

APPENDIX



NORFOLK
CONSTABULARY
Our Priority is You

Mr Ian Streeter
Licensing Manager

Norwich City Council
St Peters
Norwich

The Licensing Team
Bethel Street Police Station
Norwich
Norfolk
NR2 1NN
Tel:
Fax:
Email:

Date: 21st March 2013

www.norfolk.police.uk
Non-Emergency Tel:

Dear Mr Streeter

Re: Review of Premises Licence – Norwich Mini Market, St Stephens Norwich

I can confirm that we have received a copy of the application to review the premises licence for Norwich Mini Market, St Stephens Norwich primarily due to underage sales taking place at the premises.

This review is supported by Norfolk Constabulary due to the premises management continuing to breach Licensing Laws and undermining the licensing objectives specifically the protection of children from harm.

The Police Licensing Team work closely with Trading Standards and have assisted with test purchase operations at this premises and a copy of the statement from PC Brown during one of these visits has been submitted within the review paperwork.

Information has been shared between ourselves and Trading Standards regarding underage sales at this premises which have prompted visits and operations to take place.

A joint test purchase operation was carried out on the 8th June 2012 and the sale of alcohol was refused to a 15 year old by the staff. Despite this, there are still continuing reports of underage purchases and recent evidence that positive sales have taken place.

A recent visit from Licensing Regulation Officer PC Spinks took place on the 7th December 2012. This visit was prompted due to a complaint from a mother about her 17 year old purchasing alcohol from the shop on her way to school and resulting in the girl later being hospitalised later that day. PC Spinks visited the premises to establish if there was any CCTV footage available at the shop of this incident and later seized a copy as evidence.

The member of staff from the shop named as Mr Ganeshalingham later admitted the offence during interview and accepted the £80 penalty notice. A copy of the statement from PC Spinks has been submitted to you for information to confirm the events that took place.

In addition, according to the Police Licensing System, a visit to the premises took place on the 31st December 2012 when an officer was dealing with a crime for theft. The officer reported that no staff within the store knew how to operate and download the CCTV system when requested. Although this is not a condition on the premises licence this causes concern about the premises management and that they were unable to assist Police with investigating crime.

There are concerns that the management of the premises do not take the licensing legislation seriously and have failed to improve despite intervention from responsible authorities. The Home Office Guidance on Licensing specifies premises which jeopardise the safety and welfare of children by allowing underage sales should be treated very seriously by a Licensing Committee even in the first instance.

In conjunction with Trading Standards, Norfolk Constabulary requests that the Licensing Committee makes the appropriate decision to suspend the Premises Licence if it deems it an appropriate and proportionate response to the problems highlighted. However we would also point out that if the Licensing Committee feels the need for any conditions to be imposed to the premises licence, the following would be welcomed:

- A CCTV system covering all areas of the shop where alcohol is displayed, the counter area, the store room, outside and the footage shall be retained for 30 days.
- There will always be a member of staff on duty who is conversant with the system and able to download CCTV footage for police or other authorised person upon request.
- The premises licence holder shall ensure that adequate training shall be carried out and documented in relation to dealing with an incident, prevention of crime & disorder, sale of alcohol to underage persons, to persons over 18 purchasing for underage persons, to a person who is drunk, this training shall be given before a person is authorised to sell alcohol.
- The training records shall be kept on the premises and produced to a Police officer or Licensing Authority upon request.
- Refresher training shall be completed every 6 months and documented in the training records.
- A Refusals/ Incident book will be kept to record all refusals and incidents the log will include date, time, product, gender, approximate age and description of the customer and shall be completed as soon as practicable after the sale is refused.
- The premises licence holder shall mark all alcohol products so that their point of origin of sale can be identified.
- The shop shall operate a Challenge 25 policy in relation to alcoholic products, therefore any person appearing to be under 25 yrs of age must produce photographic ID before being allowed to purchase alcohol, notices stating this policy will be displayed at the entrance to the shop and the counter area.
- This off licence will not sell any beers/ ciders over 6.5% volume.

I hope this information will assist the committee with their decision.

Yours faithfully,

Michelle Bartram
Licensing Officer.

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1987, s. 9; Magistrates' Courts Act 1980, s. 5B

URN: 36 / /

Statement of: Richard Harry SPINKS

Age if under 18: 018 (if over 18 insert 'over 18') Occupation: Police Constable 875

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 anything in it, which I know to be false, or do not believe to be true.

Signature: Date 01/02/2013

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

This statement is in relation to an incidence of underage sales of alcohol made by a member of staff at ST STEPHENS ROAD OFF LICENCE, 31 ST STEPHENS ROAD, NORWICH on Friday 7th December 2012.

During the early afternoon of Friday 7th December 2012 I received a phone call from Richard DIVEY of Norwich City Council who told me he had received a complaint from a parent of a 17yr old female who had been served alcohol, a bottle of vodka on her way into school by staff at the above licensed premises that morning.

I agreed to accompany Richard to the premises to obtain the details of all staff working there that day and to see if there was any CCTV footage available as they did not have a condition on their licence to have any, upon arrival at the premises I spoke to a Mr Navaneethan GANESHALINGHAM, I asked for the designated premises supervisor and was told he was unavailable, I asked who was in charge Mr GANESHALINGHAM stated he was, I asked if there were any other staff working that day and told no, I completed an Off License Premises Inspection form which both I and GANESHALINGHAM signed having read it at the end of the inspection, on the form I noted the location of some of the alcohol on display, the fact that the store room door was left open allowing access to further alcohol and the presence of a CCTV system comprising 6 cameras inside and out, I can produce this form as my exhibit RHS/1.

Signature:

Signature witnessed by:

2011/12



Continuation Statement Of: Richard Harry SPINKS. Page 2 of 3

I contacted the complainant and agreed to attend their home address to obtain a statement from the daughter on Wed 12th December 2012, she had just celebrated her 17th birthday on 5th December 2012 and in her parents presence she admitted having purchased alcohol on about 4 occasions between 18th July & 7th December 2012 when she was 16yrs old from different members of staff at the shop, she had never been asked to produce any form of age identification. She further stated that having consumed part of the bottle of vodka on her way to school and at school totalling about 14 shots, she had been sent home in the care of a relative, excluded for 3 days and ended the day in the A&E dept of the Norfolk & Norwich Hospital.

About 09.29hrs on Thursday 13th December 2012 I attended the premises and saw Mr Mehmet SERT who stated he was the owner of the ST STEPHENS ROAD OFF LICENCE, I explained I was there to investigate the allegation that alcohol had been sold to an underage person who had not been asked to produce any form of identification and asked to view the CCTV system from Friday 7th December 2012, we found the relevant footage and together we viewed it, Mr SERT identified the member of staff involved as Mr GANESHALINGHAM, the 17yr old female enters, approaches the counter, holds a conversation with Mr GANESHALINGHAM, gestures towards the shelving behind him, produces money, declines the offer of a bag with the bottle of vodka, places the bottle of vodka in an inside pocket of her coat, accepts her change and leaves. I seized a copy of the CCTV footage which I can produce as exhibit RHS/1a.

Mr SERT then contacted Mr GANESHALINGHAM and explained what he had just viewed on the CCTV, I stated that if Mr GANESHALINGHAM accepted he had sold that bottle of vodka to a 17yr old female the offence could be dealt with by way of a £80 Penalty Notice, I explained to Mr SERT the implications of the acceptance of the ticket by Mr GANESHALINGHAM would have on the premises licence if another sale of alcohol was made to an underage person in the next 3 months. I advised Mr SERT to start written training records for staff to show best practice and to prove that he had given his staff the necessary training in relation to the premises age verification policy, the sale of alcohol to a person who is drunk and whether that person trained was authorised by the designated premises supervisor to sell alcohol.

About 12.35hrs the same day I saw Navaneethan GANESHALINGHAM and carried out a contemporaneous note interview with him during which he admitted the offence and accepted

Signature:

2004/05(1)

..... Signature witnessed by:

Continuation Statement Of Richard Harry SARKS Page of

the £80 penalty notice ref 36/A 80606318, I explained what he had to do with the ticket and how long he had to pay it, I further explained that if he failed to pay the ticket without good reason, the signed interview and the CCTV footage would form part of the prosecution case.

About 13.55hrs on Monday 17th December 2012 I saw Mr SERT at the premises and stated that Mr GANESHALINGHAM had admitted the offence of underage sale of alcohol to the 17yr old female, accepted the £80 penalty notice and reiterated the likely consequences of a second sale within three months of the first, prosecution and/or review of his premises licence for persistently selling alcohol to children.

These are my original notes written in the Licensing Regulation Team office started at 21.00hrs and concluded at 23.55hrs on Friday 1st February 2013.

Signature: Signature witnessed by:
2004/05(1)

Your name/organisation name/name of body you represent (see note 1)	Councillor Stephen Little (Norwich City Council)
Postal address	52 Arnold Miller Road, Norwich NR1 2JH
Email address	
Contact telephone number	
Address of the premises you wish to support or object to	Norwich Mini Market & Off Licence 31 St Stephens Road, Norwich NR1 3SP
Your support or objection must relate to one of the four licensing objectives (see note 2)	
Licensing objective	Please set out your support or objections below. Please use separate sheets if necessary.
To prevent crime and disorder	
Public safety	
To prevent public nuisance	I have had reports from a resident that the venue is well known for serving underage customers and youths, after purchasing, do congregate along St Stephens Square and outside Needham Place. (see extra sheet)
To protect children from harm	
Please suggest any conditions which would alleviate your concerns	As Councillor for the area, I would like to support the officers' recommendation.
Signed:	Date:
Stephen Little (see extra sheet for signature)	22.3.13

Notes

1. In order for you to be able to support or object to an application for a premises licence you must live, work or represent a body that is in the vicinity of the premises.

Representation form 31 Stephens Road Extra Sheet
Cllr Stephen Little

To Prevent Public Nuisance:

The resident reports that the people who congregate are a mixture of underage teenagers and over 18's. They get steadily noisier as alcohol is consumed and there are instances of urination in the street (by both boys and girls). This happens from 2pm onwards and, in the summer, roughly 5 days out of 7 (usually weekdays).

Signed:

Date: 22.3.13

APPENDIX E

GREAT SHOP!

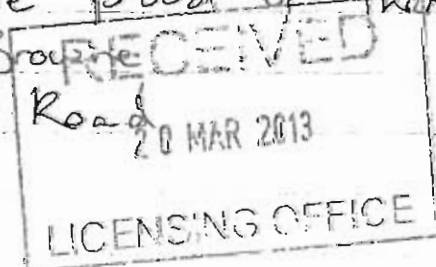
This is an amazing little local store. With the best opening times in the area.

The staff are amazing always friendly always willing to help.

It's always nice to have someone to talk to and build up some rapport with them. The service these guys are giving is unseen in most local shops now.

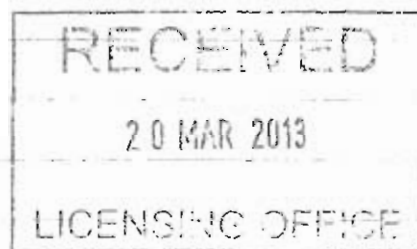
I have never seen any trouble in the store and doubt I will. The owners have everything under control. It's a great store and one of the best in Norwich. Be proud of them.

Daniel Bourne
17 Hanover Road
Manager.



This is my local shop. Staff are very sensible and helpful. Sometimes there are young children who try to buy alcohol and cigarettes but the shop assistants never give to them as they are very responsible. I am an adult in my 20's living in the pavilion a professional and have been shopping here for a number of years.

A. ROBERTSON
23 years old
Teacher



My name is Jack Gladden
I use this Shop on a day today
bases and I buy my
tobacco and booze here and
other things never had a
problem and always very
friendly and helpful.

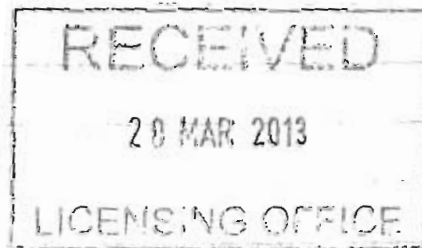
RECEIVED

20 MAR 2013

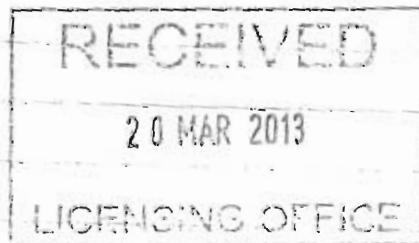
LICENSING OFFICE

My name is Lindsay
Aulton & I have used this
Shop on many occasions.
I have never witnessed what
is stated in the application
& am very surprised by
the accusations as I have
always found them
responsible vendors.

Lindsay Aulton



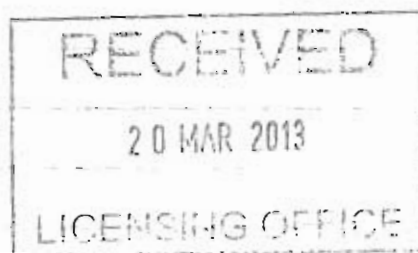
My Name is Helen Roche. I
am 28 years old + have
been ID on three occasions
by SEPERATE INDIVIDUALS WORKING
AT these PREMISES. For
TOBACCO.



9.3.13

As a regular customer at this shop I am surprised to see a notice of this type, as I have never witnessed anything unlawful either within or outside the premises.

165 Limebald St. Norwich.

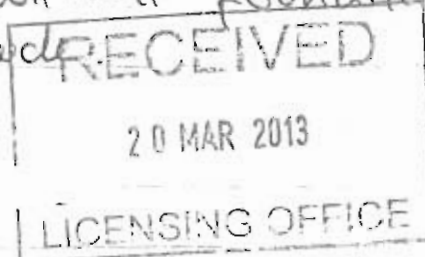


I have been a regular customer at Norwich Mini-Market for over a year now.

I have seen Mehmet Sent ask for proof of age on several occasions.

He is an honest, hardworking man who provides a valuable service to those in this area. I believe these allegations are false, and without foundation.

Andrew Charnock



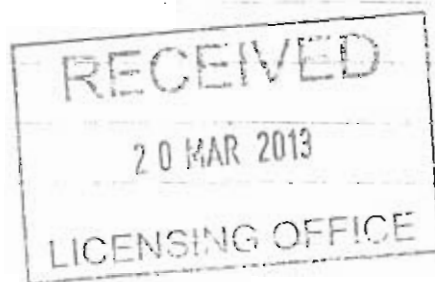
Kitchen Manager,
Franchise and Services

My local Shop an I use it nearly
every day,

~~Name~~ once had an incident of
ant Social behaviour in the area
and He always asks for ID.
Strongly disagree with the allegations.

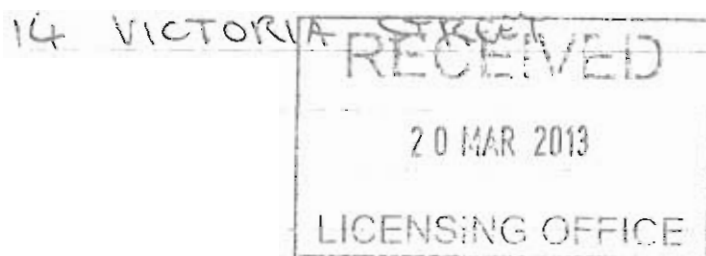
Sam Wynn

78 The Pavilion
51 Stephens Road



GREAT SHOP AND
ALWAYS POLITE. EVERYTHING
I BUY FROM THE SHOP IS
ALWAYS IN GOOD ORDER AND
WELL PRICED. I GO TO THE
SHOP MOST DAYS AND I'VE
NEVER WITNESSED ANY CRIMINAL
ACTIVITY OR BEEN SOLD
ILLEGAL PRODUCTS. I HAVE NOTICED
ON NUMEROUS OCCASSION THE
STAFF ASKING FOR I.D.
I STRONGLY BELIEVE THESE
ACCUSTATIONS TO BE UNTRUE.

GAVIN PAICE



My name is ~~Don~~ C. I live
across the road from
this Shop daily. Ali
has always been
extremely polite, friendly
a helper.

C has a 15 year old
Step daughter who
always asks me to buy
her tobacco because
Ali, goes righty and
not serve her.

C was happy give
my testimony to his
father

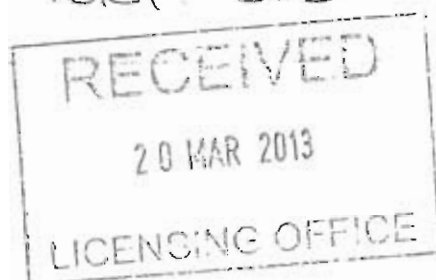
Regard

Don
40 Victoria St.



Mehmet has always offered
a polite and respectful service.
When I saw this notice I was
shocked to see it- stating
the sale of alcohol to
endangered people. I've been
using this shop for over
three years and have never
witnessed anything like it.
In fact I've seen on a
number of times ~~an~~ I.D.
being asked for.

Pete 27 St Stephens St
NR1 3SS



My name is Dylan Seaman
I am writing this on behalf
of the Shop, they offer good
Service and are always polite,
I've seen a notice saying they
sell Alcohol to underage people
but that is incorrect.
I have been ID'd numerous
times and I believe that
false accusations have been
made towards mehmet.

Kind Regards
Dylan Seaman



16 Douglas Haig Road.
NRS 8LD



Norwich City Council Licensing Authority
Licensing Act 2003



Statement of support or objection to
an application for Review of a premises licence

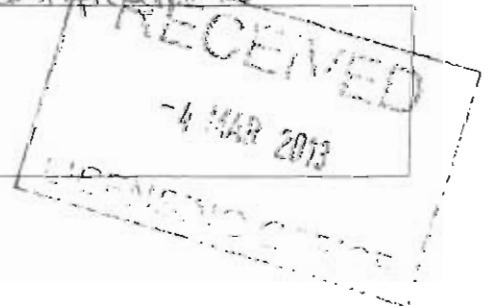
Your name/organisation name/name of body you represent (see note 1)	Norwich Mini Market
Postal address	31 St Stephens Road Norwich NR4 3SP
Email address	
Contact telephone number	

Name of the premises	Norwich Mini Market
Address of the premises	31 St Stephens Road Norwich NR4 3SP Norfolk

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	I wouldn't sell alcohol to drunk people or kids.
Public safety	I have several cameras in the shop and outside the shop. If I see any problem, I call the police.
To prevent public nuisance	I always feel calm and If I feel something goes wrong in the shop with the customer, I warn them and try to solve the problem calmly
To protect children from harm	I don't sell any alcohol to under age (21 age), I wouldn't let anybody buy alcohol If I feel they are under age and ask for an identification

Please suggest any conditions which would alleviate your concerns.



Signed:

Date: 28/02/13

Please see notes on reverse

To whom it may concern,

My name is Sivaraj Balasubramaniam and live on Newmarket Road. I have been shopping at Norwich Mini Market & Off Licence for nearly 10 years now. I have known Mehmet for nearly 4 years and find him to be a very friendly and honest gentleman.

Using the shop and walking past it at least twice daily for the last ten years I have never witnessed or even heard of any criminal activities committed at the premises and find the Norfolk Trading Standards Service's allegations unbelievable.

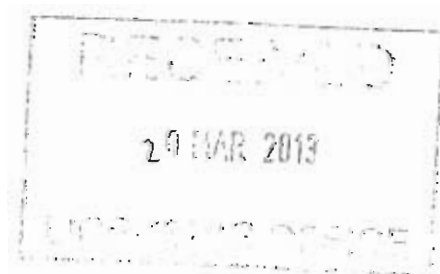
As for the complaints they received about the sale of alcohol to underaged children, I have never once in all this time witnessed that either. On very many occasions I have been approached by underaged children to buy their alcohol or cigarettes outside the florists next door. This would never happen if they did actually sell to underaged children.

I buy my alcohol from the shop three to four times a week and never once have been sold counterfeit alcohol.

This is the closest off licence for a great number of people and has proved to be very convenient for us. Removing their premises licence would be detrimental to the shop and to all who use it.

Yours sincerely,

18/03/13



Yasmin Abi-Haider
5, 51 Stephens Square
Norwich
NR1 3SS

To whom it may Concern,

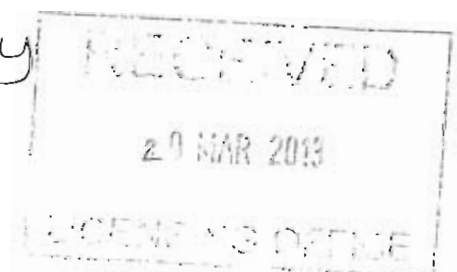
My daughter Miriam Al-Ghanim aged 20 years (3.10.92) was visiting me from Birmingham for a few days. She went to our small local shop to buy me some cigarettes (she herself does not smoke!)

Miriam had no I.D on her & the shop man refused to serve her.

I was rather annoyed at the time as she is 20 years old!

However on retrospect - I'm glad that my local shop is adhering to U.K laws & pleased that he isn't deliberately serving "anyone" just to make a quick quid!

Yours Faithfully



John A.U. Woods
19 The Pavilion
St. Stephen's Road
Norwich
NR1 3SG

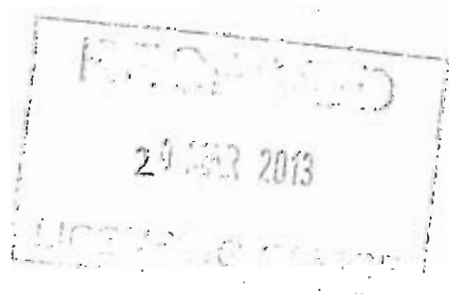
8 March 2013

To whom it may concern

In the three years that I have been a customer of The MINI-MARKET, St Stephens Road at various times of day and late evening I have always found the shop to be operation on polite, efficient and exemplary terms.

I find any accusations to the contrary totally unbelievable and should be dropped forthwith

John Woods
CEng MICE
Chartered Civil Engineer



38 ST STEPHENS ROAD
NORWICH
NR1 3RA

19/3/13

TO WHOM THIS MAY CONCERN
REGARDING - NORWICH MINI MART

Dear Sir/Madam

I have been a regular customer of the Norwich Mini Mart on St Stephens Road since 2010 and have never witnessed any illegal selling of alcohol to any underage persons or any untoward behaviour.

To the contrary the management at Norwich Mini Mart are genuine, personable and respectable people who provide a reliable service to customers.

Yours sincerely

Rebecca Aldred



Fuller, Maxine

From: Daniel Perry
Sent: 05 March 2013 20:47
To: Licensing
Subject: Re: St Stephens Off licence

Dear Sirs,

I am writing in support of the St Stephens Off Licence, t/a Norwich Mini Market and Off licence.

31 St Stephens Road
Norwich
NR1 3SP

I have been a resident of the area for over 12 months and in that time I have not witnessed any instances that would cause myself or any fellow residents any concern.

We regularly use the premises for the purchase of groceries, drinks items and some essential items we may need when other premises in the area are closed. We find them to be a valuable asset to the area.

I have in that time witnessed their diligence and social responsibility towards their patrons without at any time having cause for concern.

Furthermore I wish to add I am always greeted and made welcome when I enter the store, something which larger chains and other premises in the area fail to do, almost greeted as a friend with all my needs catered for.

Please feel free to contact me at any stage during this review, I am fully prepared to represent the store if needs be and will be happy to assist with any queries you may have.

Kind Regards

Mr D Perry
23 Needham Place
St Stephens Square
Norwich
NR1 3SD

Norwich City Council Licensing Authority
Licensing Act 2003

**Statement of support or objection to
an application for Review of a premises licence**

Your name/organisation name/name of body you represent (see note 1)	Andrew Cliff
Postal address	21 Kingsley Road, Norwich, NR1 3RB
Email address	
Contact telephone number	

Name of the premises	St Stephens Road Off-Licence/Norwich Mini-Mart,
Address of the premises	31 St Stephens Road, Norwich, NR1 3SP

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	I've never witnessed anything that could be considered criminal even though I work and live in close proximity to the shop. If this is really a concern, shouldn't we rope off Prince of Wales Road?
Public safety	
To prevent public nuisance	
To protect children from harm	I don't believe the allegation of selling tobacco/alcohol to underage people. Living and working close to the shop I'm often asked to go in to buy them cigarettes or alcohol. If the owner knowingly sold these to children, or even people of questionable age, I doubt I'd be asked this so often.

Please suggest any conditions which would alleviate your concerns.	Not sure where to put this, but I live very close the shop and I work in the Marsh office (over the road), so I'm never far from it. I've never seen any criminal or anti-social behaviour that would warrant a complaint. I'd suggest the proximity of the subway (under the road, not the sandwich shop) which attracts graffiti and homeless people, is a bigger problem.
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Signed: Andrew Cliff

Date: 21/03/13

Please see notes on reverse