

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Licensing Department,
South Gloucestershire Council,
PO BOX 1954,
Bristol,
BS37 0DD.

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I, [REDACTED]
[on behalf of] the chief officer of police for
the Avon and Somerset constabulary police area apply for the review
of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Malt Off licence (AKA Fosters),
168 New Cheltenham Road,
Kingswood,**

Post town: Bristol

Post code (if known): **BS15 1UN**

2. Premises licence details:

Name of premises licence holder (if known): Meak Trading LTD.

Number of premises licence holder (if known):

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The Avon and Somerset Constabulary as a responsible authority wish to submit formal review proceedings relating to the Premises Licence of Malt Off licence 168 New Cheltenham Road, Kingswood, Bristol. The premises licence was issued by South Gloucestershire council in November 2005. The Licence number is SGC/044755.

The premises operates as an off licence and convenience store and opens between 08.00 and 23.00 Hrs. The premises licence holder is Meak Trading Ltd and Companies House reveals that [REDACTED] is the director.

On the 30th March 2023, Police officers attended the premises at New Cheltenham Road following information received from several different sources that Cannabis was being sold from the shop. The officers were in possession of a misuse of drugs act warrant issued at Bristol Magistrates Court.

On their arrival the officers met the Designated premises supervisor (DPS) [REDACTED] who was outside unloading a van. [REDACTED] claimed he was the owner of the premises and the officers showed him a copy of the warrant.

Officers executed the warrant and conducted a search of the premises. In the shop stock room they located Suspected Cannabis in plastic carrier bags. 2 plastic boxes were also located, one contained numerous small self sealing plastic bags which contained suspected cannabis, the other contained numerous small paper sweet bags that also contained suspected cannabis. An unknown amount of cash was also located that was not in the shop till.

[REDACTED] indicated that he lived in the flat above the premises but denied officers access to that premises. Due to the items already seized [REDACTED] was arrested on suspicion of possession with intent to supply a controlled drug.

Officers then searched [REDACTED] flat above the shop and located a further considerable amount of suspected cannabis along with plastic and paper bags consistent with those that had been found in the stock room in the shop. They also located an unknown amount of cash along with several mobile phones, financial documents and weighing scales.

The items in the small resealable bags and paper sweet bags seized from the store room support the information provided that when purchased it was collected from the store room and indicate the preparation and the intention to sell the cannabis from the shop potentially to children and under 18's by using

paper sweet bags as a disguise.

██████████ has currently been released under Police investigation and analysis of the cannabis and phones.

The Police believe there can be no further conditions that can be offered to resolve the situation or any stepped approach in these circumstances, as the Police have no confidence in ██████████ promoting the licensing objectives especially The protection of children from harm and the prevention of crime and disorder.

Police request that consideration is given to the revocation of the premises licence in order to Protect Children From Harm, prevent further Crime and Disorder and protect Public Safety.

However, if the committee deem that revocation is not suitable the police would suggest the following considerations by the committee-

Removal of the DPS

Conditions for consideration to be added to the licence-

CCTV shall be in use at the premises.

- (i) Where a CCTV system is to be installed it shall be fully operational by the commencement of the licence. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by the commencement of the licence and the system be fully operational on that date.**
- (ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.**
- (iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority**
- (iv) The correct time and date will be generated onto both the recording and the real time image screen.**
- (v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.**
- (vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of**

the Licensing Authority or a constable.

(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all opening hours.

The CCTV system shall include the external area of the premises.

The Premises Licence Holder shall require the Designated Premises Supervisor, or in his/ her absence other responsible person, to keep an "Incident report register" in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.

An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made.

Spirits shall be located behind the counter, and all other alcoholic beverages to be located on display in such a position that it is not obscured from the constant view of the cashier / staff by other fixtures.

All staff involved in the sale of alcohol will be trained in the prevention of underage sales, proxy sales and how to deal with difficult or intoxicated customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. Refresher training shall be conducted every 12 Months. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.

Signature of applicant: [REDACTED]

Date: 13/04/23

Capacity: Crime prevention Inspector. Avon and Somerset Constabulary.

Contact details for matters concerning this application:

Address: [REDACTED]

**Licensing Officer, Neighbourhood Policing Support,
Concorde House, Fieldfare,
Emersons Green,
Bristol,
BS16 7FN.**

Telephone number(s): [REDACTED]

Email: [REDACTED]

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.