



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/012/19

Date: 24th January 2019

Dear Sir/Madam

Re:- Kaycee 92 Tower Bridge Road SE1 4TP

Police are in receipt of an application from the above for a variation to premises licence 866374 to be granted under the licensing act 2003.

The premises is an off licence and currently has a licence to supply alcohol until 0200hrs Thursday to Saturday and 2300hrs on all other days.

The current hours are already in excess of those recommended for off licence premises in this area as per Southwark's Statement of licensing policy. The Policy states that the terminal hour for the supply of alcohol will be no later than 2300hrs.

The applicant Mr Sasikumar MANOKARASA has requested a variation to extend the hours to 24hrs each day of the week.

One of the conditions on the current premises licence 340 states that "No beers/ciders in single cans, bottles or multi packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

On Friday the 18th January 2019 Ray Moore from trading standards conducted a test purchase at the premises and purchased a can of Scumpy Jack cider with an ABV of 6%. A breach of condition 340.

On the 22nd January 2019 Ray Moore, Charlie Jerrone and Police officers from the Night Time Economy team returned to the premises and seized a total of 78 items that were on display and being offered for sale which had an ABV of above 6.5% in breach of condition 340 of the premises licence.

A number of further breaches of the premises licence were noted. The conditions on the premises licence are designed to promote the licensing objectives. The applicant for this variation is failing to promote the licensing objectives. It is for these reasons that I object to this major variation.

The Following is submitted for your consideration.

Yours Sincerely

PC Ian Clements 362MD

Southwark Police Licensing Unit

Tel: 0207 232 6756

MEMO: Licensing Unit

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|--------|-----------------------------|-----------|-----------------|-----|
| To | Licensing Unit | Date | 24 January 2019 | |
| Copies | | | | |
| From | Jayne Tear | Telephone | 020 7525 0396 | Fax |
| Email | jayne.tear@southwark.gov.uk | | | |

Subject Re: Kaycee, 92 Tower Bridge Road, London, SE1 4TP
– Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Saikumar Manokarasa under the Licensing Act 2003, which seeks the following licensable activities:

- To extend supply of alcohol (off the premises) on Sunday to Wednesday from 23:00 to 06:00 and on Thursday to Saturday from 02:00 to 06:00 (making the sales of alcohol off the premises 24 hours daily)
- To extend the opening hours will be on Sunday to Wednesday from 23:00 to 06:00 and on Thursday to Saturday from 02:00 to 06:00 (the premises opening times will be 24 hours daily)

The nature of the variation is described as '*This premises has been operating for long time under current ownership, and it has a licence to operate until 2am for a few days a week, it has been serving local customers with their late night essential shopping. There are few other shops open 24 hours and one of them nearby closed recently, and customers approach this shop now. We would like to continue support those customers who work 24 hour basis. We would like to make all products available. Thus this application is to have this premises open 24 hours. It currently open until 2am Thursday to Saturday, 11pm on other days*'.

This premise is situated within a residential area and under the Southwark Statement of Licensing policy 2016 – 2020 the appropriate closing times for Off-Licences and alcohol sales in grocers and supermarkets is **23:00 hours daily**

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

The current licence already has generous hours outside of the policy hours and the applicant does not add any further control measures to the operating schedule to promote the licensing objectives.

Further to this a licensing inspection was carried out on 22 January 2019, during the inspection the following breaches of the premises licence conditions were found:

4AA - That the premises shall operate an 'Challenge 25' policy whereby customers purchasing alcohol who appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a Proof of Age Standards Scheme (PASS) approved proof of age card.

4AB - That all staff involved in the sale of alcohol shall attend a training course which will include training in the 'Challenge 25' policy, age recognition, the law relating to the sale of alcohol and how to prevent and/or deal with conflict. A record of their training, including the dates that each member of staff is trained and an accurate summary of the training material/content, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

4AC - That 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that a 'Challenge 25' policy applies and proof of age may be required.

293 - That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months.

340 - No beers/ciders in single cans, bottles or multi-packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

Regarding condition **340** the following items were seized by the Trading Standards Officer:

12 x 600ml bottles of Guinness Foreign Extra 7.5% alc

14 x 375ml bottles of Guinness Foreign Extra 7.5% alc

11 x 284ml Dragon Stout 7.5% alc

1 x 500ml can of Scrumpy Jack 6% alc

6 x 650ml bottles Desperado Beer 5.9% alc

11 x 350ml Desperado Beer 5.9% alc

12 x 500ml cans of Desperado Beer 5.9% alc

11 x 500ml cans of Perla Lager 6% alc

Further investigations are taking place regarding the above breaches.

I currently have no faith in the applicant to promote the licensing objectives and recommend that the application is refused.

I may provide further information to support this representation at the Licensing Sub Committee Hearing

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

From: Moore, Ray

Sent: Tuesday, January 22, 2019 6:00 PM

To: Regen, Licensing

Cc: Gander, Paul; Miller, Justin; [REDACTED]; Alcohol@homeoffice.gsi.gov.uk; Children's Social Care; Costin, Holly; DIP Team; FireSafetyRegulationSE@london-fire.gov.uk (FSR-AdminSupport@london-fire.gov.uk); Graham White; Highwayslicensing; Moore, Ray; Planning.Enquiries; publichealth; Reg Env Protection; Reg Health and Safety; southwark.repro@pbms.co.uk; Taylor, Dan; Tear, Jayne; West Team diary

Subject: Application for a Major Variation for premises license number 847998 - "Kaycees, 92 Tower bridge Road, SE1 4TP

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from Mr Sasikumar MANOKARASA for a major variation to the premises license in respect of the above address and respond accordingly with representations made under the Licensing Objectives.

Trading Standards are objecting to this new application on the basis of the licensing objectives "the protection of children from harm" and "the prevention of crime and disorder"..

In the section "Please describe briefly the nature of the proposed variation" he states...

"This premises has been operating for long time under current ownership, and it has a license to operate until 2am for a few days a week, it has a license to operate until 2am for a few days week, it has been serving local customers with their late night essential shopping. There are few other shops open 24 hours and one of them nearby closed recently, and customers approach this shop now. We would like to continue support those customers who work 24 hour basis. We would like to make all product available. Thus this application is to have this premises open 24 hours. It currently open until 2am Thursday to Saturday, 11pm on other days."

Firstly, in the statement of licensing policy such premises are expected to stop selling alcohol no later than 23:00 hours. Already this premises license exceeds this stipulation.

Secondly, Ray MOORE from trading standards made a test purchase of a can of "Scrumpy Jack" cider (ABV 6% alcohol) on Friday 18th January 2019. Condition 340 on the premises license states that "No beers/ciders in single cans, bottles or multi packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

Mr MOORE returned on Tuesday 22nd January 2019 with Mr Charlie JERROME from the Licensing Team and 2 police officers from the Police Night Time Economy Team – PC Tim ANDREWS and PC Maria O'MAHONEY. The following 78 items were seized from the shop in contravention of conditions 340:-

12 x 600ml bottles of Guinness Foreign Extra 7.5% alc
14 x 375ml bottles of Guinness Foreign Extra 7.5% alc
11 x 284ml Dragon Stout 7.5% alc
1 x 500ml can of Scrumpy Jack 6%
6 x 650ml bottles desperado Beer 5.9%
11 x 350ml desperado beer 5.9%
12 x 500ml cans of desperado beer 5.9%
11 x 500ml cans of Perla lager 6%

There were further cases of dragon stout and Guinness foreign extra in the store room but these were left due to the wording on the condition. Mr MANOKARASA was simply directed not to sell them.

After careful examination further breaches of license conditions were discovered as follows:-

Condition 4AA "That the premises shall operate a Challenge 25 policy whereby customers purchasing alcohol who appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving license passport or a Proof of Age Standards Scheme (PASS) approved proof of age card."

The sole person working in the shop was Mr Ribikaran Navarathan. He did not know what "Challenge 25" was and he did not know what a PASS approved card was.

Condition 4AB "That all staff involved in the sale of alcohol shall attend a training course which will include the Challenge 25 policy, age recognition, the law relating to the sale of alcohol and how to prevent and/or deal with conflict. A record of their training, including the dates that each member of staff is trained and an accurate summary of the training material/content shall be available for inspection at the premises on request by the Council's authorised officers or the police." There were some very incomplete training records that did not include the person in the shop at the time, Mr Ribikaran Navarathan.

Condition 4AC " That Challenge 25 signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that a Challenge 25 policy applies and proof of age may be required." No such signage was displayed and the member of staff did not know what Challenge 25 was.

Condition 293 " That all staff are trained in their responsibilities under the licensing act 2003 and training records top be kept and updated every 6 months." As previously discussed.

As such Trading Standards, as a responsible authority object to this major variation which does not comply with the principles set out in the statement of licensing policy.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

www.southwark.gov.uk/TradingStandards

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<http://www.southwark.gov.uk/business/trading-standards-and-food-safety/illegal-tobacco-e-cigarettes-and-shisha>