

Licensing ACT 2003 SUB-COMMITTEE

Wednesday, 23rd November 2022, 6.30 pm
Council Chamber, Town Hall and YouTube

Please find enclosed additional information in respect of the hearing and agreed conditions between the police and premises licence holder to enclose, for consideration at the above meeting of the Licensing Act 2003 Sub-Committee, which have now been made available.

Agenda No Item

- | | | |
|----------|--|----------------|
| 3 | Determination of Application for the Review of a Premises Licence-Tony's Off Licence, 50 Bolton Road, Chorley | (Pages 3 - 44) |
|----------|--|----------------|

Additional information and agreed conditions attached.

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Licensing Act 2003 Sub-Committee

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

This page is intentionally left blank



Certificate

This is to certify that:

bharat vekaria

Completed:
Lancashire
County
Council

Check 25



On:

22/11/2022

This page is intentionally left blank



Certificate

This is to certify that:

bhavna vekaria

Completed:
Lancashire
County
Council

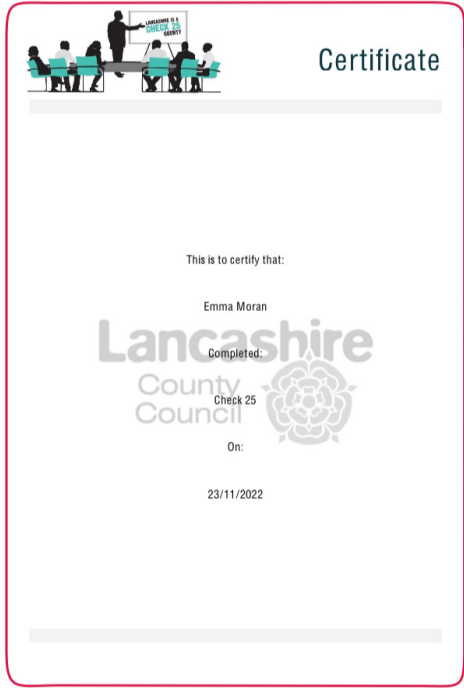
Check 25



On:

22/11/2022

This page is intentionally left blank



This page is intentionally left blank



Certificate

This is to certify that:

Lucy Collier

Completed:
Lancashire
County
Council

Check 25



On:

22/11/2022

This page is intentionally left blank

Tonys Off Licence
50 Bolton Road
Chorley
PR7 3ET



Tel: 01772 533344
Fax: 01772 533591
Email: lauren.manning@lancashire.gov.uk
Your ref:
Our ref: 211226
Date: 8 August 2022

Dear Sir/Madam,

Children and Families Act 2014



Notification of Test Purchase Result – PASS

This service has recently conducted a compliance check on your business by means of a test purchase exercise. I am pleased to advise you that the young person's attempt to access an age restricted product was refused.

This letter provides details of the test purchase exercise, which I hope will be of value to your business in reinforcing to your staff the importance of understanding the legal requirements and of challenging customers for proof of age in line with your procedures.

Premises: Tonys Off Licence, 50 Bolton Road, Chorley, PR7 3ET

Exercise conducted: 05/08/2022

Reason for the exercise: Regular, intelligence led test-purchasing

Age restricted product/service: Disposable e-cigarette

Test purchaser: 13 years old

For your information I include a link to our online Check 25 resource, which contains free to download Age Related Sales guidance.

www.lancashire.gov.uk/lancan/check-25

Lancashire County Council
Trading Standards Service
4th Floor, Lancashire Point
County Hall
Preston
PR1 0LD



NOT PROTECTIVELY MARKED



**Lancashire
Constabulary**
police and communities together

Licensing Department, Preston Police Station,
Lancaster Road North, Preston, Lancs. PR1 2SA
Tel (01772) 209795

E Mail: CentralLicensing@lancashire.pnn.police.uk

Tony's
50 Bolton Road
Chorley
PR7 3ET

Date: 5th April 2017

Dear Mr Hirani

Licensing Act 2003 – Passed Test Purchase (Tuesday 4th April 2017)

A series of Test Purchase operations took place on 4/4/17 and a member of staff at your premises successfully challenged the young person attempting to purchase alcohol.

Test purchase operations are a valuable tool in the protection of children from harm under the Licensing Act 2003 and will continue in the future.

I would like to take this opportunity to thank both you and your staff for your vigilance in preventing underage sales and promoting the licensing objectives by helping us to ensure that alcohol is less readily available to children.

Yours sincerely

A handwritten signature in blue ink that reads 'B. Warburton'.

Beverley Warburton (10078) - Licensing Department
Tel: 01772-209795, E-mail: beverley.warburton@lancashire.pnn.police.uk
SOUTH Division, Preston Police Station, Lancaster Road North, Preston, PR1 2SA.

NOT PROTECTIVELY MARKED

- * What To Look out for
- * Are they Acting Suspicious
- * What They Purchasing
- * What ID, how To check date
- * Height does it matter
- * Young girls
- * how Did they Approach you
- * check AFTER Sun 1 Try to buy same items
- * WARN them
- * MAKE NOTE in the Refused book
- * In front till check age AS 10 Put age year
- * Ring me if you call police IF they Wnt
Leaving or making noise
- * SAsTY come 1st
- * Any other Question
- * A few smiles!

30-45 min Training
Sign off when complete
Cover All TAs

IT'S THE WAY WE ROLL

Q10

2022

Refusal Register

Date	Product	Time	Name of Person or Description	Observations	Staff Member
10/10/22	Egig	7.04	tall but baby face asked for ID, none of them - student knows it!		Way
11/10/22	Egig	21:41	LOOKED TOO YOUNG NO ID	NO ID	Sam
14/10/22	Egig	6:34pm	young blonde by with braces NO ID, went bright Red	no ID	Way
15 th /10/22	beer	10.43am	young, no proper ID, only travel pass, said no sorry	NO ID. group of 5 outside	Way
16/10/22	Egig	4:30pm	NO ID young dark new NIKE TRACK SUITE	NO ID.	EMMA
22/10/22	Egig	5pm	young lad, group up the road NO ID	NO ID	Way
"	blunt wrap	6.15	young girl, no ID only pic on phone, said no sorry	no proper ID	Way
"	Egig	7.45	young lad, NO ID	NO ID	Way
24/10/22	3rd Smurfed	15.04	TOO TO LONG NEW WHAT THEY WANT deny. TO YOUNG 2 girls (white legging big jacket)	NO ID	Shirley
24/10/22	3rd Smurfed	15.04	TOO TO LONG NEW WHAT THEY WANT deny. TO YOUNG 2 girls (white legging big jacket)		
30/10/22	Egig	14.50pm	# very young NO ID	NO ID	Way

2022 Register

Refusal Register

Date	Product	Time	Name of Person or Description	Observations	Staff Member
16/02/2022	VK bottle	17:33	Young girls - Dress in white hoodly / Look like street gnr	NO ID NO SALE Text Purchases	BAR
22/04/22	Guns	14:33	Young men - Very Tall	NO ID NO SALE	BAR
3/06/22	e-cig	15:03	Young girls & a few other girls all dress in black	NO ID got angry	Emma
5/7/22	e-cig	17:00	2 boys + 2 girls. came to buy a e-cig	LOOK LIKE School kids	BAR
12/8/22	e-cig	2pm	Wanted e-cig + Alcohol showed me he phone for ID Tall ugly guy	NO ID NO SALE	Jill
15/8/22	e-cig	10:15AM	Young girl wanted e-cig NO ID	NO ID	Jill
17/8/22	Alcohol	2:45pm	Young man - Short Black woman	NO ID	EMMA
20/8/22	e-cig	7:30pm	Young man NO ID	NO ID	EMMA
1/9/22	Books	20:25	Young girl NO ID	NO ID	EMMA
18/9	e-cig	19:43	Young lady, approx 16 dy hair dyed	NO ID	EMMA X

Staff training record

Employee name

Job description

Training Date	Subject of training	Description of training	Trainer's name	Employee Signature	Date
3/2/2020	Males 3 LARZ	CIGIZ Beers	BARZ - Not served AS Had a smoky case	[Signature]	3/2/2020
12/10/2020	Male / Female	Cigarette	BARZ = Not served Showed me ID on phone	[Signature]	12/10/2020
18/10/2020	Female	Beers / Wines	Showed me ID but not address	[Signature]	18/10/2020



REFUSALS REGISTER



Date	Product	Time	Name of Person or Description	Observations	Staff Member
11-3-09	DEAN COOKSON No ID	20-00	DEAN COOKSON	BEING STUPID	ROY MAXINSON
6/4/09	NO ID DIDNT GIVE NAME	3:55	5 FT 3" SHORT BLOND HAIR SPOTTY ROUND MATE CHIN.	DIDNT LOOK OLD ENOUGH SAID WE HAD TIM BUT HE HAS NOT BEEN	S. Hughes
6/4/09	NO ID DIDNT GIVE NAME	S.S.I	2 LADS ONE TALL BLONDE HAIR LAD DARC ROUND CHIN.	WE KNOW THEY GO TO ALBANY.	S. Hughes
19/6/09	NO ID No NAME	8:01	F/SACKS SHORT BLONDE HAIR	LOOKED 16. TOLD HIM NO ID NO SALE	M. Malin
11	NO ID NO NAME	8:02	SAM BUCIA SHORT DARK HAIR	LOOKED 12!! Get Sturdy. Told him to go.	M. Malin

54

55

56

57

58

59

60

61

62

MANAGER'S SIGNATURE _____

DATE: _____

REFUSALS REGISTER

Date	Product	Time	Name of Person or Description	Observations	Staff Member
2/2/19	Cigs	13:33	Young male All black clothes Dark hair	No ID	Stylor
18/2/19	Cigs	19:40	Young male All black Blonde hair	fake ID -name Joshua west	Stylor
2/3/19	Cigs	14:00		1:0 SHOWN	Stylor
2/3/19	LANSRINI 2 BOTTLES	20:52	2 Youngs girls ACTING BOY	NO ID LOOKED ABOUT 15	Stylor
17/3/19	Cigs	20:28	BOY 16/17	NO ID	Stylor
10/4/19	Cigs	15:44	LAD LOOKS 16/17	NO ID	Stylor
10/4/19	Cigs	18:45	LAD LOOKS 16	NO ID	Stylor
16/4/19	Cigs	21:14	LAD LOOKS 15/16 12:55 ACCENT	NO ID	Stylor
21/4/19	WINE	19:15	LAD 16/17	NO ID	Stylor

9

10

11

12

13

14

15

16

17

MANAGER'S SIGNATURE _____

DATE: _____

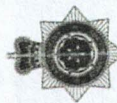


Refusal and challenge records

Date	Description of young person	What did the young person ask for?	Staff Name
8:00pm 20/10/17	MALE TALL LIGHTISH HAIR SHORT NO I.D.	Cigs + lighter	Styke
20:24pm 26/10/17	male, short dark hair around 17 NO I.D.	Fags	Styke
18:44pm 17/11/17	2 FEMALE S LONGS BLONDE HAIR NO I.D.	VODKA	Styke
15/12/17	2 Females 1st - Tall - ginger hair 2nd - Short - black hair about 16 years old	Showed me ID on phone like I'm stupid VODKA	Styke
20/1/18	1 MALE TALL LOOKS ABOUT 16/17	NO I.D. WANTED CIGS	Styke
6/3/18	1 MALE DARK HAIR LOOKED 15/16 BUT HAD TID UP	NO I.D. WANTED CIGS	Styke
21/3/18	1 FEMALE DARK HAIR LOOKS 15 MAKE UP SAYS SHE'S 25 DONT BELIEVE	NO I.D. BLINTS + SKINCO.	Styke
3/4/18	1 FEMALE DARK HAIR LOOKS 16/17	NO I.D. CIGS	Styke

Refusal and challenge records

Date	Description of young person	What did the young person ask for?	Staff Name
7:30pm 7/4/17	MALE DARK HAIR LOOKED 16/17	TOBACCO NO ID SAID THE LEFT IT AT HOME	Styh
9:20pm 7/4/17	FEMALE LOOKED 17/18 NO ID	DARK FEINT CIGAR	Styh
9:25pm 7/4/17	2 MALES LOOKED 17/18 NO ID	BEERS	Styh
6:10pm 12/4/17	1 MALE BLONDE CROPPED HAIR LOOKED 16/17 NO ID WHEN ASKED SAID IT IN CAR	CIGS	Styh
8:20pm 14/4/17	2 FEMALES LONG BLONDE HAIR LOOKED 16/17 FAKE ID	VODKA	Styh
7:30pm 28/4/17	MALE STRAIT DARK HAIR TALL LOOKED ABOUT 17	CIGAR NO ID	Sherrintylh
7:50pm 12/4/17	FEMALE LONG BLONDE HAIR SMALL IN SIZE LOOKED ABOUT 16	CIGS NO ID	Styh
6:50pm 10/6/17	MALE DARK LOOKED ABOUT 15/16	cig papers NO ID (BIG CIGS)	Styh



REFUSALS REGISTER



Date	Product	Time	Name of Person or Description	Observations	Staff Member
Example: 23/05/07	Cigarettes	7.10pm	Male 14 years? Blonde, 5ft 11"	Nervous and refusing to show ID	Alan Smith
1 16/9/18	cigs	3.00	MALE CROPPED HAIR	ACTING NO ID NERVOUS	Styh
2 7/11/18	cigs	6.30	MALE LOOKED ABOUT 15	NO ID SOBBY	Styh
3 11/11/18	cigs	3.27	MALE CROPPED HAIR DARK LOCKED 16/17	NO ID	Styh
4 18/11/18	cigs	3.25	MALE TALL DARK HAIR LOOKED 16	NO ID	Styh
5 24/11/18	cigs	4.48	male, tall, light hair. around 17	NO ID	e-scott
6 29/11/18	Alcohol	7.58	Male, white about 17 years old, track suit bottom	NO ID / thought he could show me a photo that had ID on it	B
7 23/12/18	cigs	13.35	female 16/17 HAIR LOCKED ABOUT 16 NO ID	NO ID	Styh
8 9/1/19	cigs + papers	5.50	MALE LONG DARK curly hair	NO ID VERY NERVOUS	Styh

1/2/19 cig2 3.49
 Male Blonde / School Boy
 uniform with jacket on
 NO-ID - School uniform
 gave it away
 DATE: _____
 MANAGER'S SIGNATURE _____
 PTO

Staff Training Register

Date	Time	Name of Person Training	Staff Member signature
1 3/1/2018	9:00am	Bheet / Bhawna	
2 8/5/2018	1pm	Bhawna / Bheet	
3 12/10/2018	5pm	Bhawna / Bheet	
4 16/12/2018	5:30pm	Bheet / Bhawna	
5 18/1/2019	9am	Bheet / Bheet	
6 22/4/2019	6am	Bhawna / Bheet	
7 5/8/2019	5:30pm	Bheet / Bhawna	
8 12/12/2019	4:30pm	Bhawna / Bheet	
9 2/3/2020	3pm	Bhawna / Bheet	
10 8/6/2020	4pm	Bhawna / Bheet emma	

2018 - SAP
2019 - JAN
2020 - JANU

Our Policy

-We will only sell nitrous oxide refills to people over the age of 21 must have identification.

-We will not sell to you if we suspect you intend to misuse the products.

-Nitrous Oxide is sold only for the purpose of catering.

The dangers of abusing nitrous oxide are well documented and we have compiled an easy to read list of the long and short term effects of abusing the gas.

- Nitrous Oxide can cause Oxygen Deprivation
- Brain Damage
- Death by asphyxiation
- Damage to Nervous Systems
- Damage to Nervous Systems
- Long Term Dangers of Laughing Gas abuse
- Danger of Falling
- Long Term Use Leading To personality Disorders
- Loss of Control of Bodily Functions
- Recovery - irreversible damage
- Damage to Hearing
- Permanent DNA Mutations
- Fatal Aesthetic
- Choking
- Addictions

TRin Staff

This page is intentionally left blank



Medicines & Healthcare products
Regulatory Agency



Advice for retailers of e-cigarettes and nicotine-containing e-liquids

This advice is issued by [MHRA](#) to help retailers to check e-cigarette and e-liquid products for compliance with the [Tobacco and Related Products Regulations 2016](#).

Product requirements

These apply to e-cigarettes (including rebuildable devices, those sold without nicotine content and components and replacement parts) and to e-liquids (refill containers for e-cigarettes):

- Maximum tank size of an e-cigarette, 2ml (when assembled if necessary)
- Maximum strength of nicotine-containing liquid if present, 20mg/ml nicotine
- Maximum volume of a nicotine-containing refill container, 10ml
- Tamper-evident and child-resistant packaging

Labelling requirements

On pack as sold (must be on bottle or device if no outer packaging):

- List of ingredients in nicotine-containing liquid, if present
- Indication of nicotine content and delivery per dose
- Batch number
- Recommendation to keep the product out of the reach of children
- Prominent health warning in black text on a white background on front and back - "This product contains nicotine which is a highly addictive substance"
- Prohibited on packs – offers and discounts, product safety / health claims

Unless all these details are included on the pack, an accompanying leaflet must include:

- Instructions for use and storage, including instructions for refilling where appropriate
- Contra-indications, warnings for specific risk groups and possible adverse effects, addictiveness and toxicity
- Contact details of the producer; also a contact within the UK if the producer is based outside the UK (this may be an EU contact for products supplied in Northern Ireland)

Exceptions where these are not required

- Identical replacement parts where you and the consumer can clearly identify from the labelling the notified e-cigarette product for which the part is a replacement
- Parts such as battery units that do not come into contact with nicotine-containing liquid when in use
- A disposable e-cigarette or e-liquid product containing 0mg nicotine when sold

Notification requirements

Always check with your supplier that the products you are offered have been notified to MHRA. You can verify this by checking our published [lists of notified products](#), updated weekly. If a product has not been notified the manufacturer or importer may not supply it to you.

Are you a producer?

You are a producer if you manufacture, import into the UK or add different branding to an e-cigarette or e-liquid product. Information for producers on product notification requirements is available [here](#).

Product safety issues

Side effects and safety concerns with e-cigarettes or e-liquids (refill containers) can be reported to MHRA through the [Yellow Card](#) reporting system.

Products suspected to be defective or non-compliant to local Trading Standards or to TPDsafety@mhra.gov.uk.

Do feel free to pass this message on to consumers on your website and in your shop.

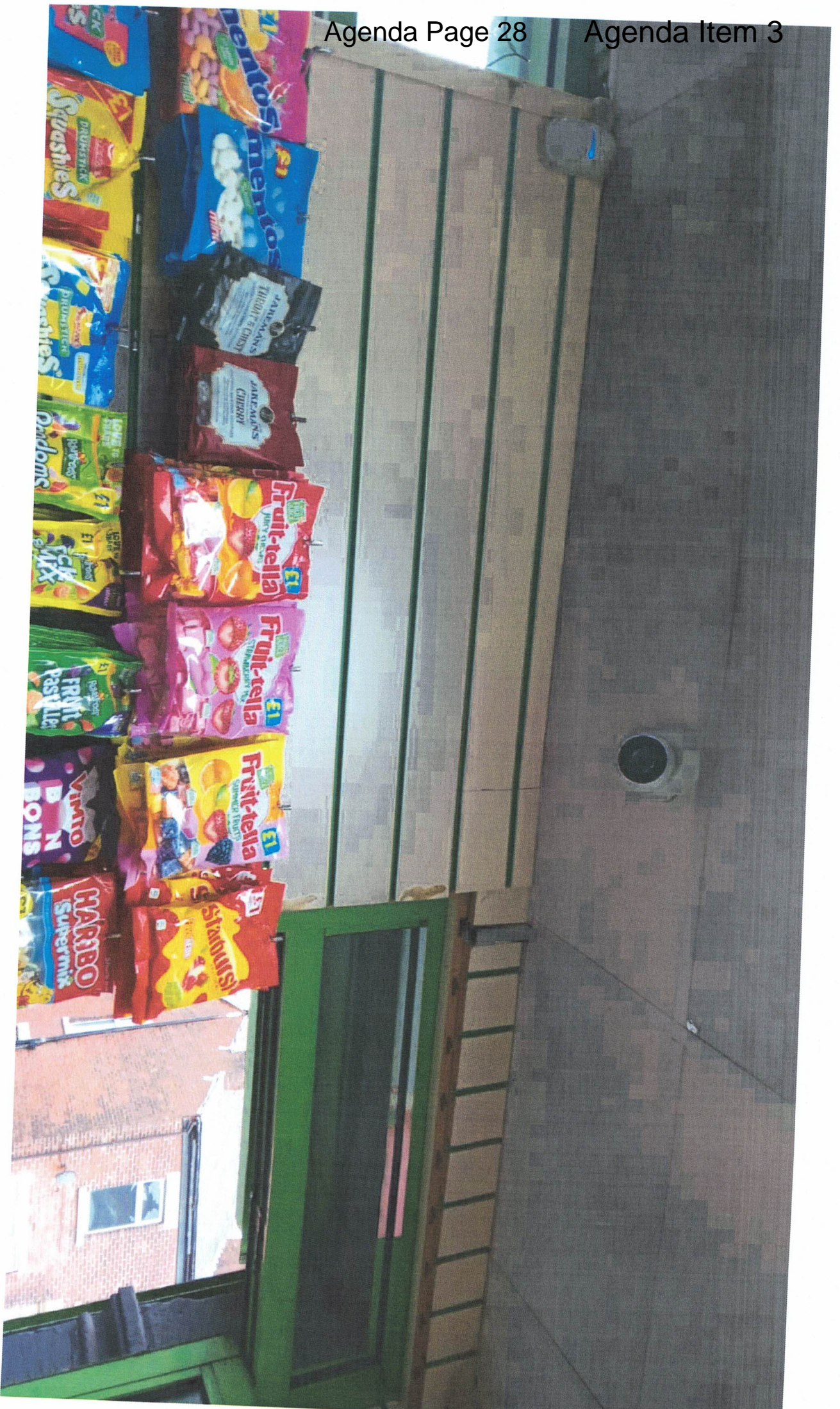
Further advice

More detailed information is available on our web [page](#) together with links to advice on other areas not the responsibility of MHRA such as advertising and cross-border selling.

Additional advice may be available from your local Trading Standards team or by contacting MHRA at info@mhra.gov.uk.

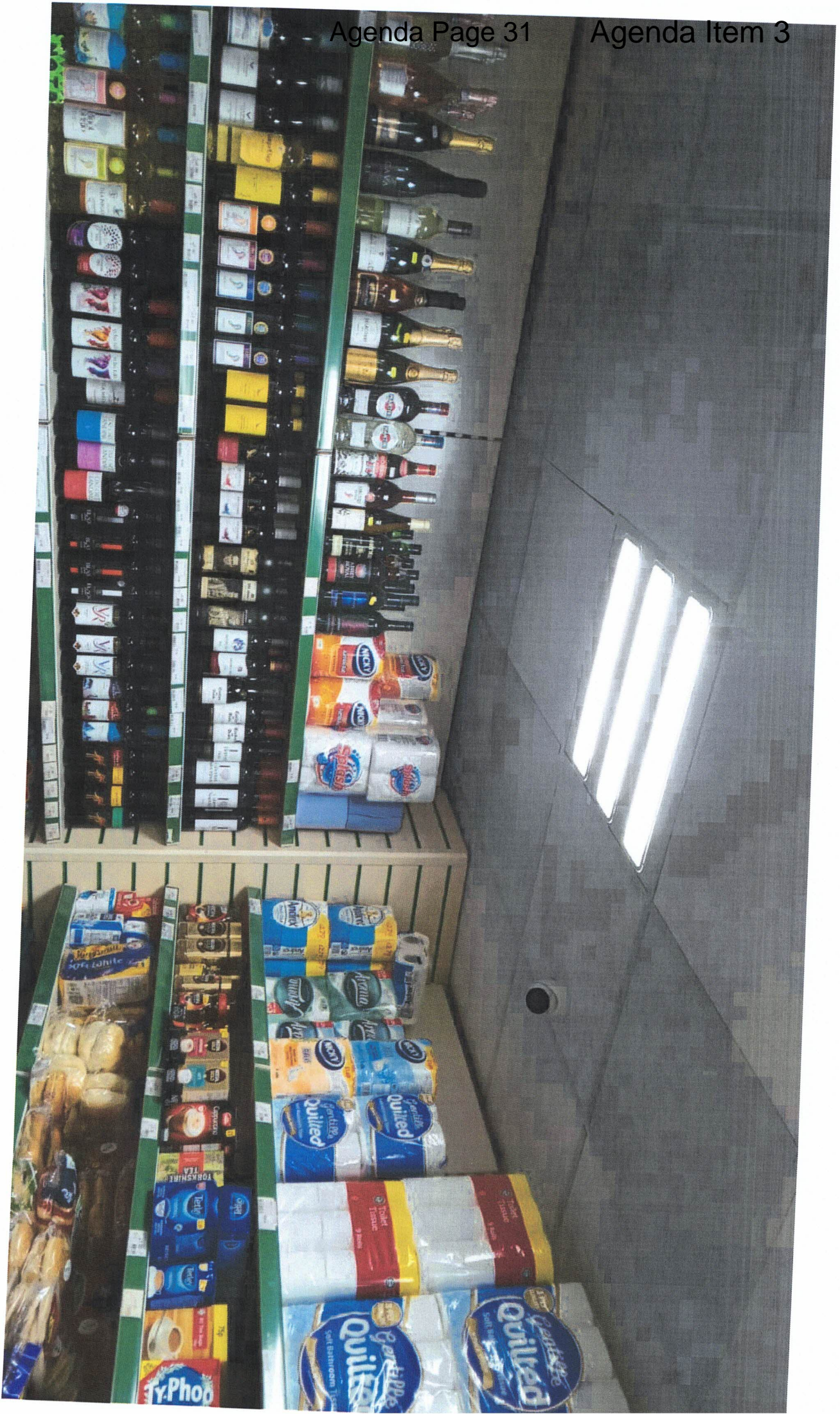
MHRA / August 2021



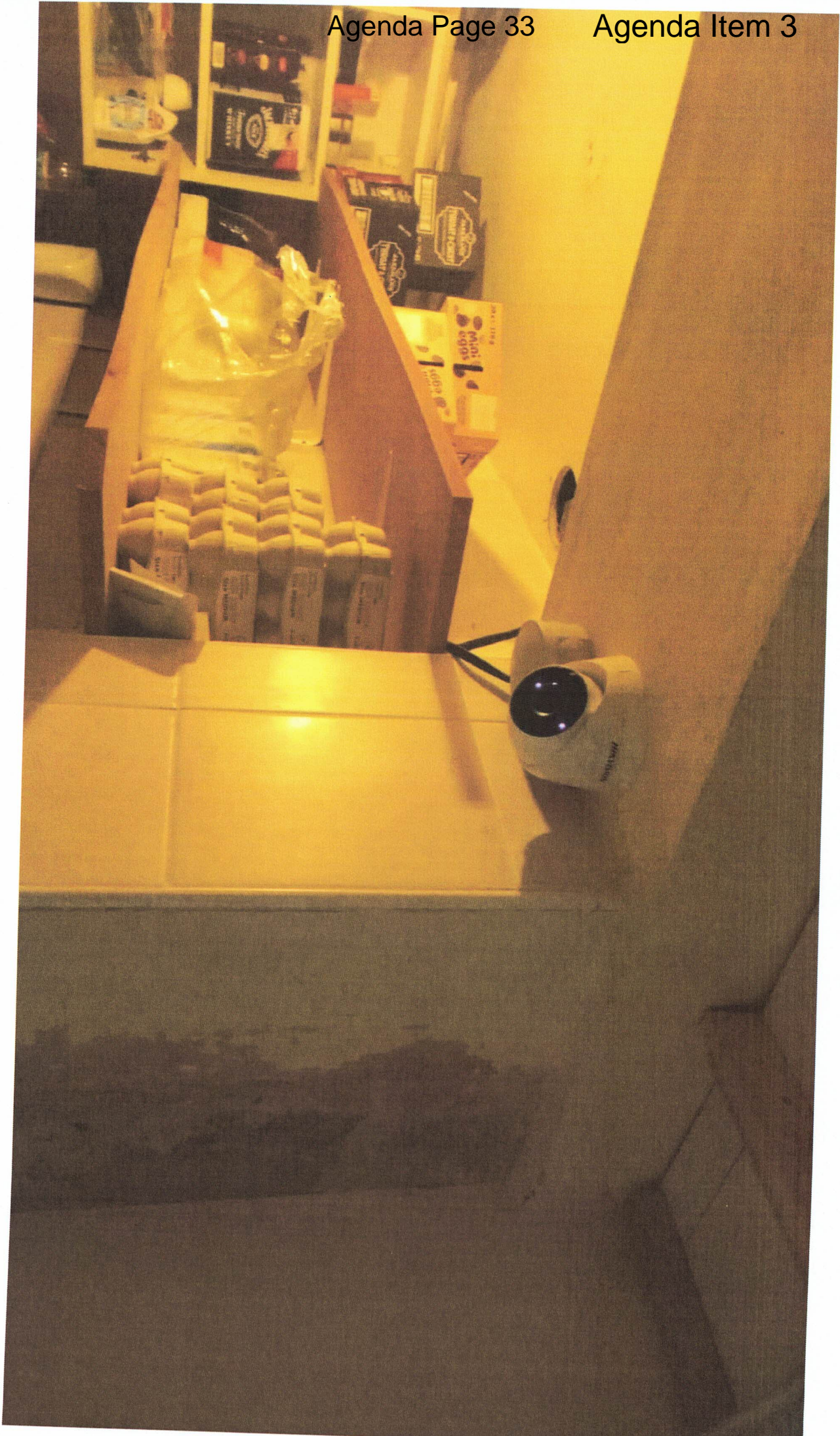








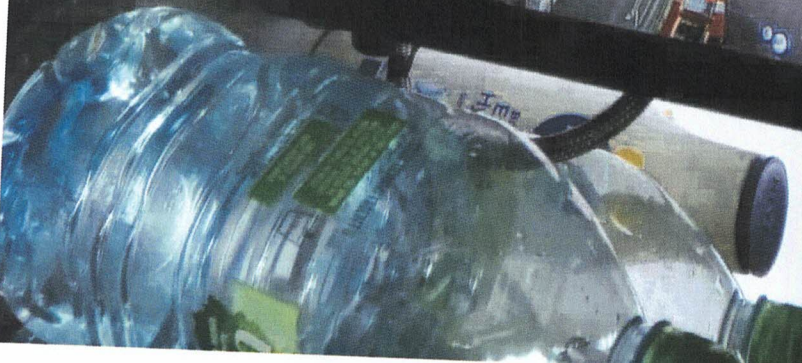








20 Assorted Washproof Plasters
£1







Contains Nicotine
which is a highly
addictive
substance

BM600
BLUE RAZZ ICE
£5.99

BM600
TRIPLE
£5.99

BM600
JICY
£5.99

BM600
KIWI
PASSIO
GU
£5.99

18 and
over
We will check
ID, if we think
you're not old
enough!
No photo or face
photo please

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

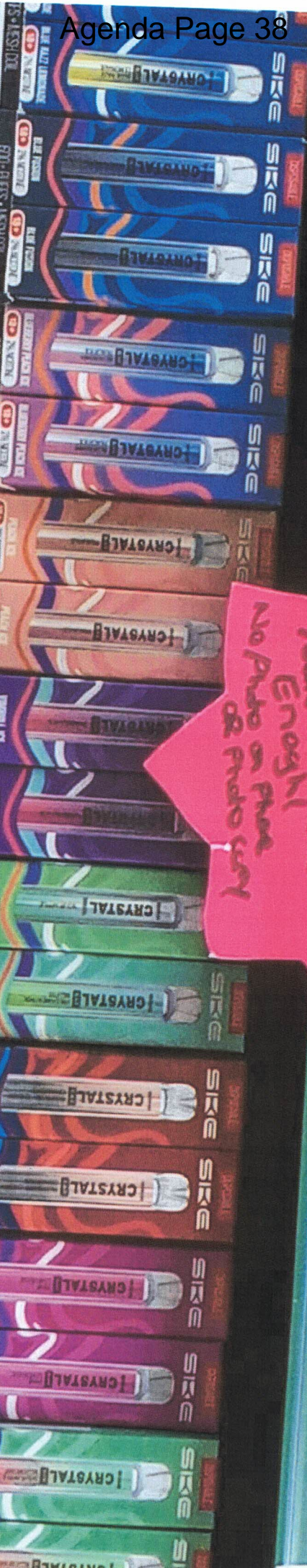
WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance

WARNING:
This product
contains nicotine
which is a
highly addictive
substance



CRYSTAL



SECURITY
C.C.T.V.
 Recording
 In Operation

PLAY NOW

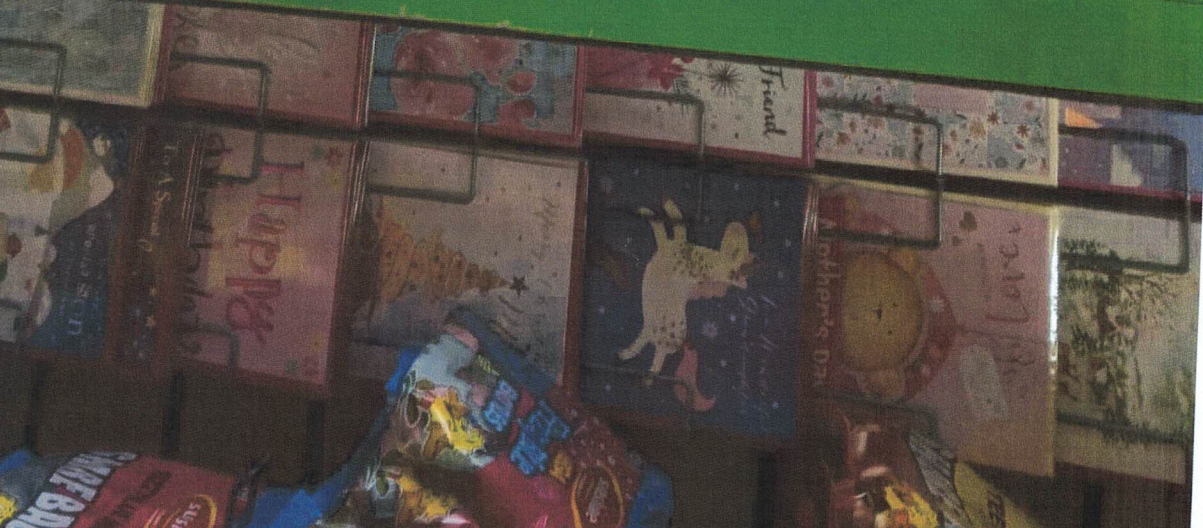
THE NATIONAL LOTTERY

Look Under
 2.57
 No I.D.
 NO SALE

Caution!
 floor slippery
 when wet
 outside
 be carefull

Jucef
 BAR
 Same great taste
 with every puff
PULL
 Juceebar.com

PROTECTED BY
DualCom
 MONITORED ALARM DUAL
 RESPONSE



This page is intentionally left blank

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: -
 - a) The system shall have cameras which cover all areas of the internal areas of the premises and the immediate external areas which customers use for access/egress to the premises.
 - b) As a minimum, the CCTV shall capture a “head and shoulders” image of any person who enters the premises through one of the public entrances and shall be of a quality that would enable their identification.
 - c) All recordings shall be stamped with the correct time and date
 - d) All recordings shall be retained for 30 days and shall be produced to an authorised officers upon lawful request
 - e) Signage advising that CCTV is in operation will be displayed
 - f) The DPS shall undertake an inspection of the CCTV system at least once monthly to ensure that it complies with the above. The date of the inspection shall be recorded in the premises log.

2. 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 or refusal of any age-related product. 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.

3. 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.

4. 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 and suitable signage will be in place. 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 and the refusal shall be recorded in the premises log that must be kept to record details of any refused sales. This record shall be made available for inspection by any responsible authority upon request

Acceptable forms of identification shall be: -

- (a) A PASS accredited holographic proof of age card
 - (b) Photo Driving Licence
 - (c) Passport
 - (d) National, including EU Identity Cards
5. A documented training scheme shall be introduced for all staff in a position to sell alcohol. Training reviews shall be carried out every 6 months with all members of staff in order to reinforce this training and to promote best practice. All training records shall be kept at the premises for a minimum of 12 months from the date of training and be made available for inspection by any responsible authority upon request.

Nathan Howson

From: Andrea Forrest <andrea@forrestsolicitors.co.uk>
Sent: 22 November 2022 16:27
To: Connolly, Stephen - 6884
Cc: Nathan Howson
Subject: RE:

CAUTION! This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi both

As per my e-mail 1 minute ago – agreed thank you.

Kind Regards

Andrea Forrest
Principal Solicitor
Forrest Solicitors
34A Main Road, Bolton-le-sands, Carnforth LA5 8EQ
T: 01524 874810
M: 07530534728
www.forrestsolicitors.co.uk



IMPORTANT PLEASE READ: This communication and the information it contains is intended for the person or organisation to whom it is addressed. Its contents are confidential and legally privileged. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is not permitted. If you receive this message in error, please notify the sender by email or telephone and immediately delete it and all copies of it from your system, destroy any hard copies of it. You must not, directly or indirectly, use, disclose, distribute, copy, or print any part of this message if you are not the intended recipient. The contents of any attachments in this e-mail may contain software viruses, which could damage your own computer system. Whilst we have taken every reasonable precaution to minimise this risk, we cannot accept liability for any damage which you sustain as a result of software viruses. Forrest Solicitors is authorised and regulated by the Solicitors Regulation Authority (SRA Number 386026) Sole Principal: Andrea Forrest

IMPORTANT PLEASE READ: Please be warned if you are ever contacted to pay us and advised that our bank account details have changed you must ignore this. We will notify you in writing and back that up by a personal call if that were ever the case

From: Connolly, Stephen - 6884 <Ste.Connolly@lancashire.police.uk>
Sent: 22 November 2022 16:26
To: 'Nathan Howson' <Nathan.Howson@chorley.gov.uk>
Cc: Andrea Forrest <andrea@forrestsolicitors.co.uk>
Subject:

Hi Both,

Please find attached updated agreed conditions

Removed at least 30 days from date of recording & removed bound incident log.

Thanks



PC 6884 Ste Connolly
 South Licensing Team
Phone: 01772209785
Mobile: 07970600217
Email:
southlicensing@lancashire.police.uk
 Preston Police Station
 Lancaster Road North
 Preston
 PR1 2SA
www.lancashire.police.uk

This message may contain information which is confidential or privileged. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments, without retaining a copy.

Lancashire Constabulary monitors its emails, and you are advised that any e-mail you send may be subject to monitoring.

This e-mail has been scanned for the presence of computer viruses.
