



Lancashire  
Constabulary

# **Lancashire Constabulary**

## **South Division**

### **Premises Licence Review File**

Name: Vinny's Convenience Store

Address: 83-85 Water Street, Chorley

Licensing Authority: Chorley Borough Council

Licence Number: PA0221

## **1. Summary**

Vinny's Convenience Store is a single storey 'Off Licensed' premises which is situated on Water Street junction of Congress Street, within the Chorley North & Astley Ward of Chorley Borough Council. The geographical makeup of the area is a mixture of residential and business premises. The premises overlooks the A6, one of the arterial entrances into the Town Centre; there are a number of other Licensed Premises in the area with the nearest comparable premises being 0.2 miles away. Of note there are four schools within 0.6 miles of the premises.

Vinny's Convenience Store hold a Premises Licence which allows the sale of alcohol 'off-sales' between 0500-2300hrs daily. The premises sells lottery products, cigarettes & other tobacco products, food & drink and general non-food goods. It has a single entrance/exit which is on the corner of the building line as Water Street joins Congress Street. Upon entering the premises there is a service counter on the left of the premises which overlooks the entrance, spirits are displayed and sold from behind the counter whilst beer, cider, wines and other alcohol are displayed at the far left of the premises, which is also overlooked by the service counter, given the wider layout of the premises it is possible to approach these displays without directly passing the service counter.

## **2. History**

Vinod HALAI is the Premises Licence Holder and the Designated Premises Supervisor for Vinny's Convenience Store, positions which he has held since August 2009. HALAI holds a Personal Licence from Bolton Council which was issued on 24<sup>th</sup> July 2009.

Police systems only shows one previous test purchase for alcohol conducted at the premises which occurred on 29<sup>th</sup> November 2013, this resulted in a pass and alcohol was not sold. Police systems show no other interventions by Police Licensing with the premises until 2023.

## **3. Reason for Review**

On 17<sup>th</sup> May 2023 a joint police and Trading Standards knife test purchase under Operation Sceptre, a national operation dedicated to tackle knife crime was conducted at the premises. The Premises failed the test purchase and sold a trimming knife to a 13-year-old child, the sale was witnessed by a member of Lancashire Trading Standards where the member of staff asked how old the test purchaser was and what they were buying it for, the test purchaser confirmed that they were 13 years old and that the trimming knife was for their mum.

Police and Trading Standards then conducted a follow up visit where educational advice around age related sales was given to staff, during this visit it was determined that member of staff was the wife of HALAI and was dismissive of the sale stating that she would not sell to a child if it was alcohol.

Friday 2<sup>nd</sup> May 2023 saw a multi-agency alcohol test purchase operation conducted at the premises. At approximately 1320hrs the premises failed by selling a four pack of Strongbow 'Dark Fruits' cider to a 16- and 17-year-old test purchaser. Following the sale, the premises was visited and the staff member who made the sale was issued with a £90 fixed penalty, it was at this point the staff member was found to be the same person who had sold the trimming knife on the 17<sup>th</sup> May 2023. Officers were presented with a refusal register from 2009-2010 and unused check 25 materials.

Given the two failed test purchases in a two-week period, Lancashire Constabulary have concerns over the premises and it's ability to lawfully sell age related products. Aggravating factors in this is that the Premises have failed to keep accurate refusal records and failed to implement age related sales training and resources, provided to them for free by Lancashire Trading Standards

#### **4. Outcome Sought**

Lancashire Constabulary respectfully request that the Premises Licence is suspended for a period of 3 months along with additional conditions being imposed upon the Premises Licence as outlined in LC04.

The rationale for this outcome is to prevent any further negative impact on the Licensing Objectives whilst the premises implements the new conditions.

#### **5. Supporting Evidence**

LC01 – Statement from Police Licensing Officer

LC02 – Street view image of premises

LC03 – Bodyworn Camera footage from 02/06/23

LC04 – Requested Premises Licence conditions.

I am PC 6884 Stephen Connolly of Lancashire Constabulary, currently attached to the South Licensing Team based out of Preston Police Station.

With delegated authority from the Chief of Police, Chief Constable Rowley of Lancashire Constabulary I make representations on his behalf with matters relating to the Licensing Act 2003 and the Gambling Act 2005.

I make this statement in relation to a Licensed Premises called Vinny's Convenience Store which is situated on Water Lane, Chorley. In this statement I will mention Vinod HALAI, the Premises Licence Holder and Designated Premises Supervisor for Vinny's Convenience Store. I will also mention [REDACTED], staff member at Vinny's Convenience Store [REDACTED] Premises Licence Holder, Lauren MANNING & Jason MIDDLETON who are officers from Lancashire Trading Standards and Nathan HOWSON, Chorley Borough Council Licensing.

On 24<sup>th</sup> May 2023 I was made aware by MANNING that Vinny's Convenience Store had been visited on 17<sup>th</sup> of May as part of a test purchase operation and failed by selling a trimming knife to a child. Following this, I suggested that it be revisited as part of an upcoming alcohol test purchase operation.

On Friday 2<sup>nd</sup> June 2023 we conducted a multi-agency alcohol and tobacco test purchase operation at several premises across Chorley and South Ribble, during this eight Licensed Premises were visited resulting in five passing. At approximately 12:25hrs the test purchase of Vinny's Convenience Store took place, two children aged 16 & 17 entered the premises where they purchased four cans of Strongbow 'dark fruits' Cider which went unchallenged by the staff member [REDACTED]

Following the failed test purchase a multi-agency visit was conducted, [REDACTED] confirmed that she was the only member of staff present and when asked by MIDDLETON stated they looked old enough, approximately 19/20 years old before confirming that the age policy at the premises was to challenge those that looked under 25. [REDACTED] then confirmed that she had been advised regarding age related sales a couple week previously. HOWSON then asked regarding the challenge policy and training [REDACTED] provided us with a 'check 25' pack published by Lancashire Trading Standards, upon inspection the pack was covered in dust and the contents of which appeared completely unused. We were then presented with an 'ID check log' which was contained in a 2009-2010 diary, [REDACTED] confirmed to HOWSON that it had been a while since the book was filled in. Following this [REDACTED] was issued with a £90 penalty notice.



PC 6884 Stephen Connolly



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Vinny's Convenience Store

5am-10pm

Off Licence

Free Cash Machines  
Frozen Foods  
Food To Go  
Sandwiches  
Spirits  
Wines  
Beers



OPEN

PICK THE PINK ONE

1. The premises shall operate and maintain a CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows: -
  - The system shall cover all entrances and exits from the premises, in addition to covering all internal areas of the premises used to display/supply alcohol.
  - The focus of the camera(s) shall be to enable clear identification of persons on the premises.
  - The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
  - The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation.
  - Signage advising that CCTV is in operation will be displayed.
  
2. A documented Challenge 25 Scheme will be the adopted Age Verification Policy. The Challenge 25 Scheme will be actively promoted and advertised at the premises. Any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

Acceptable forms of identification shall be: -

  - A PASS accredited holographic proof of age card
  - Photo Driving Licence
  - Passport
  - National, including EU Identity Cards
  
3. An electronic point of sale (ePOS) system shall be installed at the premises which shall be used to record all transactions. Each cashier shall have a login which is unique to them. This system shall:
  - Record the accurate time and date of any transaction,
  - Record the cashier dealing with the transaction,
  - Display a prompt when any age-restricted product is scanned which requires the cashier to confirm whether the purchaser clearly appears over 25 years of age or not,
  - Where the staff member selects that the purchaser does not appear over 25, it shall record what identification document has been used to verify the person's age, in accordance with the Check 25 policy,
  - Where the sale of an age restricted product is refused, this and the reasons for such a refusal shall be recorded.
  
4. At commencement of employment all members of staff must undergo training in relation to the check 25 policy and the sale of alcohol to drunk persons. All staff must undergo refresher training at least once every 6 months. All training must be held in writing at the premises for at least 12 months and made available for inspection to Responsible Authorities upon request.

5. An incident log shall be kept on the premises which shall be used to record any notable incidents, such as a report of crime or disorder. All entries in the log shall record the date and time, the nature of the incident and the person recording it, the outcome or action taken and a police log number if appropriate. Entries shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The DPS shall inspect the log at least once every two weeks and record with signature the date which the inspection took place.
6. Any person who is authorised by a personal licence holder to sell alcohol under the premises licence shall be authorised in writing. Such authorisation shall include, as a minimum, the name and signature of the person being authorised, the name and signature of the personal licence holder and the date of the authorisation. The log of persons authorised shall be kept up to date and on the premises and shall be produced to a responsible authority on reasonable request.
7. The premises shall not stock nor offer for sale any article which has a blade or is sharply pointed, except where such article is a folding pocketknife where the cutting edge is less than 3 inches in length.