

## Sarah Bradley

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**From:** Nicola Bills [Nicola.Bills@staffordshire.pnn.police.uk]  
**Sent:** 19 October 2016 12:57  
**To:** Licensing  
**Cc:** Mark Wilson; Fiona Chapman; Helen Russell  
**Subject:** Jagpals - 147 Waterloo Street, Burton on Trent, Staffs, DE14 2NG  
**Attachments:** 20161019125038227.pdf

Dear Sirs/Madam,

Please find attached a letter together with supporting evidence in relation to the above premises licence review that has been submitted by Trading Standards, Staffordshire Police also wish to make representations in this matter which are detailed in the attached letter and statements.

Regards

Nicola Bills  
Licensing Officer  
Staffordshire Police

-----Original Message-----

**From:** Burton Copier [<mailto:burtoncopier@staffspolice.pnn.police.uk>]  
**Sent:** 19 October 2016 12:51  
**To:** 08505  
**Subject:** Message from "SPPBURT105"

This E-mail was sent from "SPPBURT105" (MP C3503).

Scan Date: 10.19.2016 12:50:38 (+0100)

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safe and reassured



Staffordshire Police  
Southern Licensing Unit  
Burton Police Station  
Horninglow Street  
Burton on Trent  
Staffs  
DE13 0SH

18<sup>th</sup> October 2016

Licensing Department  
East Staffordshire Borough Council  
The Maltsters  
Wetmore Road  
Burton on Trent  
Staffordshire  
DE14 1LS

Dear Sir/Madam,

**Review of a premises licence in respect of Jagpals Food Stores – 147 Waterloo Street,  
Burton on Trent, DE14 2NG**

I am in receipt of an application submitted by Trading Standards for a review of the premises licence of Jagpals Food Stores, 147 Waterloo Street, Burton on Trent. Staffordshire Police wish to make representation's in support of this application on the grounds of Prevention of Crime and Disorder.

From the evidence in the review document Mrs Harjinder KAUR has clearly failed in her obligations to promote the licencing objectives and Staffordshire Police believe that the suspension of the premises licence is an appropriate and necessary step to safeguard the public.

Staffordshire Police have recently carried out a licensing check on the venue and found that there were four breaches of the premises licence, two of breaches identified during the visit were relating to the storage of CCTV and training records relating to the staff.

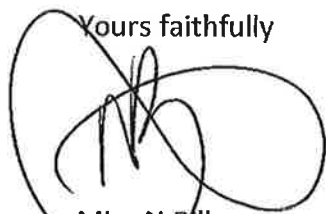
Both similar breaches were identified in previous visits going back to 28.11.13 and 13.1.15 where Mrs Harjinder KAUR was both the Designated Premises Supervisor and Premise Licence Holder, she has been interviewed and has also had warnings for these. In addition minor variations were submitted to assist her in upholding the objectives of the Act.

Despite these interventions Mrs Harjinder KAUR has still not rectified these issues and has continued to trade unlawfully.

Staffordshire Police fully support this application and we also respectfully request that due consideration is also given to the removal of the current Designated Premises Supervisor/Premise Licence Holder from her position.

Should you require any further information relating to this objection, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to be 'N Bills', enclosed within a large, loopy circular scribble.

Miss N Bills  
Licensing Officer  
Tel: 01785 234789

Enc

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN 

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Statement of: **Nicola Bills**Age **Over 18**

Occupation

**Licensing Officer**

This statement (consisting of 3 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 in it anything which I know to be false, or do not believe to be true.

Signature ..... Date: 13.10.16

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

I am a Licensing Officer with Staffordshire Police Force currently based in the Southern Licensing Unit at Burton Police Station.

In my role as a licensing officer, I am responsible for licensing enforcement; ensuring licensing laws are applied in a focused and proportionate way.

As part of my role I visit licensed premises and conduct routine licensing checks.

On Wednesday 12<sup>th</sup> October 2016 at 10:10hrs, together with Police Constable 4025 EVANS we carried out a full licence check of Jagpal Food Stores of 147-148 Waterloo Street, Burton on Trent, Staffordshire.

The current Designated Premises Supervisor, Mrs Harjinder KAUR, b 6.1.1960 was present, together with her husband Mr Dilbagh SINGH. The licence check was carried out in both their presence.

The breaches identified were as follows: (1) CCTV was not retaining for 31 days, the system was only retaining 10 days' worth of footage. (2) There were no training records available in relation to the law and the sale of alcohol. (3) There are no training records held for the last 12 months. (4) In relation to staff training for Challenge 25 there were no up to date records, it was noted that the only literature available was a booklet dating back to 12.12.2013, I took a copy of this (Exhibit NB/01), it was noted that Sgt CARSLEY had visited on 13.1.15 and identified breaches including one of CCTV not storing correctly and the lack of training records. Trading standards officer JARMAN also visited on 12.5.15 and signed the Challenge 25 booklet and still no training had been carried out.

Advice was also given to KAUR in relation to the premise licence summary being on display albeit not to the public and no entries being put into the refusals register.

The four breaches of the premises licence were pointed out to both KAUR and SINGH and it was advised that if he continued to sell alcohol he would be committing offences under the Licensing Act 2003. They both acknowledged this and advised me that these would be put right immediately.

Signature: .....

Signature Witnessed by: .....

[illegible]



RESTRICTED (when complete)

MG11T

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of: Tracey Ann Carsley

Age Over 18

Occupation

Police Officer

This statement (consisting of three 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 in it anything which I know to be false, or do not believe to be true.

Signature

Date: 13 January 2015

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

I am a Police Sergeant in the Staffordshire Police Force currently stationed in the Licensing Unit working out of Burton Police Station.

At 18.40 hours on Tuesday 13 January 2015 Sc 16409 CUZICK and I attended Jagpal Food Stores, 147 Waterloo Street, Burton on Trent to carry out a licence check. On our arrival there was a young Asian male behind the counter serving a customer and he was the only member of staff in the store. He gave his details as , born . Once aware that we were going to carry out a licensing check he made a telephone call, saying he was calling his boss.

At 18.45 hours that same date an asian female entered the store and walked behind the counter. She gave her details as , born and when asked if she was a member of staff stated "NO, I JUST COVER HERE ON OCCASIONS"

At 18.50 hours that same date an older Asian male entered and gave his details as Dilbagh SINGH personal licence PA0988 and stated that he was the manager and it was his wife that was the DPS.

When we spoke to Ranjeet KAUR she stated that the only person who knew how to work the CCTV was "the boss".

The following breaches were found:

1. No one on the premise at the time we arrived that could use the CCTV

Contrary to the Prevention of Crime and Disorder condition "a competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download in a recognised format any information requested by the Police"

2. No facility to remove CCTV footage - they stated that they could only download onto a USB stick but don't have any USB's and said that the police have to bring their own

Contrary to the Prevention of Crime and Disorder condition "a facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation"

Signature:

Signature Witnessed by:

2010-11

RESTRICTED (when complete)

RESTRICTED (when complete)

MG11T(CONT)

Page No 2 of 3

Continuation of Statement of: Tracey Ann Carsley

3. The system was only capable of being downloaded onto a USB memory stick

Contrary to the Prevention of Crime and Disorder condition "any material will be capable of being viewed on a standard DVD player"

4. There was a very small sign by the door approx. 6" wide x 2" deep saying CCTV is in operation

Contrary to the Prevention of Crime and Disorder condition "clear signage will be displayed at all entrances and exits to include fire exits indicating that CCTV is in operation"

5. The CCTV only went back as far as 25 December 2015

Contrary to the Prevention of Crime and Disorder condition "All CCTV images will be retained for a period of not less than 31 days and any evidential incidents will be downloaded and stored in a secure system until such time as collected by an appropriate authority"

6. Alcohol was stored on a display that also had cat litter on the bottom shelf

Contrary to the Prevention of Crime and Disorder condition "all alcohol will be stored in a separate display to any other product sold by the premises. This display will be kept locked at all times outside of the hours that alcohol is permitted to be sold"

7. There was no incident register. SINGH stated that they recorded any incidents in the diary, however, I checked the 2014 diary and could only find entries relating to monetary issues.

Contrary to the Prevention of Crime and Disorder condition "an incident register of all occurrences and ejections from the premises will be maintained at the premises and any details of public order or misuse of drugs offences will be recorded. The register will be produced and made available for inspection upon request by a responsible authority"

8. There was no customer code of conduct poster

Contrary to the Prevention of Crime and Disorder condition "a detailed Customer Code of Conduct poster will be displayed at the entrance of the premises warning persons that if they act in an inappropriate manner they could be barred from the premises"

9. No member of staff over 21 and personal licence holder at the premises on our arrival

Contrary to the Prevention of Crime and Disorder condition "in the absence of the designated premises supervisor there will always be at least one member of staff on duty inside the premise who is over the age of 21 and the holder of a personal licence to sell alcohol. Such a person will be in charge and present at the premise on the written authority of the premises licence holder and the designated premises supervisor"

10. There were no training records

Contrary to the Prevention of Crime and Disorder condition "all persons involved in the sale of alcohol who are not the holder of a Personal Licence to sell alcohol will receive initial and regular 6 monthly refresher training by the Designated Premises Supervisor with regards to the law in relation to the sale of alcohol."

Signature: 

Signature Witnessed by: \_\_\_\_\_

2010-11

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RESTRICTED (when complete)

MG11T(CONT)

Page No 3 of 3

Continuation of Statement of: Tracey Ann Carsley

Such training will be recorded and up to date training records of all such persons will be maintained at the premises and produced and made available for inspection upon request by a responsible authority"

11. There was no crime prevention literature

Contrary to the Prevention of Crime and Disorder condition "crime prevention literature will be displayed in the premises"

12. The last entry in the refusals register was 4.1.13 and there were no signatures from the Designated Premises Supervisor checking the register. SINGH stated that that wasn't the current register but was unable to find the current one.

Contrary to the Prevention of Crime and Disorder condition "all refusals of sales will be recorded in a recognised refusal of sales register which will be maintained at the premises. The register will be produced and made available for inspection upon request by a responsible authority"

Signature:



Signature Witnessed by:

2010-11

RESTRICTED (when complete)

Philip Somerfield B.A. Dip T.P., D.M.S. M.R.T.P.I  
Head of Regulatory Services

Harjinder Kaur  
Jagpal Food Stores  
147/148 Waterloo Street  
Burton upon Trent  
Staffordshire  
DE14 2NG

Direct Line: (01283) 508480  
Direct Fax: (01283) 508388  
Reply to: M. Pickering  
Our Ref: PL0143  
*(please quote this reference on all correspondence with us)*

29 November 2013

Dear Mrs Kaur

**LICENSING ACT 2003 - General Licensing Visit on 28 November 2013**

I write with reference to my recent visit.

Upon inspection, having discussed the objectives and conditions as given on the Premises Licence with Mr Dilbagh Singh, it was observed that there were a number of breaches of the licence at this time, and these need to be addressed.

- Every supply under the premises licence must be made or authorised by a person who holds a personal licence – in your absence from the premises, a letter of responsibility authorising staff to sell alcohol, who do not hold a personal licence, is required.
- A detailed sale of age restricted products poster will be displayed at the entrance to the premises – no poster displayed.
- All persons involved in the sale of alcohol who are not the holder of a personal licence to sell alcohol will receive initial and regular 6 monthly refresher training by the designated premises supervisor. Such training will be recorded – there were no records available of such training.
- In the absence of the designated premises supervisor there will be at least one member of staff on duty inside the premises who is over the age of 21 and the holder of a personal licence to sell alcohol. Such a person will be in charge and present at the premises on the written authority of the premises licence holder and the designated premises supervisor – a breach of this condition occurred as the only person on duty prior to Mr Singh arriving was [redacted], stated as the 20 year old who was just 'helping out'. He stated that he does not hold a personal licence. This breach is further supported given that there is also a breach of the first point above.

It is hoped that I can rely on you to amend these breaches ready for a further inspection on **13 December 2013**.

Should such breaches continue, the Council may look to take more formal action such as a review of the premises licence.



If you need further advice or guidance, please do not hesitate to contact me. Alternately, please contact Staffordshire County Council Trading Standards for further advice or guidance by telephoning 0300 111 8000.

Yours sincerely

Mr Matthew Pickering  
Enforcement Officer  
[matthew.pickering@eaststaffsbc.gov.uk](mailto:matthew.pickering@eaststaffsbc.gov.uk)

