



Representation – Review of a Premises Licence

Name	Richard Boole
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Section 1 – Premises or Club details

Name & Address of Premises	Spalding Express
	24 Commercial Road
	Spalding Post Code PE11 2HA

Name of the Licence Holder of the above premises (if known)
Mr Majid Rostam Mohamed

Section 2 – Responsible Authority details

Name of the Body	South Holland District Council Licensing Authority
Name	Richard Boole – on behalf of the Licensing Authority
Address	Council Offices, Priory Road, Spalding Lincs
Telephone Number	01775 761161
Email Address	Richard.boole@breckland-sholland.gov.uk

Section 3 – Licensing Objectives

This representation relates to the following licensing objectives

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm

Section 4 – Information and details of the representation

Have you made any representations in respect of this premises before?	No
Date that the previous representation was made:	N/A
I understand that the Licensing Authority is obliged to give notice of a hearing to all parties to the hearing and this must include a copy of this representation.	Yes

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Please state the grounds for your representation:-

On Thursday 6th December 2018, Licensing Officers A. Allinson and D. Bax inspected Spalding Express. The purpose of the visit was to check compliance with the conditions of the Premises Licence PL0401.

On arrival at the premises the officers introduced themselves to Modesta Sefferyte. Ms Sefferyte was the only employee working when the officers arrived. The Licence holder Mr Mohammed arrived at a later time during the inspection.

Ms Sefferyte said the business had been bought from Mr Mohammed by Mr Idris Kurda for his partner Ms Vita Braciulyte. As of 6th December, no transfer or Vary DPS applications had been submitted to SHDC Licensing Team.

The inspection focused on the licence conditions and a number of breaches of these were identified during the inspection, as detailed below against the conditions contained in Annex 2 of the Licence. I enclose a copy of the report of the visit as APPENDIX A.

Annex 2

Prevention of Crime and Disorder

4. *The designated premises supervisor will ensure that staff involved in the sale of alcohol will have training:*

- a) *Training will be fully recorded and documented*
- b) *Staff will have three monthly refresher courses. This includes any changes of legislation.*
- c) *Training will include the usage and chronicled storage of the CCTV system.*
- d) *All training records will be retained and available on site for inspection at any time.*

Breach observed: There were no training records kept at the premises. Ms Sefleryte claimed the new licence holder Ms Vita Braciulyte had these training records at her home address.

Prevention of Public Nuisance

2. *No Sales of single cans or bottles of beer, lager or cider with an ABV above 6.5% are to be permitted from the premises.*

Breach observed: Single cans of Diamond White (ABV 7.5%) were displayed on the shelves for sale. Photographs taken APPENDIX B & APPENDIX C. Ms Sefleryte put the cans in a box in the storage room off of display.

Protection of Children from Harm

6. *A sales refusal and incident book will be fully maintained and available for inspection at any time. It will be signed off weekly by the Designated Premises Supervisor.*

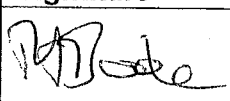
Breach observed: There was no book present and Ms Sefleryte was not aware there has ever been a book for recording incidents or refusal.

Failure to comply with the law and the licence conditions suggests a disregard for the importance of upholding the licensing objectives, as well as poor management practice. This leads to a lack of confidence in the management and control of the premises and suitability to hold a licence to supply alcohol.

Based on the observed breaches of conditions and the review application and supporting evidence from Lincolnshire Police, it appears that the current operation of the premises is not promoting the licensing objectives. This representation has therefore been made on behalf of the Licensing Authority in the capacity of Responsible Authority.

Section 5 – Signature

Signature of the person making the representation or solicitor or other duly authorised agent. If signing on behalf of a person or body representation a person living or carrying on business in the vicinity of the premises, please state in what capacity.

Signature	Capacity	Date
	EP Manager on behalf of the Licensing Authority	11/12/18