Should further information be reported to either the Local Authority or Police then more formal action may be taken against individuals or with regard to your Premises Licence.

Yours faithfully,



Kellie Trego
Senior Licensing Officer

Andy Manhire
Avon & Somerset Police Licensing

This letter can be made available in large print, audio, easy read and other formats. Documents on our website can also be emailed to you as plain text files. Help is also available for people who require council information in languages other than English. For more information contact the sender of this letter.

*A great place to live where people, businesses and communities flourish.
Modern, efficient services and a strong voice for North Somerset.*

Further representations re Premier – Convenience, 78 Regent Street, Weston-Super-Mare.

On the morning of Thursday 19th December 2019 in company with Mrs Trego from North Somerset Council Licensing Team I attended the above premise in order to serve a copy of the Review papers on the Premise License holder Mehmet OZTASKIN. He was not initial present and whilst the member of staff on duty contacted him I noticed that the door at the rear of the premise was open and on looking into the passage way I could see crates of Thatcher's cider stacked.

This is yet again a breach of condition 12 on the premise license which states that " ALL alcohol which is not on display within the shop will be stored in a secure, locked and alarmed area within the curtilage of the premise but separate from the shop and accessible only to staff".

Andrew Manhire,
Police Liquor Licensing.

As Manhire

06/12/20.



78 Regent Street
Weston News



Scale: 1:1250
 Drawn by: Caz Horton
 Date: 10 September 2014
 Time: 09:23:10

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Premises Licence Part A

Premises licence number

NSC/041191	Issue date: 30 September 2014
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Postal address of premises, or if none, ordnance survey map reference or description: Weston News 78 Regent Street Weston-Super-Mare	
Post town: North Somerset	Post code: BS23 1SR
Telephone number:	


Where the licence is time limited the dates <p style="text-align: center;">None</p>
--

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	0000 hrs	2400 hrs		
Tuesday	0000 hrs	2400 hrs		
Wednesday	0000 hrs	2400 hrs		
Thursday	0000 hrs	2400 hrs		
Friday	0000 hrs	2400 hrs		
Saturday	0000 hrs	2400 hrs		
Sunday	0000 hrs	2400 hrs		
<i>* The following day</i>				
The supply of alcohol is authorised for consumption: Only off the premises				

The opening hours of the premises				
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	0700 hrs	2400 hrs		
Tuesday	0700 hrs	2400 hrs		
Wednesday	0700 hrs	2400 hrs		
Thursday	0700 hrs	2400 hrs		
Friday	0700 hrs	2400 hrs		
Saturday	0700 hrs	2400 hrs		
Sunday	0700 hrs	2400 hrs		
<i>* The following day</i>				


Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name:
Mehmet Oztaskin


Telephone Number:
E-mail:

Registered number of holder, for example company number, charity number (where applicable):

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Mehmet Oztaskin
Address: 

Telephone Number:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Number: NSC/027878
Issuing Authority: North Somerset Council

Annex 1 – Mandatory Conditions

1. (1). No supply of alcohol may be made under this premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.
2. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries significant risk of undermining a licensing objective.
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - a) a holographic mark, or
 - b) an ultra violet feature.
6. The responsible person must ensure that–
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol, specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
7. Where films are shown, children shall only be admitted to film showings in accordance with the British Board of Film Classification (or equivalent regulatory body) requirements.
8. Where individuals are required by this licence to carry out a security activity at a specified time or more, they must be:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.

9. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

10. For the purposes of the condition set out in paragraph 9:

a) "duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)

b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where i) **P** is the permitted price

ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

i) the holder of the premises licence,

ii) the designated premises supervisor (if any) in respect of such a licence, or

iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence,

d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

Annex 2 – Conditions consistent with the operating Schedule

2.1 General

2.2 The Prevention of Crime and Disorder

1. In relation to the delivery service, staff shall only accept an order for, or including, alcohol when a full address including a postcode and telephone contact number is given and where the ordering party has confirmed they are over the age of 18 years.
2. Drivers shall only deliver to the person who placed the order and whose name appears on any debit/credit card used in the transaction and delivery shall only be to the address originally given.
3. Should the circumstances appear suspicious to the driver the delivery of the alcohol shall not be made and a note of the circumstances will be placed in the delivery log book carried by the driver.

2.3 Public Safety

None

2.4 The Prevention of Public Nuisance

1. Notices shall be displayed at the premises reminding customers that the premises and the outside area are covered by CCTV and that they should avoid excessive noise on or near the premises.
2. Rudeness to staff or other customers shall result in a refusal of service, CCTV shall be provided to the Police on request and identified problem customers may be banned from the premises and or the delivery service.

2.5 The Protection of children from harm

None

Annex 3 – Conditions attached after a hearing by the licensing authority

The Committee decided to grant the application as applied for, with modifications to conditions pertaining to the licensable activities and new conditions to be attached to the licence. These conditions are for the promotion of all the four licensing objectives, as follows:

In respect of the Off-Licence within the shop

1. CCTV to be installed to a standard reasonably required by and to the satisfaction of the Police and Licensing Authority in conformity with their jointly published policy and maintained in good working order. The time and date shall be displayed on the recordings. Recordings shall be maintained for a period of 31 days and made available to the Police and Licensing Authority on request. If the CCTV equipment fails the Police and the Licensing Authority will be informed as soon as practicably possible and immediate steps shall be taken to put the equipment back into action. A notice shall be displayed at the entrance to the premises and at the rear of the premises advising that CCTV is in operation. Members of staff will be trained so that recordings can be made available promptly.
2. There will be CCTV cameras monitoring the premises including two covering the front exterior, one at the side access and one internal covering the separate store where the liquor and other goods are held.
3. All staff will be trained in respect of the licensing objectives and staff training will be refreshed every six months. Additionally, drivers will be trained in their responsibilities relating to deliveries.
4. Staff will be fully trained with the emphasis on the prevention of under age sales or sales to persons under the influence of alcohol or who appear to be behaving in an unreasonable or antisocial manner and staff will be instructed to refuse service of alcohol in such circumstance or if it reasonably appears to them that it could put potential customers or a third party at risk of harm. Staff will be fully briefed on the procedures to be followed and it will be made clear to them that it will be a disciplinary offence to fail to observe such procedures.
5. Training records will be kept and will be available upon reasonably request for inspection by an authorised officer of the licensing authority or the police.
6. Clear notices will be displayed at the premises including all entry and exit points reminding customers that the premises and the area outside are covered by CCTV and instructing them that they should respect local residents and leave the premises quietly.

7. Spirits will be displayed only behind the counter. The alcohol display area will be situated next to the counter, clearly visible through a clear glass screen and shall be monitored by CCTV cameras linked directly to the internal office.
8. A strict Challenge 25 age policy will be enforced at the premises and the only proof of age that will be acceptable will be photographic ID comprised by either a passport, driving licence or a holographic stamped PASS approved proof of age card or its equivalent.
9. Publicity material notifying customers of the Challenge 25 scheme shall be displayed at the premise including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.
10. The premises will become part of "nightnet".
11. Registers will be kept of all refusals of service and any incidents of unruly or antisocial behaviour and details of such will be made available to the Police or Licensing Authority on request.
12. All alcohol which is not on display within the shop will be stored in a secure, locked and alarmed area within the curtilage of the premises but separate from the shop and accessible only to staff.
13. There shall be no-one on the premises except staff employed by the business or tradespersons acting the course of their own business during the hours between midnight and 7am following and the shop will remain closed to the public and only the delivery service will operate between the hours of midnight and 7am following.

In respect of the delivery service

1. There shall be no deliveries to or from the rear of the premises between the hours of 10pm and 8am the following morning. No business operations and use of business vehicles to operate in the yard & car park from 10pm to 7am. (The area as shown hatched green on the attached plan).
2. Orders for delivery of goods including alcohol may only be placed by either telephone or internet and this will be clearly displayed on notices in the premises and will be on the terms and conditions of sale on the website and in any advertisement material promoting the business.
3. At the time of any order being placed a warning will be given to the prospective purchaser either verbally for phone orders or by display on the internet that it is illegal to purchase alcohol for or on behalf of someone under the age of 18 and that will only be delivered to a person who appears to be over the age of 25 and who can produce, if challenged, recognised photographic ID to support this. If the delivery driver considers it not acceptable any alcohol in the delivery will not be handed over and the incident

will be entered into a refusal book carried by the driver. Acceptable proof of age for any alcohol purchases will be limited to a current passport, photographic driving licence or a PASS approved proof of age card or its equivalent. This information will also be shown on advertising material.

4. The minimum age for delivery drivers will be set at 20 years and drivers will be instructed that deliveries are to be refused if the driver has any reason to believe that the alcohol is being purchased by or on behalf of a third party or for someone who is likely to be aged under 18 years.
5. Orders containing alcohol will only be delivered to a residential or business address which must be that given at the time of placing the order and not to a public place, event or venue.
6. Records will be kept at the premises of all orders taken for deliveries giving details of the date and time of the order and the delivery address together with the name of the ordering customer and details of any credit/debit card used.
7. A refusals book will also be kept giving details of orders and deliveries refused and the reasons why including, where possible, details of the ordering customer and delivery address.
8. All delivery drivers will keep delivery log books giving details of the date, time and place of each delivery and recording details of any refusals. The drivers will apply a strict challenge 25 age policy in respect of delivery and will only be able to deliver to the person who placed the initial order and whose name appears on the credit/debit card used in the transaction (if any) and delivery may only be to the address originally given at the time of order.

Annex 4 – Plans

Original plans with North Somerset Council, Licensing Team, Town Hall,
Walliscote Grove Road, Weston-super-Mare, BS23 1UJ.

Kellie Trego

From: Dave Holtby <david.holtby@wsmtcp.co.uk>
Sent: 23 December 2019 13:34
To: LICENSING
Subject: Premier Shop, 78 Regent Street

Caution: This email originated from outside North Somerset Council.
Only click on links or open attachments if you recognise the sender and if you are certain that the content is safe.

With regards the Premier Shop, 78 Regent Street, Weston super Mare I would like to add the following to be considered in the licensing review

Premier Shop has been a member of the Weston super Mare town radio scheme since 29th April 2019. This covers the daytime economy commonly known as "Stoynet" and the evening economy commonly known as "Nightnet". This I believe covers the licensing hearing requirement under section 10. The radio schemes are supported by an online secure database known as "Disc" which allows members to view the up to date gallery of known persons who are a risk to the town either through theft, ASB etc. Monthly meetings are held by members to make a collective decision to exclude those people. All members are welcome to attend and discuss the whether persons should be excluded but all members are expected to uphold the exclusion to the best of their ability. It is believed by the members that Premier Shop not only does not uphold the exclusion but actively encourages excluded people to enter. Disc is a person database and as such comments made about the store are not recorded against it however it was the subject of the Stoynet meeting in October 2019 with "under counter" cigarettes being offered. This was reported to Customs and Excise.

A number on incidents that have caused concern include

Manager of Premier Shop in Tesco's with known shoplifters and excluded people [redacted] pointing out goods to be stolen – 16/10/19. Retained on Tesco CCTV
Allowing [redacted] and [redacted] into store (all excluded and very well known shoplifters) [redacted] (excluded) seen entering store and asked to leave by Street Wardens, and asked to leave the Wardens. [redacted] seen to pass over a large carrier bag of boxes to unknown male in white van outside shop (white Ford Transit van [redacted] 1125hrs 11/11/19. Van Driver thought to be from Premier Shop and [redacted] excluded from stores.

Other members of the scheme and Street Wardens have made representations that they are concerned about the activities of the shop and who they allow into their venues. Following on from the concerns of the members of the radio scheme a decision to withdraw the radio has yet to be made. One of the concerns was the commercially negative impact on the shop if section 10 of the licence could not be upheld. Any such action was at the time going to compliment any enforcement by either Police or Local Authority, however since this review notice the Town Centre Partnership board will be asked to consider removing access to the radio scheme at the earliest opportunity

David Holtby
Crime Reduction Manager (part time)
Weston Town Centre Partnership
Seafront Office
Weston-super-Mare
BS23 1AL
Tel 01934 642404

**Weston Business Crime Reduction Initiative
(WBCRI)**

**MINUTES OF THE EXECUTIVE COMMITTEE
MEETING – RADIOLINK
15TH JANUARY 2020 10AM**

Present

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

WSMTCP
WSMTCP
McColls
Outdoors & Active
Police
Police
Police
NSC CCTV
Cecil Walker
McDonalds
Walker & Ling

1. Introductions

All members introduced themselves and members informed about data control

2. Minutes/Actions

Minutes agreed.

3. Current Active Excluded

This section is to discuss and monitor people that have already been excluded and continue to cause issues within the town. Authorities will already be engaging with them and various stages of the CPW/N CBO process. Updates where possible can be included here.

[REDACTED] – one very recent theft recorded since last meeting, was responding to welfare assistance but appears to be regressing – remain in view

[REDACTED] - 12 months in prison – take off active list

[REDACTED] – Associating with [REDACTED] and targeting large supermarket, and offloading to local known independent store. Remain in view

[REDACTED] – Associates with [REDACTED] as above. Remain in view

[REDACTED] – breaching exclusion, requires more reports. Remain in view

[REDACTED] – 5 incidents – pink hair, Remain in view

[REDACTED] – Top of Police Target list, encouraged reports and remain in view

[REDACTED] – 0 incidents – remove from view, not active

[REDACTED] – 1 incident – getting alcohol early in morning, location of sale not known, Licensing and Police interested – remain on list

[REDACTED] – 21 incidents, Street Drinking and ASB. Stated he was leaving the area to Swindon. Remain on list and still target of ASB action

[REDACTED] – 8 incidents, theft, damage ASB breaching exclusion. Under 18 years so CBO legislation does not apply, reports required and Police to be contacted when incident ongoing

[REDACTED] – 5 incidents. Under 18 years so CBO legislation does not apply, reports required and Police to be contacted when incident ongoing

[REDACTED] – 3 breaches, Under 18 years so CBO legislation does not apply, reports required and Police to be contacted when incident ongoing

[REDACTED] – 2 incidents. Working with welfare agencies but still associating with [REDACTED] - Remain in view.

[REDACTED] – 4 incidents – Required by police, all sightings please report

4. Emerging Threats

[REDACTED] – 3 incidents of aggression – decision to exclude, elevate to active list

[REDACTED] – 3 shoplifting and 1 street drinking, Excluded

[REDACTED] – 3 x shoplifting, Excluded

[REDACTED] – 2 x theft, 1 x begging, 1 x street drinking.

5. Expiring exclusions

Gallery – numerous

Database → [REDACTED] - delete

↑ [REDACTED] - delete ↓

6. AOB -

[REDACTED] on Remand awaiting sentencing.

Police – will supply proforma statement regarding identification from Disc and CCTV

CCTV – stating that they are identifying excluded persons into venues

Police - viewing daily activity, including Disc, to be more aware of current trends and support online reporting.

Police will update Police list for Disc members

Discussion from members about a highlighted store that has been causing concern of the least several months and their activities not consistent with the integrity of the exclusion process and crime and disorder objectives of the scheme. Topic of removing radio from the venue discussed by voting members present and direction to remove taken.

[REDACTED] - all reports to Police as may be in breach of CBO

Date of Next Meeting - Wednesday 04th February 2020 at 10am, McDonalds Training Room, Regent Street

Responsible Authority Representation Form

Responsible Authority. Please delete as applicable.

Public Health

Your Name	Ted Sherman
Job Title	Commissioning Manager (Substance Misuse)
Postal and email address	North Somerset Council C2-19, 2nd Floor Town Hall Walliscote Grove Rd Weston-super-Mare BS23 1UJ
Contact telephone number	01934 426 293

Name of the premises you are making a representation about.	Premier – Convenience Store
Address of the premises you are making a representation about.	78 Regent Street, Weston-super-Mare, BS23 1 SR

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
Prevention of Crime & Disorder	Yes	After viewing the CCTV footage from 19 September 2019 showing the sale of alcohol, by a Premier staff, to a clearly heavily intoxicated individual (<i>intoxication having been confirmed by the Police</i>) it is my opinion that the sale of alcohol from the Premier Convenience Store is not being conducted in a robust and safe manner. The sale of alcohol to individuals who are already intoxicated (in this case very intoxicated) increases the risk of alcohol related crime and disorder in the local area. I understand, from the Police report, that the intoxicated individual who was sold alcohol on 19 September went on later that day to be arrested for threatening behaviour.
Public Safety	Yes	The sale of alcohol to intoxicated individuals increases the risk not only alcohol related crime and disorder but also accidental injury. In the CCTV footage from both the 19 th and September and 28 th November 2019 there are occasions where intoxicated individuals (who had been served alcohol by Premier staff) are seen to be unsteady on their feet; wandering into the road; and punching street furniture.
Prevention of Public Nuisance	Yes	The sale of alcohol to individuals who are already intoxicated and are known to cause alcohol related

		<p>problems in the local area not only increases the likelihood that further problems will occur but also undermines the attempts of the Police and the Council to address the behaviour of these individuals.</p> <p>The supply of cups with the sale of alcohol on the 19th September 2019 increases the likelihood that this alcohol will be consumed in public.</p> <p>The CCTV footage from the 19th September and 28th November 2019 both show members of the public becoming agitated by the behaviour of individuals leaving the Premier Convenience Store.</p>
Protection of Children from Harm	Yes	<p>In the CCTV footage from the 19th September 2019 there appear to be individuals below the age of 18 being sold alcohol. No age checks appear to be made.</p>

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to Responsible Authority Guidance note.</p>	<p>Due to the apparent disregard of the licensing laws it is suggested that the Premier Convenience Store license is revoked.</p> <p>If this action is not taken it is suggested that the license be amended to prevent sales of spirits, prevent sales of other high strength low volume alcohol, and to prevent the supply of drinking receptacles (namely cups/mugs).</p>
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N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed:

Date: 07/01/2020

Please return this form along with any additional sheets to:

North Somerset Council
Licensing Team
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

Or

Email: licensing@n-somerset.gov.uk
Fax: 01934 436 230

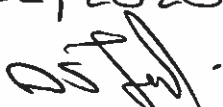
This form must be returned within 28 consecutive days of the application being made to the Licensing Authority.

Witness Statement

(Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9)

Statement of: Allan Scott Taylor**Age if under 18:** over 18**Occupation:**Parking Services / Civil
Enforcement Manager

This statement (consisting of: 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated: 04/02/2020**Signature:**


I am employed as the Parking Services / Civil Enforcement Manager by North Somerset Council. I managed all of the Councils Civil Enforcement Officers (CEO's) who enforce all on-street restrictions throughout North Somerset since April 2017. The shop known to us as the Premier Convenience store is located on Regent street. Outside of the shop there is a bus stop, loading bay, double yellow lines with a time limited loading ban (9am to 6pm daily) indicated by kerb ticks and a disabled bay. CEO's walk past this shop many times a day as the area forms part of the towns on-street pay and display area. In November CEO's who were walking past this shop would regularly be subject to verbal abuse even when they were not enforcing any traffic regulations directly outside. This resulted in the area during November and December 2019 being a two CEO patrol when two officers were available for their safety. It has been reported to myself that the person(s) giving the abuse appears to be connected to the shop and would normally stand just inside the doorway or between the fruit and veg. stands outside. This abuse took place with members of the public both walking by and within earshot of those waiting for a bus. On a very regular basis a white van index [REDACTED] would be parked in the loading bay for a considerable amount of time. CEO's have to give any vehicle in a loading bay a certain amount of grace time and for a commercial vehicle that is 10 minutes. As required the CEO will wait close to the vehicle during this time, which would then result in the vehicle being driven away within this 10 minute period, only to return shortly after the CEO had left the area. This then stopped any other vehicles from being able to use the loading bay and would affect other local shops and businesses in the area. CEO's wear body cameras for their own and public protection which they can use if they feel threatened or if they believe their safety could be compromised. On the 1 December 2019 at around 14:40 a CEO (N257) issued a penalty charge notice (PCN) on a vehicle index [REDACTED] that was parked on the loading ban for which there is no grace time and an instant PCN would be issued. No person was with the vehicle at that time. The person who appeared to be responsible for the vehicle appeared who was a white female, age approx. 50 -55 years old, blonde

Signature:



Signature witnessed by:



hair stopping just before her shoulders, medium build wearing a grey top, blue jeans and tan boots. She was not wearing glasses. She told the CEO that it was her shop. The CEO tried to explain to the female why she had received the PCN, but this resulted in the female removing the yellow notice from the vehicle and throwing it at the CEO and shouting for the CEO to stick it up his ass. At this time a white male aged approx. 45 – 50, short beard, slim build, no glasses arrived wearing black jogging bottoms, black top with white logo and a black baseball cap with white logo and double parked his silver estate car next to the loading bay and got out. The male and female then shouted at the CEO who then called on his radio for his colleague's assistance who was close by in one of the enforcement vans. Just prior to this van's arrival the male got back in his car and made a threat to the CEO which the CEO recorded as being put in hospital. This incident was recorded on the CEO's body camera. The CEO seemed to recognise this male as an Uber driver. On 25 January 2020 at around 14:40 the CEO (N257) was issuing a PCN on a vehicle parked on the loading bay index [REDACTED]. A white male approx. 50-55 years old with beard, wearing black trousers, black coat fingerless gloves and black beanie hat returned to the driver's side of the van and shouted abuse /swearing at the CEO. He then continued shouting the abuse and swearing on the pavement in front of the shop towards the CEO in front of members of the public which included very young children. The CEO then moved to the other side of the road and the van was driven away by another person. The first male continued shouting towards the CEO and this male was then joined by two other males in front of the shop. Due to their actions the CEO correctly decided to leave the area even though there were another vehicle left to check. The incident has been recorded on the CEO body camera. All CEOs have been advised to be on their guard in this area and to call for assistance when required. Should any vehicle be subject to a PCN being issued then the CEO can call for colleague assistance. The number of CEOs available on any day is limited and this area requires more resources than most other areas in North Somerset due to the persons actions who appear connected with this shop. CEO's report that the foul and abuse language directed to them heard when in the area in front of children and other members of the public does and can cause alarm and distress to anyone.

Signature:



Signature witnessed by:

