

STATEMENT OF WITNESS

*(Criminal Procedure Rules 2020, Rule 16.2,
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: MISS NATASHA ZARA ALI

Age of witness (if over 18, enter "over 18"): OVER 18

Occupation of Witness: Trading Standards Officer

This statement (consisting of 4 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.

Dated the 5th day of September 2023

Signed 

I am currently employed as a Trading Standards Officer within West Sussex County Council Trading Standards Service.

There were no contact details for Yowu Limited t/a London Road Food and Wine, 65 London Road, East Grinstead, West Sussex, RH19 1EQ to arrange an appointment for underage sales advice. Therefore, no appointment was made.

On the 2nd June 2023, I visited Yowu Limited t/a London Road Food and Wine, 65 London Road, East Grinstead, West Sussex, RH19 1EQ, to give advice on age restricted products. West Sussex County Council Trading Standards Service has received allegations that Yowu Limited t/a London Road Food and Wine was selling e cigarettes to children under the age of 18.

Approximately at 1215 hours, I entered London Road Food and Wine. There were two females, approximately between the ages of 30–38 years old at the counter. I spoke to MS Anna MARIE who was one of the shop employees. I explained to Ms MARIE about the alleged complaint of age restricted products being sold to underage children and that I am here to give underage sales advice to the business.

Ms MARIE called the owner and I spoke to the owner, whose name was Mr Ibrahim KAHRAMAN. I explained to Mr KAHRAMAN about the alleged sales of age restricted products being sold to underage children and that I was visiting to give underage sales advice. I also explained that West Sussex County Council will be doing a future test purchase with an underage volunteer and if London Road Food and Wine fails our test purchase, it could result in an alcohol license review or alcohol license revocation. Mr KAHRAMAN gave the businesses details and his email address. I explained that a follow up letter would be sent to his email after my visit.

A Notice of Powers and Rights (61471) was filled in with Ms MARIE.

Key points were discussed and checked with Ms MARIE. I checked the shops refusal log, the last entry entered was on 03/02/2023 and was for a Lost Mary and Elf bar e-cigarette. I gave one refusal log to Ms MARIE and explained to use that the refusal log and it should continuously be updated. I added a Trading Standards entry. The next check was what ID was accepted, Ms MARIE explained passport, driving licence. I advised not to use any mobile apps or phone ID. There was a statutory tobacco sign on the gantry. There were Under 25 posters present. I checked that there was CCTV present in the premise, there was inside and outside the business. I asked Ms MARIE about any training logs; she explained that all staff have been trained but there is no signed log. I gave two Business Companion handouts to Ms MARIE, which are for Alcohol and Tobacco and Nicotine Inhaling products. I explained to her that all staff should read these handouts every 3 months to refresh training and to make a signed log of this. The last check I made was regarding till prompts. Not all products showed a till prompt.

Ms MARIE signed the visit report at the end (4699), and a copy was given to her. At approximately 1302 hours, I exited London Road Food and Wine.

On the 5th June 2023 I sent a follow up advice letter via email to Mr Ibrahim KAHRAMAN's email address ([REDACTED])

I produce as evidence the following:

Notice of Powers and Rights (61471) which is exhibited as **NA/YOWU/01**

Visit report (4688) which is exhibited as **NA/YOWU/02**

Follow up advice letter which is exhibited as **NA/YOWU/03**.

On the 27th June 2023, I participated in an Underage sales test purchase day, with two colleagues Laura SANDERS (Senior Trading Standards Officer) and Elaine LUCAS (Senior Trading Standards Officer). A volunteer who is a 16-year-old female participated in the underage sales test purchase day, under the instruction and supervision of WSCC Trading Standards. The purpose of this operation is to make sure that that West Sussex businesses are compliant with the procedures set out for age restricted products to children under the age of 18.

Prior to visiting the businesses, we briefed the volunteer and took photographs of their appearance that day. The volunteer is assigned a unique code "NZA3" to protect their identity.

At approximately 1655 I witnessed Ms LUCAS enter Yowu Limited t/a London Road Food and Wine, 65 London Road, East Grinstead, West Sussex, RH19 1EQ. After a few seconds I saw the volunteer enter London Road Food and Wine. After a few minutes, I witnessed the volunteer exit London Road Food and Wine with one WKD Blue alcohol bottle. I take the WKD Blue alcohol bottle from the volunteer. I saw Ms LUCAS follow behind. I gave the WKD Blue alcohol bottle to Ms LUCAS.

At approximately 1710 hours, Ms LUCAS and I entered London Road Food and Wine. I heard Ms LUCAS explain who we are and explain about the underage sales test purchase. I heard Ms LUCAS say she witnessed the sale to the volunteer and showed the bagged evidence of the WKD BLUE alcohol bottle to Mrs Bushra Mohammed JANKEER, who was the shop employee that made the unlawful sale.

Ms JANKEER said she did not realise the drink was alcohol. I witnessed the owner Mr Ibrahim KAHRAMAN listen and come forward which he then confirmed his name, address and date of birth by showing Ms LUCAS his driving license.

Approximately at 1712 hours I witnessed Ms LUCAS caution the shop employee Ms JANKEER and proceed with a set of questions.

I witnessed Ms LUCAS question Mr KAHRAMAN about Ms JANKEER's training log, as there was no log. Mr KAHRAMAN explains that Ms JANKEER normally stacks shelves. I heard Ms LUCAS explain to Mr KAHRAMAN that he needs to have better record of refusal logs. I heard Ms LUCAS explain that we will be in touch.

Approximately at 1733 hours, Ms LUCAS and I exited London Road Food and Wine.



STATEMENT OF WITNESS

*(Criminal Procedure Rules 2020, Rule 16.2,
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: Elaine Sarah LUCAS

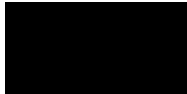
Age of witness (if over 18, enter "over 18"):

Occupation of Witness: Senior Trading Standards 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.

Dated the 30th day of June 2023

Signed



I am the above-named person, and I am employed as a Senior Trading Standards Officer within West Sussex County Council Trading Standards Service. I have held this post since 20th February 2023 and previously worked within Hampshire and Southampton Trading Standards since 2008.

On 27th June 2023 I lead an underage sales test purchase operation with assistance from Senior Trading Standards Officer Laura Sanders and Trainee Trading Standards Officer Natasha Ali.

The purpose of this operation was to inspect West Sussex business' compliance with legislation that prevents the sale of age restricted products to children under 18.

A volunteer who is 16 years old participated in the Underage sales test purchase day, under the instruction and supervision of WSCC Trading Standards. The volunteer was assigned a unique code "NZA3" to protect their identity.

At approximately 16:55 I entered London Road Food and Wine 65 London Road East Grinstead RH19 1EQ. NZA3 entered the shop shortly after me. I witnessed a woman I now know as Bushra Mohammed JANKEER sell a bottle of Blue WKD to NZA3, with no questions asked. NZA3 then exited the shop. I then purchased a sundry item and left the shop at approximately 17:00.

Natasha Ali handed the bottle of blue WKD to me, which I could see contained alcohol. I sealed the bottle in an evidence bag bearing seal number MC00109683, I produce the bottle as **ES/LRNW/1**.

At approximately 17:10 I returned to London Road Food and Wine with Natasha Ali. I approached and informed the seller that she had sold alcohol to a child and that it was a criminal offence, so I needed to ask a number of questions under caution. The seller stated that she had not realised the drink was alcoholic. The seller gave her name as Mrs Bushra Mohammed JANKEER 01/03/1990 and provided her driving licence to confirm this.

The owner made himself known and was stood listening to the conversation. The owner gave his name as Ibrahim KAHRAMAN 01/09/1979, he provided his driving licence to confirm his identity.

I advised JANKEER that I needed to caution her but she did not respond, I cautioned her and explained the caution by advising that she did not have to answer my questions, but that if she did not and the matter went to court then the court may ask why she did not say anything to me at this time. JANKEER then looked very concerned so I advised her that the matter was unlikely to go to court and we would deal with the business about the sale, but still needed to ask her some questions and had to caution her for her own protection, due to the alleged criminal offence.

JANKEER was able to explain what age restricted products were and pointed to them in the shops and reiterated that she did not know the drink she sold to the volunteer was alcohol. JANKEER did not remember what the volunteer looked like so could not say what age she thought she was. JANKEER said she was aware of

the challenge 25 policy. JANKEER showed me that there was no till prompt, by scanning in the bottle of WKD that I had with me, ESL/LRNW/1. JANKEER confirmed she had some training and had signed something, but no records could be found for JANKEER. JANKEER did not know where the refusals log was, but a colleague was able to find it by the counter.

KAHRAMAN showed me the refusals log and stated that JANKEER was not in there as she only started 1 month ago. I took two photos of the refusals log, which shows 18 refusals between 08/05/2022 and 08/02/2023. I now produce those photos together as **ESL/Photos/1**.

I asked KAHRAMAN for the training records, KAHRAMAN showed me records for four members of staff, but there was not one for JANKEER. I took photos of the training records whilst KAHRAMAN explained to me that JANKEER usually only stacked shelves so that is why there was no training record for her. KAHRAMAN explained that him and one other male were the main sellers in the shop. I produce the four training records together as **ESL/Photos/2**.

KAHRAMAN confirmed that he had CCTV, and I was shown the TV screen near the counter that displayed many videos of different places in the shop. KAHRAMAN stated that the CCTV is kept for 90 days, I advised KAHRAMAN to have a look at the sale to our volunteer. KAHRAMAN provided his contact details and advised me he had been in business 15 years, 6 years of this has been at the current premises. I advised KAHRAMAN that he needs to keep better records of refusals as the shop was busy and large but there were very few refusals.

I left the shop at approximately 17:35, with Natasha Ali. 

WITNESS STATEMENT

(CJ ACT 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; CPR 2013 r.27.1)

Statement of: Jonathan Bryant

Age if under 18: 0.18 (if over 18 insert 'over 18')

Occupation: Senior Licensing Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated that I know to be false, or do not believe to be true.

Signature:..... Date: ...19/09/2023.....

I am the Senior Licensing Officer employed by Mid Sussex District Council. Part of my duties include compliance inspections and enforcement in relation to licences issued under the Licensing Act 2003.

There is a Premises Licence issued by Mid Sussex District Council under the Licensing Act 2003 for London Road Food And Wine, 65 London Road, East Grinstead, RH 19 1EQ. This is licence number PWA487 and was first issued on the 20th August 2014. This permits the sale of alcohol for the consumption off of the premises.

I can produce a copy of the Premises Licence PWA0487 as item JB/1.

The Premises Licence Holder (PLH) for this licence is Mr Ibrahim Kahraman and the Designated Premises Supervisor (DPS) is Mr Mehmet Kahraman.

On the 27th June 2023 I was advised by West Sussex trading Standards that they had carried out a test purchase operation in respect of underage sales of alcohol and that London Road Food and Wine had failed and the assistant had sold alcohol to a child. I was advised by Trading Standards that the store assistant concerned was called Bushra Jankeer.

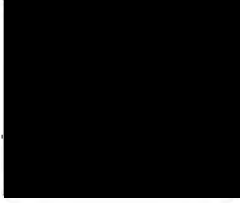
Upon receipt of this information, I visited the premises in the morning of the 28th June 2023 where I spoke with Mr Ibrahim Kahramam and inspected the records held at the store in respect of the Premises Licence.

Signature:..... Signature witnessed by:.....

Continuation of Witness Statement: Jonathan Bryant

During the inspection I noted that there was a lack of training records for the particular store assistance and there was also lack of entries in the refusals register held at the store, both of which I highlighted to

Mr Kahraman.



Signature:..... Signature Witnessed by:.....

Natasha Ali
Trainee Trading Standards Officer
[REDACTED]
[REDACTED]@westsussex.gov.uk
www.westsussex.gov.uk/tradingstandards

Trading Standards
Parkside
Chart Way
Horsham
RH12 1XH
(01243) 642124



Mr I Kahraman
Yowu Ltd t/a London Food and Wine
65 London Road
East Grinstead
West Sussex
RH19 1EQ

Monday 5th June 2023

Dear Mr Kahraman,

Our Ref: PR202306-8887

Nicotine Inhaling Products (Age of Sale & Proxy Purchasing) Regulations 2015
Childrens & Families Act 2014
Consumer Rights Act 2015
Tobacco & Related Products Regulations 2016
Tobacco Products & Nicotine Inhaling Products (Amendment) (EU Exit) Regulations 2020
Children & Young Persons Act 1933

I'm writing to you following my visit on Friday 2nd June 2023 regarding a complaint that has been received by West Sussex Trading Standards, alleging Yowu Ltd t/a London Food and Wine, 65 London Road, East Grinstead, West Sussex, RH19 1EQ has sold Vapes to a child under the age of 18.

Regulation 3 of the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 prohibits the sale of nicotine inhaling products to persons under the age of 18. Section 92(2) of the Childrens and Families Act 2014 makes it a criminal offence for a person to sell a nicotine inhaling product to a person under the age of 18.

The penalty for committing an offence under this legislation is a fine of up to £2,500.

Additionally, if your business sells alcohol, **you don't necessarily have to sell alcohol to a child to lose your licence**, the sale of other age restricted products can also lead to your alcohol licence being suspended or revoked if you or your business sell to an underage person ¹.

The law also allows enforcement authorities to apply for a Restricted Premises Order. Where on at least two occasions in two years tobacco or nicotine offences have been committed by the same retailer, such an order prohibits tobacco or nicotine sales for up to one year.

¹ *West Sussex Trading Standards has a zero tolerance to the sale of alcohol to children. Unless there are exceptional circumstances, where there is sufficient evidence to show an underage sale of alcohol has taken place, we will seek a review of the premises alcohol licence with the aim of having the licence suspended or revoked. The seller and business will also be subject to enforcement action in line with our published enforcement policy.*
www.westsussex.gov.uk/business-and-consumers/trading-standards-advice-for-businesses/

In order for you and your staff to be compliant with the legislation, you should always ask young people to produce proof of their age. For example, a driving licence photocard or passport. If a person cannot prove they are over 18, then the sale should be refused.

In addition, there are also a number of best practice checks that you and your staff can implement to help prevent the sale of any age restricted products.

'Challenge 25' system:

If a person attempts to purchase an age restricted product and they appear to be under the age of 25, you should ask them to produce proof of their age. If they're unable to prove their age, a sale should then be refused.

Staff training:

You should ensure your staff are fully trained to ensure they're aware which products are age restricted, what the age restriction is and the action they should take if they believe a person is underage when they attempt to purchase an age restricted product.

It is important you can prove your staff have understood what is required of them by the law. This can be done by keeping a record of the training and asking members of staff to sign to say that they understand it.

These records should then be checked and signed on a regular basis by the manager or owner of the business.

Maintain a refusals log:

All refusals should be recorded (date, time, incident, product and description of the potential buyer). Maintaining a refusals log will help to demonstrate you and your staff actively refuse sales and have an effective system in place. Refusal logs should be checked by the manager or owner to ensure all members of staff are using them.

Till prompts:

If your system allows, it may be possible to use your till to remind staff of age restrictions via a reminder prompt when the barcode of an age restricted product is scanned.

Alternatively, by way of a staff reminder, stickers could be used to cover certain product barcodes.

Signage:

Displaying posters showing age limits for certain products and a statement regarding the refusal of such sales if the person appears to be underage. This may help deter potential purchasers and act as a reminder to staff.

CCTV:

A CCTV system may help act as a deterrent and reduce underage sales. It will also **help you to monitor 'blind spots' within your store if it's not possible to change the layout or relocate age restricted products behind, or closer to, the counter.**

Please note the above advice is best practice and is not a legal requirement. However, the legislation states if you are charged with an offence of selling an age restricted product to a person under the age of 18, it is a defence if you're able to prove you took all reasonable steps to **determine the purchaser's age and that you reasonably believed** that the purchaser was not under the age of 18.

Therefore, by carrying out the above best practice checks, it will help show you and your staff are able to satisfy this legal defence and it will help reduce the sale of age restricted products to children.

Further advice and guidance on age restricted products can be found by visiting the Business Companion website: www.businesscompanion.info/

I would also like to take this opportunity to remind you of the obligations and restrictions around the sale of electronic cigarettes and liquids.

An 'Electronic cigarette' is a product that can be used for consumption of nicotine-containing vapour via a mouthpiece, or any component of that product, including a cartridge, a tank and the device without cartridge or tank. E-cigarettes can be disposable or refillable by means of a refill container and a tank, or rechargeable with single use cartridges.

The Tobacco & Related Products Regulations (TRPR) and the Tobacco Products & Nicotine Inhaling Products (Amendment) (EU Exit) Regulations 2020 require:

- o e-cigarette tanks to a capacity of no more than 2ml
- o the maximum volume of nicotine-containing e-liquid in one refill container to be 10ml
- o e-liquids to have a nicotine strength of no more than 20mg/ml
- o nicotine-containing products or their packaging to be child-resistant and tamper evident

In addition:

- o certain ingredients including colourings, caffeine and taurine are prohibited
- o there are prescribed labelling requirements and warnings
- o e-cigarettes and e-liquids be notified to the MHRA before they can be sold (Retailers do not need to submit information for any products they sell unless they also qualify as a producer.)

Advice for Retailers:

Advice for retailers has been published by the Medicines and Healthcare products Regulatory Agency (MHRA). That guidance is attached to the end of this letter but can also be found at the link below:

www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1008991/2021_Advice_for_retailers.pdf

The restrictions on nicotine concentration (20mg/ml maximum) and size of presentation (10ml maximum for refill container and 2ml maximum for e-cigarettes) applies to products sold by retail shops.

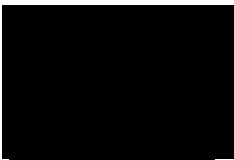
Are you also a Producer?

A producer is anyone who manufactures or imports e-cigarette or refill container products and anyone who re-brands them as their own. If you qualify as a producer of new e-cigarette and refill container products must submit a notification to the MHRA. Further information can be found at the link below:
www.gov.uk/guidance/register-to-make-submissions-to-the-mhra

Further advice around the sale and labelling of e-cigarettes and other tobacco products can be found in **guidance called** 'Tobacco etc: packaging, labelling, advertising and tracking' on www.businesscompanion.info/

I'd be grateful if you would please acknowledge receipt of the above advice by email to [REDACTED] If you also have any queries or require further information please don't hesitate to contact me.

Kind Regards,



Natasha Ali
Trainee Trading Standards Officer



Trading Standards Service
Parkside
Chart Way
Horsham
RH12 1XH
Tel: (01243) 642124
trading_standards@westsussex.gov.uk

@westsussex.gov.uk

Proprietor: YOWU Ltd
Trading Name: London Food and Wine
Address: 65 London Road, East Grinstead
West Sussex
Tel: _____ Postcode: BN19 1EQ

Registered Office: _____
Mobile: _____
Email: _____
Website: _____
Type of _____

- Animal Health Act 1981
- Consumer Protection Act 1987
- Consumer Rights Act 2015
- Trade Marks Act 1994
- Weights & Measures Act 1985

- Health & Safety at Work etc. Act 1974
- The Dangerous Substances & Explosive Atmospheres Regulations 2002
- The General Product Safety Regulations 2005
- The Petroleum (Consolidation) Regulations 2014
- The Consumer Protection from Unfair Trading Regulations 2008

- The Explosives Regulations 2014
- The Animal Feed (Hygiene, Sampling etc. & Enforcement) (England) Regulations 2015
- Other (specify)

This report covers a summary of the inspection and does not indicate full compliance with any legislation. In case of dispute, contact the Service address above.

FOOD STANDARDS INSPECTION REPORT

- Food Safety Act 1990 | Food Safety & Hygiene (England) Regulations 2013 | Food Information Regulations 2014
- Records | Specifications | Production Process | Composition, Labelling, Presentation | Product Design & Recipe
- Traceability | Stock Rotation | Completed Product | Quality / Management Systems | Recall / Relabelling Systems

Corrective actions & timescales (legal requirements)

- entered premise unannounced, explained why TS is here. (Vat complaint)
 - filled out powers and rights
 - spoke to owner Mr Ibrahim on the phone, and explained about VAS complaint. Mr Ibrahim gave ltd company, (mail address) (ltd = Yowu Ltd, trading approx 4-5 years)
 - spoke to shop employee Anna Maria about VAS complaint
 - x 4 employees and the boss, (everyone full time) - spoke to owner about VAS test purchase, and if business fails, the annual licence review
 - DPS (Mr Mehmet Kahroman) PLH (Mr Ibrahim Acherman)
 - spoke about future VAS if business fails from alcohol licence review
- Failure to comply with legal requirements may constitute an offence and may lead to enforcement action.

Key points discussed, comments and recommendations

- Refusal log
- what ID accepted / last entry, 03/02/23. (for lost money, E1F BOR, NOID) → gave one refusal log & explained to passport, driving licence photocopy & (continue up. (TS entry if added))
- located statutory tobacco sign on gantry → spoke about phone ID, they don't accept, just physical ID.
- Under 25 policy present, poster on gantry and throughout shop (where pricing is) x1 under 25 poster given
- CCTV - present and covers outside & inside, and explained proxy sales (x2 bus companies given)
- Staff training, everyone has been trained, but no log. Explained to train & head busin
- Till prompts, not every product has a prompt (ump handout, alcohol & vapes, & nicotine, to 3 months & make a log)

Actions to be taken by Officer

- follow up letter to be sent
- future VAS test purchase, if business fails from alcohol licence review

Issued by: Naloma Ali
Signed: _____ (Authorised Officer)

Person seen (print name in capitals):
ANNA MARIA VAS

Date: 03 / 16 / 20 23 Time: 13:02

Signed: _____

In the event of any dispute or complaint please contact:

Position: _____

Notice of Powers and Rights

Recipient: Anna Maria, 039 - shop employee
Premises: 65 London Road, East Cinnivel, RH19 1ES

61471

Date & time of visit: 2/06/23

Date advance notice given: (if applicable) - NA

Purpose of visit: VAS advice visit

Officer Name: NATASHA APL Tel Number: [REDACTED]

Other Persons Present: [REDACTED]

Part A: Activities carried out using Statutory Powers

Entry using: Statutory powers Court warrant (copy attached)

Legislation: Consumer Rights Act 2015 Food Safety Act 1990 Other (specify below)

The powers used in respect to the legislation listed above have been summarised as far as practicable on the reverse of this Notice together with a summary of your rights.

Part B: Activities carried out with the consent of the owner/occupier

I am employed by West Sussex County Council's Trading Standards Service and with your permission I wish to inspect goods, records and documents held on these premises.

- You should be aware:
1. You are not obliged to consent to such activity, and you can withdraw your consent at any time before the visit is concluded
 2. Any goods, record or documents obtained may be used in evidence in court proceedings
 3. You are not suspected of any offence (delete if inapplicable)

I hereby consent to the officer(s) named above inspecting any goods, records or documents held on the above named premises. I have read and understand the warning above.

Signature: Print Name:

Job Title / Position within Company:

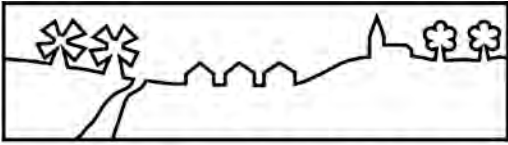
I acknowledge receipt of a copy of this document

Signature: [REDACTED] Print Name: [REDACTED]

Job Title / Position within Company:



Trading Standards Service
County Hall North
Chart Way
Horsham
RH12 1XH
01243 642124
trading.standards@westsussex.gov.uk



MID SUSSEX DISTRICT COUNCIL

Licensing Section
Oaklands
Oaklands Road
HAYWARDS HEATH
West Sussex
RH16 1SS

Licensing Act 2003 Premises Licence PWA0487

Part 1 - Premises Details

Postal address of Premises / Ordnance Survey map reference / Description of site

London Road Food & Wine
65 London Road
East Grinstead
West Sussex
RH19 1EQ

Telephone: 01342 325136

Where the Licence is time limited - the dates

Commences :- 16 December 2020

Licensable Activities authorised by the Licence and the times the Licence authorises the carrying out of Licensable Activities

Sale by retail of alcohol
Everyday 08:00 - 23:00

The opening hours of the Premises

Everyday 07:00 - 23:00

Where the Licence authorises supplies of alcohol whether these are On and / or Off supplies

Alcohol is supplied for consumption **off** the Premises

Part 2

Name, (registered) Address, Telephone number and Email (where relevant) of holder of Premises Licence

Mr Ibrahim Kahraman

[Redacted Address]

Telephone:

[Redacted Telephone Number]

Electronic Mail:

[Redacted Email Address]

Registered number of holder of premises licence (if applicable)

Name, Address and telephone number of Designated Premises Supervisor if the Premises Licence authorises the supply of Alcohol

Mehmet Kahraman

[Redacted Address]

Personal Licence number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the Premises Licence authorises for the supply of Alcohol

Personal Licence Reference: 11/01542/LAPER

Licensing Authority: Tunbridge Wells Borough Council

Annex 1 - Mandatory Conditions

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

- | | |
|---|--|
| 1 | <p>No supply of alcohol may be made under this licence:-</p> <ul style="list-style-type: none"> (a) At a time when there is no designated premises supervisor in respect of the premises licence; or (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended. |
| 2 | <p>Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.</p> |
| 3 | <ul style="list-style-type: none"> 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises. <ul style="list-style-type: none"> a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:- <ul style="list-style-type: none"> (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), (ii) or drink as much alcohol as possible (whether within a time limit or otherwise); b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability). |
| 4 | <p>The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available. <i>(This condition does not apply to premises licensed for the sale of alcohol for consumption OFF the premises only)</i></p> |
| 5 | <ul style="list-style-type: none"> 1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. 2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with |

the age verification policy.

- 3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- a) A holographic mark or
 - b) An ultraviolet feature

The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Pricing Drinks

- 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2) In this condition:-

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where:-
- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty
 - (iii) were charged on the date of the sale or supply of the alcohol, and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence:-
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence,
 - (iii) or the personal licence holder who makes or authorises a supply of alcohol under such a licence; and
- (d) “relevant person” means in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

(2)The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence/Club Premises Certificate allows Exhibition of Films

The admission of persons under the age of 18 to the exhibition of films must be restricted in accordance with any recommendation of the *British Board of Film Classification*, or, where there is no such recommendation or the licensing authority has notified the holder that section 20(3)(b) of the Licensing Act 2003 applies to the film, the recommendation of the licensing authority.

8

If the Premises Licence has conditions in respect of Door Supervisors

- 1) Each individual, who in accordance with a condition on the premises licence, is present at the licensed premises to carry out a security activity must:
 - a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - b) be entitled to carry out that activity by virtue of section 4 of that Act.
- 2) "security activity" means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 applies, and which is licensable conduct for the purposes of that Act).

9

Conditions consistent with the operating schedule

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under 25 (or the age set by the policy) will be asked for photographic ID to prove their age.
2. The only form of ID that will be accepted are passports, driving licences with a photograph or Citizen card or validated proof of age cards bearing the 'PASS' mark hologram. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police.
3. Signage advertising the 'Challenge' policy will be displayed in prominent locations in the premises and shall include the point of sale as a minimum.
4. A written record of those authorised to make sales of alcohol shall be kept. This shall be endorsed by the DPS with the date such authorisation commences. This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.

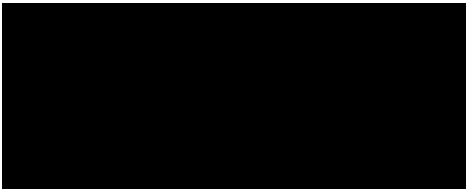
5. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act 2003, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed and refresher training thereafter at intervals of no more than six (6) months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.
6. Alcohol shall not be located within 10 feet of the entrances and exits to the premises.
7. Spirits will only be displayed behind the till points and will not be directly accessible to members of the public.
8. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises including the entrance to the premises and alcohol display area. The system shall be on and recording at all times the premises licence is in operation.
9. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises including the entrance to the premises and alcohol display area. The system shall be on and recording at all times the premises licence is in operation.
10. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
11. CCTV footage will be stored for a minimum of 28 days
12. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
13. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
14. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
15. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

Conditions attached after a hearing by the Licensing Committee

Plan of premises

See attached

Signature of authorised officer



Date of Issue: 7 January 2021
Date printed: 7 January 2021



Licensing Team
Oaklands
Oaklands Road
HAYWARDS HEATH
West Sussex
RH16 1SS

Licensing Act 2003

Premises Licence Summary

PWA0487

Premises Details

Postal Address of Premises / Ordnance Survey map reference / Description of site

London Road Food & Wine
65 London Road
East Grinstead
West Sussex
RH19 1EQ

Where the Licence is time limited - the dates

Commences:- 16 December 2020

Licensable Activities authorised by the Licence and the times the Licence authorises the carrying out of Licensable Activities

Sale by retail of alcohol

Everyday 08:00 - 23:00

The opening hours of the Premises

Everyday 07:00 - 23:00

Where the Licence authorises supplies of alcohol whether these are On and / or Off supplies

Alcohol is supplied for consumption **off** the Premises

Name and (registered) address of holder of premises licence

Mr Ibrahim Kahraman

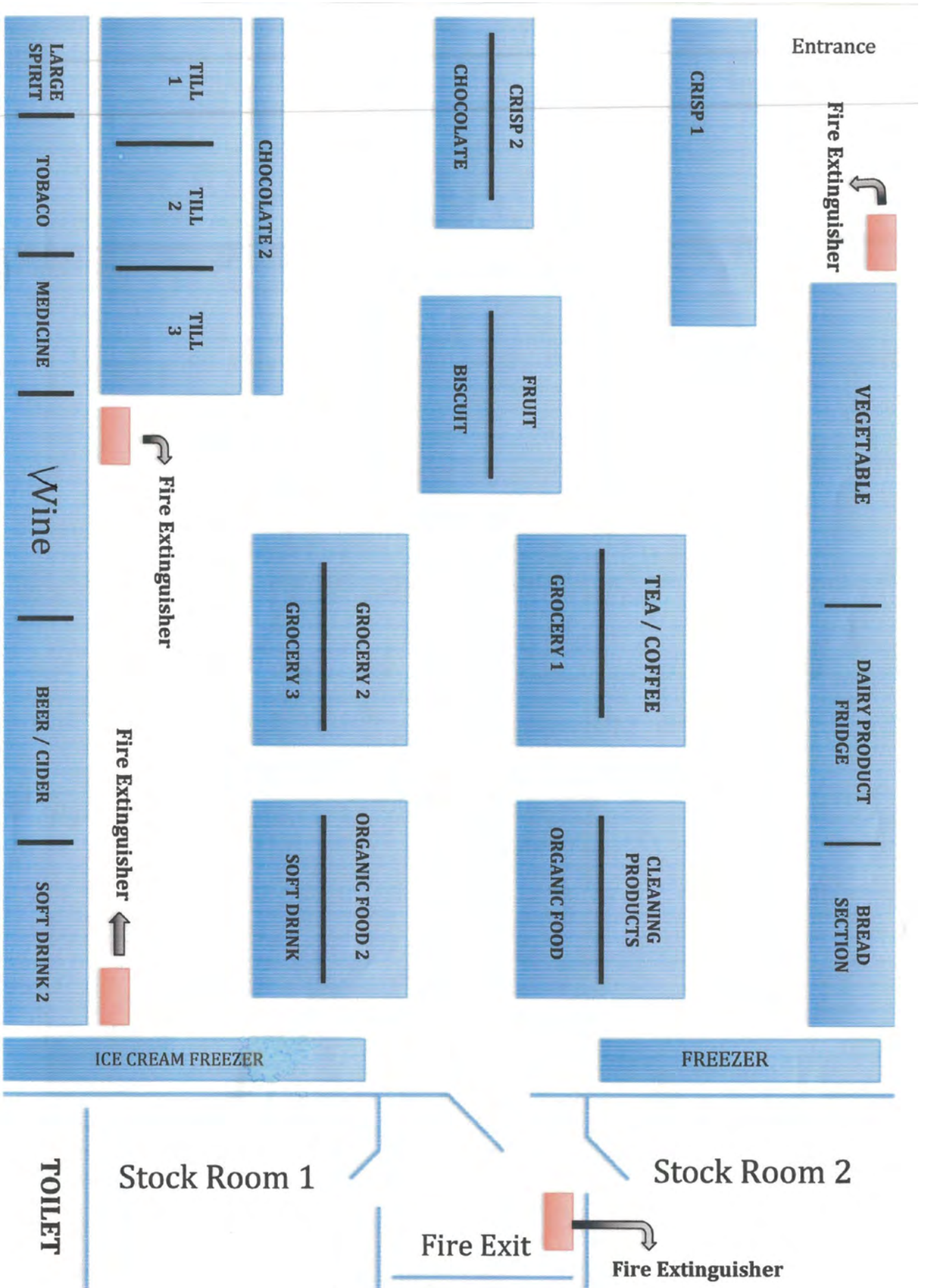


Registered number of holder of premises licence (if applicable)

Name of Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol

Mehmet Kahraman

State whether access to the Premises by children is restricted or prohibited



UK POLICE REQUIREMENTS FOR DIGITAL CCTV SYSTEMS

This document offers guidance to potential users of digital CCTV systems, where the pictures are intended to be used by the police or are likely to be used in an investigation. For CCTV recordings to be effective in detecting and investigating crime they must be fit for purpose and easily accessible by police investigators. For digital CCTV there are four main areas that must be considered:

QUALITY - are the pictures good enough?

STORAGE - are the pictures stored appropriately?

EXPORT - can the pictures be easily exported from the system?

PLAYBACK - can the pictures be easily viewed by authorised third parties?

By ensuring that your digital CCTV system is capable of meeting a few simple requirements, the potential evidential value of the pictures can be greatly increased and the time taken by the police to access and process them greatly reduced. Supporting notes are provided on the reverse of this sheet to clarify the requirements.

QUALITY WHAT RESOLUTION? WHAT COMPRESSION? HOW MANY PICTURES PER SECOND?



1. Specify your requirement - decide what you want to see and where, and select a system that will do it.
2. View the recorded pictures or print out, not the live screen, to assess the system performance.
3. The system clock should be set correctly and maintained (taking account of GMT and BST).
4. Picture quality should not be reduced to fit the available storage capacity of the system.
5. Regular maintenance should be conducted on all aspects of the system.

STORAGE WHAT SHOULD I KEEP? HOW SHOULD I KEEP IT?



6. The system should be operated and recorded pictures retained in a secure environment.
7. Electronic access controls, such as passwords or encryption, should not prevent authorised access to the system or recordings.
8. The system should have sufficient storage capacity for 31 days good quality pictures.
9. The system should be capable of securing relevant pictures for review or export at a later date.

EXPORT HOW MUCH VIDEO SHOULD THE SYSTEM EXPORT AND IN WHAT FORMAT?



10. A system operator should be available who is able to replay and export recordings.
11. A simple system operator's manual should be available locally to assist with replay and export.
12. The operator should know the retention period of the system and export time for various amounts of data.
13. The system should be able to quickly export video and stills to a removable storage-medium, with time and date integral to the relevant picture.
14. Export should include any software needed to view or replay the pictures.
15. The system should have an export method proportionate to the storage capacity.
16. Pictures should be exported in the native file format at the same quality that they were stored on the system.

PLAYBACK CAN THE PICTURES BE EASILY VIEWED?



17. The playback software should:
 - have variable speed control including frame by frame, forward and reverse viewing;
 - display single and multiple cameras and maintain aspect ratio i.e. the same relative height and width;
 - display a single camera at full resolution;
 - permit the recording from each camera to be searched by time and date;
 - allow printing and/or saving (e.g. bitmap) of pictures with time and date.
18. The time and date associated with each picture should be legible.
19. Once exported to removable media it should be possible to replay the files immediately.

Supporting Notes:

QUALITY - are the pictures good enough?

1. Before installing a CCTV system you should have a clear idea of what you want the system to do and how it should perform. This should include exactly what you want to see and where, e.g. recognise the face of someone walking through a doorway, read a vehicle registration number or record a particular type of activity, such as walking across a room, exchange of money or an assault. More detailed guidance on how to do this can be found in PSDB publication 17/94 CCTV Operational Requirements Manual. This is available free from the Home Office website. http://www.homeoffice.gov.uk/docs/or_manual.pdf

There are no definitive performance criteria for video to be legally admissible. It is for the court to decide whether the pictures are accepted, and this is done on the grounds of relevance to the case, reliability of the evidence, etc. The appropriate resolution, level of compression and number of pictures per second will be determined by what you wish to see in the recording. If you can't see it then it's not fit for purpose. It should not be expected that enhancement features, such as zoom controls, will provide extra detail.

A good way to ensure that the system is capable of achieving the requirement is to do a subjective test. Set-up a camera and get a volunteer to walk through the door or park a car in the place of interest and record the pictures. This should be done under the conditions that the system is intended to be used - performance of the system may be different when there are a number of cameras being recorded.

2. The quality of the recorded or printed pictures may differ from the live display.
3. Time and date information is often critical to an investigation. If it is incorrect this can drain police time and resources.
4. The quality of the pictures should not be compromised to allow more to be squeezed onto the system. There is some scope however for using a sliding scale of image quality based on time since recording. For example, high quality high frame rate video for the first 24 hours with gradually increasing compression or decreasing frame rate after this, but retaining useful images up to 31 days. This would be dependent on the nature of the installation and the type of recordings being made. Guidance should be sought from your local police force.
5. To ensure continued quality of recording it is essential that regular maintenance of all aspects of the system be conducted - especially camera focus, cleaning of lenses, housings, etc.

STORAGE - are the pictures stored appropriately?

6. Access to the system and recorded images should be controlled to prevent tampering or unauthorised viewing. A record should be kept of who has accessed the system and when. Further information on this can be found in the BSI document 'Code of Practice for Legal Admissibility of Information Stored Electronically' (BIP0008) or from your local Crime Prevention Officer.

7. Electronic protection methods that require proprietary software or hardware will hinder an investigation if they prevent the pictures from being provided to authorised third parties, e.g. police and CPS. Physical methods of access control, e.g. system in a locked room, are just as effective if documented appropriately.
8. It is important that recordings cover a sufficiently long period to assist in investigations. Retention beyond 31 days may be useful in some circumstances, but should not affect the quality of the more recent recordings.
9. It should be possible to protect specific pictures or sequences, identified as relevant to an investigation, to prevent overwriting before an investigator can view or extract them.

EXPORT - can the pictures be easily exported from the system?

10. and 11. It is unlikely that the investigator will be familiar with the operation of your system. To facilitate replay and export a trained operator and simple user guide should be available locally.
12. and 13. Export of medium and large volumes of data can take a substantial period of time. The operator should know the retention period of the system and approximate times to export short (e.g. 15 minutes), medium (e.g. 24 hours), and large (up to all of the system) amounts of data.
14. If the software needed to replay the pictures is not included at export, viewing by authorised third-parties can be hindered. Export of a system event log or audit trail, and any system settings with the pictures will assist with establishing the integrity of the pictures and system.
15. The amount of video that an investigator will need to export will be dependent on the nature of the investigation. For example a shop robbery may only require a few stills or a short sequence, however a more serious incident such as a murder or terrorist related enquiry may require anything up to all the video contained on the system to be exported. It is essential that the system is capable of doing this quickly and to an appropriate medium. An ideal solution for medium-to-large downloads, would be for the system to have the facility to export to a 'plug-and-play' hard drive. Export and recording should be possible at the same time without affecting the performance of the system.
16. The system should not apply any compression to the picture when it is exported from the system as this can reduce the usefulness of the content. Also, the picture should not undergo any format conversion that affects the content or picture quality.

PLAYBACK - can the pictures be easily viewed by authorised third parties?

17. and 18. The replay software must allow the investigator to search the pictures effectively and see all the information contained in the picture and associated with it.
19. It should be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.