

Updated position

Peter Watkins and Luke Smith both passed the ALPH course on the 26th May. They have both expressed an interest in getting their personal licenses and will progress this once their certificates are received.

Jerry Wise was unable to attend his course due to a back problem- doctors have advised he shouldn't sit for long periods. This has been rescheduled for the 23rd September with the Co- op at their Lakeside site.

Darren and I have spent time with Jerry and the other staff who haven't been on the ALPH course to ensure they are aware of their responsibilities under the licensing act and the support available to them from the police and us if customers become abusive.

The Essentials of Alcohol workbook has been used as recommended by Kevin Jones co-op compliance manager. And they have signed to confirm they are happy with it- see attached

All staff authorized to sell alcohol by Darren Sawyer the DPS have either passed the ALPH course or undergone the above training.

We currently have 4 members of staff trained to ALPH level. With Jerry registered to take the course in September. There are 3 further members of staff Sam, a university graduate, one that only works 5 hours a week and the other 12 hours whilst we are licensed to sell alcohol.

In the event that we employ new staff they will be trained using the Essentials of Alcohol workbook

Refusals since 24/2 a total of 184 age related product refusals have been recorded. The highest 52 by Sam who works evenings and weekends. All staff have recorded refusals and Darren checks these weekly to ensure they are in line with trade and the hours and times that member of staff has worked.

The councilors may have seen in the court round up in the Portsmouth evening news that staff at Clapps stopped a man who was under the influence of alcohol and drugs shop lifting in the shop. The police were called and arrested him and successfully prosecuted him.

This makes 2 instances in the recent past where we have contacted the police in an attempt to protect the local community from harm at the hands of people under the influence of alcohol. As you will be aware from previous submission the 1st instance didn't proceed to prosecution due to lack of evidence.

We continue to work closely with the landlord at the Shades public house to keep abreast of any potential problem individuals or happenings in the local community.

We would ask the committee to allow us to continue selling alcohol without additional restriction in light of the actions we have taken.

Revocation or suspension would have a massive impact on the viability of the business affecting the staff that work for us and the local community who use the shop

We are happy to work with the trading standards and licensing officer to ensure they are happy with our systems.

We are also willing to be involved in enforcement evenings if the Community Alcohol partnership is re activated.

Background Information for the Committee

Clapps Newsagency is a family run business and has been in the family since the 1950's. They provided a lifeline to the many elderly customers in the local community with many of their customers known to them.

Alcohol license held for over 25 years with no previous problems.

We have always co-operated fully with the police to stamp out under aged drinking. Indeed There have been several occasions where the police have consulted us for help with under aged drinking cases and we have been able to prove that sales are not from Clapps as the items in question are not stocked.

The Police have not advised us of any concerns or under age drinking problems, and there is no visible evidence that this is happening.

We advised the previous committee that Mr Swan's marriage of 25 years broke down and his 14-year-old son was diagnosed with type 1 diabetes a life threatening illness in April 2013. This took its toll and he suffered severe depression, which affected his ability to run the business at that time.

Prior to this he was on the Council of the National Federation for Retail Newsagents for which he arranged local events, which he did very effectively, proving he has got the necessary organisational skills to uphold licensing objectives effectively.

His mental state is much improved and he has started to resume some local duties for the Federation. References are available as to his character and abilities if the committee requires them.

The DPS duties were transferred to Darren Sawyer after the review in October 2013.

Mrs Chestnutt, Mr Swan's sister, and a branch manager for Nat West with 31 years experience has been helping with the business, since the middle of September 2013, when the family became aware of the problems he was experiencing.

In her role at Nat West she deals with staff training and ensures legal responsibilities are met and procedures followed. Putting action plans in place when human errors occur which happens.

Extracts from the guidance issued by the Secretary of State

Para 2.51 of the guidance The 2003 act states “ It Is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between license holders, authourised persons, interested parties and responsible authorities in pursuit of common aims”

Which would be in line with the 2003 Act which states that
“remedial action taken should be directed generally to these causes and should always be no more than a necessary and proportionate response.”

I have today received training from Darren around the challenge 25 policy to prevent sales of underage products to under 18's.

This specifically covered.

1. The challenge 25 policy and it's aims. Company policy that no ID means no SALE, and action to take when the challenge 25 warning appears on the till- i.e request identification if the customer is not known and appears to be under 25.
2. Logging of all challenges and refusals in the refusals log
3. How to check ID and detect fake ID. Including use of the UV detector which has been installed for this purpose.
4. To call 999 if customers become abusive to seek assistance.
5. How to deal with objections- suggested dialogue.

I confirm I am happy with the systems in place and know that I must refuse the Sale if I am in any doubt and ID cannot be provided.

Signed

Date

Dear Richard

I am sure you will be aware that we failed a test purchase by trading standards last Thursday.

Following the review hearing in October I had put rigid systems in place to comply with the conditions of the license, and more importantly preventing sale of alcohol to minors. You had training on the challenge 25 Policy and signed the training record to confirm your understanding of the policy, and your personal responsibilities.

I have been checking the refusals log weekly and spoken to all of you to confirm all refusals and requests for ID have been logged.

Nigel and I are disappointed to be facing further investigation by trading standards, as a result of this latest failure and at this stage are uncertain as to the future of the license.

It is imperative that you all implement the policy to the letter at all times.

I have or will be retraining all of you over the next week. If you have any questions please ask.

Remember NO ID means NO SALE

If you are in any doubt as to a customers age simply refuse the sale. You will not get into trouble by refusing.

Further failures will have serious consequences for the business and jobs, and will be dealt with very seriously.

If you have any questions or concerns please speak to me in person. I am always available for advice in person or on my mobile.

Yours sincerely

Darren Sawyer
Designated premises Supervisor