



**NOTICE OF REPRESENTATION AND
EVIDENCE BUNDLE
BY NOTTINGHAMSHIRE POLICE
REGARDING
APPLICATION FOR A PREMISE LICENCE
REVIEW AT
BUY AND SAVE
7 HIGH STREET, STANTON HILL
NOTTINGHAMSHIRE NG17 3GG
HEARING DATE: 11 JANUARY 2023**

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Kate Ansty (Senior Licensing Enforcement Officer, for and on behalf of the Chief Constable)

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Buy and Save 7 High Street Stanton Hill Sutton in Ashfield	
Post town Nottinghamshire	Post code (if known) NG17 3GG

Name of premises licence holder or club holding club premises certificate (if known)
Ravidu Hewa WADEGE

Number of premises licence or club premises certificate (if known)
PR/1750

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address The Chief Constable Nottinghamshire Police Sherwood Lodge Arnold Nottingham NG5 8PP [Please see Part 3 of this application for correspondence address]
Telephone number (if any) 101 extension 3180892
E-mail address (optional) Kate.ansty@notts.police.uk

This application to review relates to the following licensing objective(s)

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | ✓ |
| 2) public safety | ✓ |
| 3) the prevention of public nuisance | |
| 4) the protection of children from harm | ✓ |

Please state the ground(s) for review (please read guidance note 2)

Nottinghamshire Police Licensing Officers have recently visited the premises on two occasions. These visits have identified serious concerns that the premise Licence holder and Designated premise supervisor Ravidu Hewa WADUGE is not able to safely and legally operate the premises. This has resulted in verbal and written warnings being issued to WADEGE.

Nottinghamshire Trading Standards have also recently visited the premises on two occasions. This has resulted in the seizure of counterfeit vapes and cigarettes on both occasions, along with suspected counterfeit alcohol and cannabis-based confectionary. Police have also seized three large knives from behind the counter.

There has also been reports from concerned residents alleging sale of vapes and alcohol to under 18's. On 14/11/2022 a third and final test purchase operation took place at the premise resulting in a vape being sold to an underage person.

On 15/11/2022 Nottinghamshire Police issued a Closure Notice to WADUGE advising Nottinghamshire Police are attending Mansfield Magistrates Court 17/11/2022 to request a Closure Order is granted, ensuring the premise is closed

Nottinghamshire Police have no confidence in the management to ensure that the licensing objectives are promoted, in fact they are undermined to such extent that it is the opinion on Nottinghamshire Police that by having a licence is a risk to the public.

Please provide as much information as possible to support the application (please read guidance note 3)

The licensing objectives of the prevention of crime and disorder, public safety and protection of children from harm have all been undermined at this venue.

The premises are situated in Stanton Hill, Sutton In Ashfield with a premises licence that allows the sale of alcohol off the premises, from 07:00 – 23:00.

Ravidu Hewa WADEGE is both the Premises Licence Holder and Designated Premises Supervisor.

Summary of incidents and visits of note (further comments are included in the Police evidence bundle).

10/05/2022 – Intelligence received that the shop is regularly selling vapes to under 16 year old and alcohol to under 18's

16/08/2022 – intelligence reports alleging the owner selling cannabis from the premises

20/11/2021 – Test purchase took place at the premises. The young person was able to purchase a large kitchen knife without challenge from WADUGE. A case file was constructed, tasked through to their supervisor before being sent through to Notts initial files. The process limit was exceeded so no charges made, and case was closed
06/06/22

Visits/Inspections

19/08/2022 – Compliance visit by Adrian PALING, Nottinghamshire Police Licensing Officer. Premises were non-compliant on the conditions of the premise licence, namely: CCTV access, Challenge 25 policy and Staff Training. As part of that visit, counterfeit cigarettes were identified, and Trading Standards made aware. The staff members were told these are not allowed to be sold as are non-compliant and would be reported to Trading Standards. (Ravidu Hewa WADEGE was out of the country on this date)

01/09//2022 – Re-visit by Adrian PALING, Nottinghamshire Police Licensing Officer to check compliance from previous breaches identified. Premises were again found to be non-compliant on the conditions of the premise licence, namely: CCTV access and retention periods of footage, Challenge 25 policy and Staff Training. Ravidu Hewa WADEGE was present at this visit. It was also noted that the vapes display showed a brand on-sale that had been identified as non-compliant (ELUX) This was raised to Trading Standards as intelligence to support an inspection.

06/09/2022 – Visit by Police and Nottinghamshire Trading Standards, resulting in seizure of circa 1400 non-compliant vapes and 30 packs of counterfeit cigarettes.

05/10/2022 – Visit by Police and Nottinghamshire Trading Standards, resulting in seizure of non-compliant vapes. Also seized were over 20 bottles of vodka believed to be counterfeit, 16 packets of cannabis infused confectionary and three large knives which had been seized from the top of the cigarette counter.

14/11/2022 – Third Test Purchase Op by Nottinghamshire Police – Outcome – FAIL. 16 year old able to purchase vapes

15/11/2022 – Search by Trading Standards/Nottinghamshire Police – A further 100 non-compliant vapes were identified on the premises

15/11/2022 – Issuance of Closure Notice by Nottinghamshire Police to Ravidu Hewa WADEGE with immediate effect

17/11/2022 – Pre-arranged court date for request of a Closure Order for Buy and Save, Stanton Hill which will request closure of the premises for three months

Warning Letters

29/11/2021 - Written warning from Ashfield District Council for CCTV

11/05/2022 - Letter to Ravidu Hewa WADEGE from Ashfield District Council regarding allegations of sales of alcohol to persons under 18

07/07/2022 – Letter to Ravidu Hewa WADEGE from Ashfield District Council regarding allegations of sales of alcohol to persons under 18

19/08/2022 - Written warning to Ravidu Hewa WADEGE following Nottinghamshire Police Licensing Enforcement Officer compliance visit on 19/08/2022 for CCTV, Staff Training and Challenge 25

01/09/2022 – Written warning to Ravidu Hewa WADEGE following Nottinghamshire Police Licensing Enforcement Officer compliance visit on 01/09/2022 for CCTV and Staff Training and Challenge 25

Summary

Due to the nature of incidents, and the repeated seizure of counterfeit vapes/cigarettes and alcohol at the premises, the Police have concerns that the management of the premise is wholly undermining the licensing objectives. Ravidu Hewa WADUGE has shown complete disregard for authority and has continued to openly sell counterfeit goods despite clear stern advice and warnings from both Police Licensing officers and Trading Standards officers. The lack of staff training in relation to alcohol sales demonstrates poor management and a real risk to children.

The Police support premises and encourage well managed, safe premise to thrive. WADUGE has demonstrated a disregard for the licensing objectives and licence conditions despite support and advice being given on numerous occasions.

Nottinghamshire Police believe in order to rectify the issues surrounding crime and disorder is to ask for a full revocation of the premise licence with immediate effect, along with consideration being given to the suitability of Ravidu Hewa WADUGE holding a personal licence.

.....

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

Day Month Year

If yes please state the date of that application

If you have made representations before relating to the premises please state what they were and when you made them
Not applicable.

Please tick ✓ yes

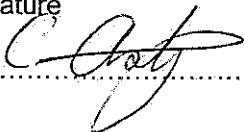
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature



Date

16th November 2022

Capacity

Senior Licensing Enforcement Officer, for and on behalf of the Chief Constable

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Adrian Paling
Mansfield Police Station
Great Central Road
Mansfield

Post town Notts

Post Code NG18 2HQ

Telephone number (if any) 101 extension 318 0892

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) adrian.paling@notts.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

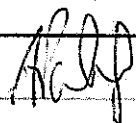
Statement of: Adrian Charles Edward Paling
 Age if under 18: Over 18 (if over 18 insert 'over 18')
 Occupation: Police Licensing Enforcement Officer

This statement (consisting of six (6) pages 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 anything which I know to be false or do not believe to be true.

Signature: Adrian Paling Date: 19/12 /2022

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

1. I am the Police Licensing Enforcement Officer for Mansfield and Ashfield areas, and I am based at Mansfield Police Station. My role is to monitor incidents and liaise with designated premises supervisors, premises licence holders, door supervisors and partner agencies to try to reduce alcohol related violence and disorder incidents within licensed premises. I have been employed in this role since June 2021.
2. I make this statement in respect of, and in support of an application by Nottinghamshire Police to make a formal representation to review this premise following visits by officers from Nottinghamshire Police and Nottinghamshire Trading Standards. On these visits to the premises, it has highlighted poor management in relation to the Premise Licence conditions, along with counterfeit cigarettes and vapes being identified and located on sale at Buy and Save, 7 High Street, Stanton Hill, Sutton in Ashfield, NG17 3GG. The Designated Premise Supervisor and Premise Licence Holder is Ravidu Hewa WADUGE.
3. Nottinghamshire Police were made aware of a report on 10th May 2022 from a local resident suggesting that the shop is selling vapes and alcohol to under 18's. Sutton in Ashfield Neighbourhood Policing Team were made aware of this. As a result, positive action was taken and a test purchase operation was held in the Ashfield area on 23rd June 2022, whereby a male under 18 attempted to buy alcohol. The premise did refuse the sale on this date.
4. Nottinghamshire Police were made aware of a report on 16th August 2022 from a local resident suggesting that the shop is selling cannabis from the premises. Sutton in Ashfield Neighbourhood Policing Team were also made aware of this.
5. I am also aware of an operation held by Sutton in Ashfield Neighbourhood Policing Team on 20th November 2021, whereby a young police cadet aged 15 was working with the police and was tasked with going into Buy and Save, Stanton Hill to try and purchase a knife. The

Signature:  Signature witnessed by: Error! Reference source not found.

Continuation of Statement of:

Adrian Charles Edward Paling

Page No 2 of 7

cadet was able to purchase a large kitchen knife without challenge from the shop keeper. The shop keeper has been named as Ravidu Ashan Mewa WADUGE. A case file was constructed but no charges were made.

6. I made an unannounced compliance visit at Buy and Save on Friday 19 August 2022 at 11:25 with the intention of doing a compliance audit with the owner (DPS and PLH) Ravidu WADEGE. On arrival I was greeted by a female shop worker Latha Fernando Gardi HEWAGE and a male shop worker who identified himself as the shop manager, Gelhore RAYMOND. I was advised the shop owner Ravidu Hewa WADUGE was on holiday and out of the country. Compliance tests were still done in the absence of the owner, who was contacted via telephone by one of the staff and I talked to Ravidu Hewa WADUGE to say I would be completing a compliance visit.

Failings identified as part of the visit, which are in breach of premise licence conditions, are shown below.

CCTV not accessible by staff, so could not verify retention period. It is noted they have a decent system with cameras in and outside

Challenge 25 posters not on display,

Premise licence summary not on display

Staff training documents not available and Gelhore RAYMOND stated he has not signed anything for staff training, indicating that training has not been documented.

I then looked around the store and the storerooms and noted lots of spare stock in there but no cigarettes. I asked Gelhore RAYMOND where they kept cigarettes and he said it was kept at the owners house or at his Aunt's house. Gelhore RAYMOND did not disclose the addresses.

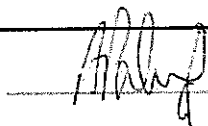
I looked behind the counter and the display cupboard where they sell cigarettes. I noticed on the top right side of the cupboard some blue packets of cigarettes. I took these out and there were nine (9) sealed packets of the blue Richmond King size 20's, which are not of current design, which I believed to be counterfeit. I asked why they were there and Gelhore RAYMOND indicated he did not know. I said these are not to be sold and to remove immediately, which was done in my presence. I stated that I would be reporting the shop to Trading Standards and there will be consequences from that.

7. I refer to exhibit AP1 which is my written notes from the visit on 19th August 2022

8. I refer to exhibit AP2 which are photographs of the sealed packets of Richmond King size 20's which I believed to be counterfeit

9.. I refer to exhibit AP3 which is an email to Trading Standards on 22nd August 2022 reporting my findings in relation to the Richmond King size 20's which I believed to be counterfeit

Signature:



Signature witnessed by:

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10. I refer to exhibit AP4 which is a copy of the written warning letter sent to Ravidu Hewa WADUGE on 22nd August 2022 formally identifying the conditions that were not met and requesting that these are addressed within seven (7) days. This letter was emailed to Ravidu Hewa WADUGE and a hard copy posted to the premise address.

11. On 01st September 2022 at 15:00 I made a repeat unannounced visit to Buy and Save to check if breaches identified previously had been addressed. Ravidu Hewa WADUGE was not in on arrival, however the shop manager Gelhore RAYMOND contacted Ravidu Hewa WADUGE who came to the premises within ten minutes.

I discussed the reasons for my initial visit (at initial visit Ravidu Hewa WADUGE was on holiday but I did speak by phone to him) The original visit had a compliance letter sent by email to an email address held on file (which bounced back as undeliverable) and a hard copy posted to premises. Ravidu Hewa WADUGE then gave an updated email address and stated that a hard copy of the letter has not been received.

I explained the breaches identified at that visit regarding CCTV, staff training and Challenge 25. It is noted that a Challenge 25 poster is now on display in the front window.

Ravidu Hewa WADUGE logged into the CCTV system, and it was confirmed that the system only records for two (2) weeks, so not in line with 31 days as per license. No staff training records were on hand.

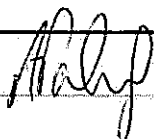
I advised I would resend the original warning letter plus one from today specific to CCTV and staff training and would do another unannounced visit at some point in the future. I also signposted Ravidu Hewa WADUGE to National Pubwatch website and/or to contact Ashfield District Council for draft working policies that could be used to support staff training. I also asked Ravidu Hewa WADUGE to contact the CCTV installer to ensure the hard drive is capable of recording 31 days, offering a suggestion that some cameras may be amended to 'motion-only' which could free up memory capacity instead of recording 24 hours a day.

I also observed ELUX vapes on display on the counter (discussion with Trading Standards prior to visit to be aware of these and to report as necessary) This was reported to PC 3336 Shahwaz SHAJIAT following the visit.

12. I refer to exhibit AP5 which is my written notes from the visit on 01st September 2022. It is noted that Ravidu Hewa WADUGE did not sign the visit sheet before I left but was present as I made notes and we did discuss the content as it was being written.

13. I refer to exhibit AP6 which is a photograph of the ELUX vapes on display at the premises which I believed to be counterfeit

Signature:



Signature witnessed by:

Error! Reference source not found.

14. I refer to exhibit AP7 which is an email to PC 3336 Shahwaz SHAJIAT who works with Nottinghamshire Trading Standards on 01st September 2022 reporting my findings in relation to the ELUX vapes which I believed to be counterfeit

15. I refer to exhibit AP8 which is a copy of the second written warning letter sent to Ravidu Hewa WADUGE on 02nd September 2022 formally identifying the conditions that were not met and requesting that these are addressed within seven (7) days.

16. I am aware of a visit to Buy and Save by Nottinghamshire Trading Standards on 06th September 2022, whereby a large number of suspected counterfeit vapes and cigarettes were seized.

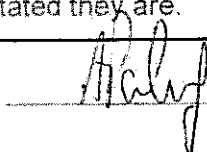
17. Following an email conversation with Phil TAYLOR from Nottinghamshire Trading Standards on 13th September 2022, it was agreed that Phil TAYLOR would instigate a review by formally completing a Notice of Representation, which would be submitted to Ashfield District Council. I refer to this email as exhibit AP9.

18. As an update I spoke to Phil TAYLOR by telephone on 21st September 2022, who advised that they are still looking to start the review process, and hopeful it will be done in the next couple of weeks

19. On 30th September 2022 I emailed Phil TAYLOR and copied in PC 3336 Shahwaz SHAJIAT, asking for an update on where they are with the paperwork and Notice of Representation. I received an email back from Phil TAYLOR on 02nd October, stating that they are due to inspect the premises again on Wednesday 05th October 2022 with colleagues from Environmental Health, and hope to present more evidence to challenge the license.

20. On 05th October 2022 at 11:48 I received a phone call from Phil TAYLOR from Nottinghamshire Trading Standards to say they had completed an inspection at the premises today along with colleagues from Police and Environmental Health. They have seized a quantity of non-compliant vapes plus over twenty (20) bottles of what is believed to be counterfeit vodka. Phil TAYLOR also stated the inspection found 16 packets of cannabis infused confectionary. Phil TAYLOR stated that three large knives were seized from the top of the cigarette counter. Phil TAYLOR stated the number of vapes seized today has not been counted but is expected to be a higher number than the ones seized at their previous visit on 06th September 2022, whereby Phil TAYLOR gave words of advice to Ravidu Hewa WADUGE to say that these were not compliant and should not be sold. I asked Phil TAYLOR when the Notice of Representation is likely to be submitted and he stated that due to the inspection today, and the need for it to be verified as counterfeit, and for evidence to be gathered, this could be another two weeks. I asked if the premises are still allowed to trade, and Phil TAYLOR stated they are.

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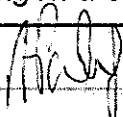


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21. On 05th October 2022 I then discussed the Notice of Representation status with Kate ANSTY, County Senior Licensing Officer for Nottinghamshire Police, who has concerns over the time taken to instigate the review. It was decided that we in Nottinghamshire County licensing department would offer to instigate the review, based on visits by myself, and that Trading Standards and Environmental Health would then be invited to add more evidence. I then rang Phil TAYLOR at 12:30 to offer this solution, to which he agreed, and would support the review process. The requested review outcome would be a full revocation of the Personal Licence for Ravidu Hewa WADUGE plus the revocation of the Premise Licence at Buy and Save, 7 High Street, Stanton Hill, Sutton in Ashfield, Nottinghamshire. NG17 3GG.
22. On 05th October 2022 at 12:37 I rang Julian ALISON, Senior Licensing Officer, Ashfield District Council, to make him aware of the situation, and that to expect a Notice of Representation.
23. On 06th October 2022 I had a telephone conversation with Insp Jon HEWITT, Neighbourhood Policing Inspector for Ashfield who is looking into the potential for a Closure Notice and Closure Order. I explained that we could review now based on the premise licence but that would only potentially take the alcohol sales away and can carry on trading. A Closure Order would need to be triggered by the Local Policing team and authorised at Superintendent level. As part of that process a review would be completed. I advised that until a decision is made on the Closure Notice is made, we would not instigate the review. Insp Jon HEWITT advised me that he would keep me informed and collate facts and evidence before a decision is made.
24. On 10th October 2022 a further conversation with Insp Jon HEWITT, Neighbourhood Policing Inspector for Ashfield, confirmed the Closure Notice/Order process is to be initiated and appropriate documentation will be sent to Legal Services once collated and completed.
25. On 02nd November 2022 an email conversation with Insp Jon HEWITT, Neighbourhood Policing Inspector for Ashfield, confirmed they planned a test purchase operation for 14th November 2022, followed by a search and issuance of a Closure Notice on 15th November 2022, with a pre-arranged court date for the afternoon of 17th November 2022 to request a Closure Order.
26. On 16th November 2022 I submitted an application for the review of a premises licence to Ashfield District Council. The Premise Licence Holder Ravidu Hewa WADUGE was sent a copy to the address shown on file as per the Personal Licence, plus a copy was also emailed to the email address that was supplied at my visit on 01st September 2022
27. On 17th November 2022, I was advised that the defence requested an adjournment of the Court hearing for a Closure Order, which has been granted and the hearing will now take

Signature:



Signature witnessed by:

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place on 01 December 2022 at 2pm. The effect of this is that the shop must remain closed in the meantime as the court have extended the closure notice

28. I also refer to the following documents:

AP10 – copy of Closure Notice issued on 15th November 2022 at 17:00 to Buy and Save by Nottinghamshire Police

AP11 – Photograph of Closure Notice in situ on front door of premises

AP12 – copy of Extension to Closure Notice issued by Mansfield Magistrates Court on 17th November 2022 to Buy and Save

AP13 – Photograph of Extension to Closure Notice in situ on window of the premises

29. I have been made aware by a member of County licensing team that at circa 23:45 on 17th November 2022, it was observed that the shutters were up, the lights were on and a male wearing a black puffer-style jacket was in the doorway smoking a cigarette. Insp Jon Hewitt has been made aware of this by email on 18th November 2022 for further investigation.

30. On 18th November 2022 I had a telephone conversation with Julian ALLISON, Senior Licensing Officer for Ashfield District Council. Julian ALLISON stated that the annual premise licence fee had not been paid, and that they had previously sent a reminder to the premises to give 21 days to pay, otherwise the premise licence would be suspended. This period is due to expire on 21st November and Julian ALLISON does not expect the fee to be paid so, by default the premise licence will be suspended until payment is received.

31. On 01 December 2022 a Closure Order was issued to Ravidu Hewa WADUGE for Buy and Save, 7 High Street, Stanton Hill, Sutton in Ashfield. NG17 3GG by Mansfield Magistrates Court. This expires at 23:59 on 28 February 2023 and does not allow the premises to trade.

32. I also refer to the following documents:

AP14 – Copy of Closure Order issued by Mansfield Magistrates Court

AP15 – Statement by Inspector Jon HEWITT, Ashfield Neighbourhood Policing Commander. Please note the reference included on the statement also stating the store name as 'Seven til Ten' which is the previous name of the store, with the same Premise Licence Holder and Designated Premise Supervisor being Ravidu Hewa WADUGE.

END

Signature:



Signature witnessed by:

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EXHIBIT

AP01

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LEO Premise Visit sheet - Not protectively marked (v2)	
Premises name	Bug and Sane
Address	7 High Street, Stanton Hill, NG17 3GG
Telephone number	(Ravi)
Email	
Date	19/08/22
LEO Visiting	Adrian Poling
DPS (or representative) seen	Ravindu Waduge (OPS) - on holiday - see overleaf

CCTV checks - complete at every visit		
CCTV recording correct number of days?	Yes	No <input checked="" type="radio"/> See overleaf
CCTV time and date correct?	Yes	No <input checked="" type="radio"/>
All CCTV cameras working fully	Yes <input checked="" type="radio"/>	No <input type="radio"/>
CCTV warning issued (7 days to rectify)	Yes <input checked="" type="radio"/>	No <input type="radio"/>
Any planned events	Yes	No <input checked="" type="radio"/> N/A
Full audit conducted	Yes <input checked="" type="radio"/>	No <input type="radio"/> see extra sections below
Full Audit		
Premise Summary on display	Yes	No <input checked="" type="radio"/>
Premise Licence available	Yes	No <input checked="" type="radio"/>
Premises Plan available	Yes	No <input checked="" type="radio"/>
Permission to Sell by DPS available	Yes	No <input checked="" type="radio"/>
Any other Personal Licence holders	Yes	No <input checked="" type="radio"/>
Challenge 21/25 posters/Pass posters	Yes	No <input checked="" type="radio"/>
Advice re selling to drunk/intoxicated	Yes <input checked="" type="radio"/>	No <input type="radio"/>
Incident book on hand and used	Yes	No <input checked="" type="radio"/> See overleaf
Refusals register on hand and used	Yes	No <input checked="" type="radio"/> See overleaf
Door Staff Signing-in register available	Yes	No <input type="radio"/> N/A
Door Staff Company		N/A
Knife Wand	Yes	No <input checked="" type="radio"/> N/A
Staff Training documents available	Yes	No <input checked="" type="radio"/>
Ask Angela discussed	Yes	No <input checked="" type="radio"/>
Drugs Advice/wipes	Yes	No <input checked="" type="radio"/>
Local trends (Spiking, Knife crime)	Yes	No <input checked="" type="radio"/>
Compliant with Premise Licence conditions	Yes	No <input checked="" type="radio"/>
Advice given for fake ID/drugs etc	Yes	No <input type="radio"/>
Full Audit (Off Licence specific)		
Is alcohol displayed correctly	Yes <input checked="" type="radio"/>	No <input type="radio"/>
Any special offers	Yes	No <input checked="" type="radio"/>
Crime and Disorder issues	Yes	No <input checked="" type="radio"/>
Noise/Nuisance issues	Yes	No <input checked="" type="radio"/>
Continued overleaf? <input checked="" type="radio"/> Yes		
Signed (LEO)	[Signature]	
Signed (DPS/Rep)	[Signature]	
Date	19/08/22	

Premises name	Buy and Save		
Date	19/08/22	Time	11:25
Summary of discussion and actions (continued from previous page)			
<p>DPS / owner is on holiday to Greece until 25/08/22.</p> <p>Shop manager - Gelhore RAYMOND.</p> <p>Shop staff - Latha Fernando GARDI HEWAGE both in shop at time of visit</p> <p>Ravi called and Adnan spoke.</p> <p>* Confirmed was in breach of CCTV, staff training (as Ravi stated no training records) and Challenge 25 (as no posters) * <u>Warning to be issued.</u></p> <p>Gelhore RAYMOND is aware of Chall 25 through working at CO-op previously.</p> <p>Gelhore states he asks for ID and will refuse.</p> <p>Gelhore unaware of a 'refusals book' on premises.</p> <p>* Premise Summary not on display. Premise plan or licence not available at time of visit.</p> <p>Incident book plus refusals book not on hand. (not condition but advised of best practice)</p>			
Continued overleaf?			
		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Signed (LEO)	A. Palup		
Signed (DPS/Rep)	C. [Signature]		
Date	19/08/22		

Premises name	Buy and Save		
Date	19/08/22	Time	11:00 11:25
Summary of discussion and actions (continued from previous page)			
<p>Advice given re proxy sales and serving to intoxicated.</p> <p>* CCTV not accessible by staff - do not know password.</p> <p>* Permission to sell document - not available and Gelhore unaware (<u>email to Ravi</u>)</p> <p>No ASB at premises identified.</p> <p>Store rooms - alcohol and soft drinks in store at back and at next door. Lots of stock.</p> <p>No cigarettes stored on site. Asked Gelhore and states kept at DPS' Aunt's house or Ravi's house.</p> <p>Vapes are all behind counter. Gelhore aware of min age 18 and asks for ID.</p> <p>Gelhore to mark a diary for incident book and a diary for refusals book. This is to be implemented immediately. Best practice on entries advised & to declare each day if no issues.</p>			
Continued overleaf?			
Signed (LEO)		Yes	No
Signed (DPS/Rep)			
Date		19/08/22	

Premises name	Buy and Save		
Date	19/08/22	Time	11:25
Summary of discussion and actions (continued from previous page)			
<p>No staff training records on hand and staff not been officially trained. (adrian to email policy which may be of use)</p> <p>Gelmore aware of the test purchase ops in recent weeks. Premises did pass. Advised that will do another visit unannounced and expect issues raised to be corrected re CCTV, staff training and Challenge 25.</p> <p>Cigarettes behind counter checked. One section with Blue packet of Richmond King Size (20's) that are not in current packaging. Asked Gelmore why they are there and said 'does not sell them'. 9 packs of these in the red cupboard, top shelf behind counter (as per photographs).</p> <p>Told Gelmore to remove these immediately as not allowed to sell these. Gelmore does not know where from. Advised will be reported to Trading Standards & expect a review on licence.</p>			
Signed (LEO)	[Signature]		
Signed (DPS/Rep)	[Signature]		
Date	19/08/22		

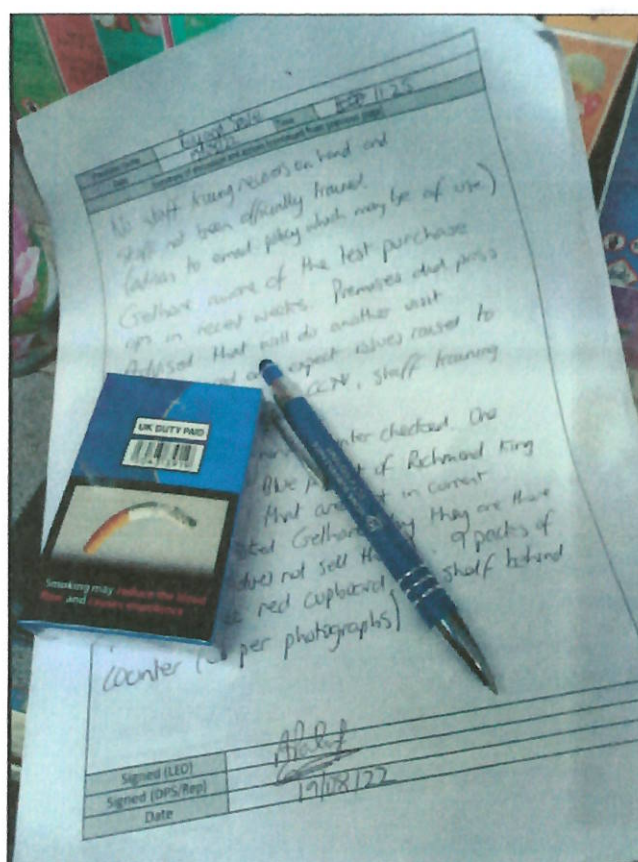
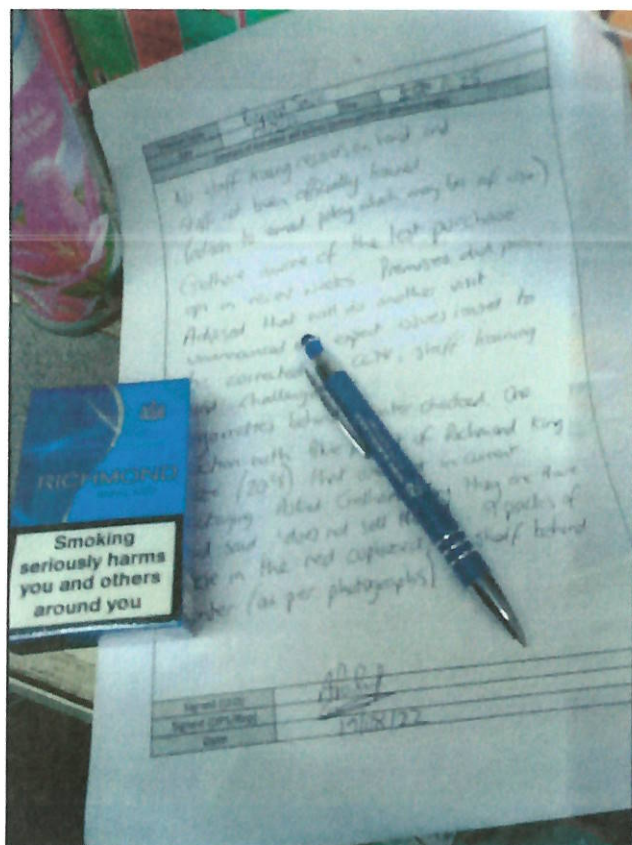
Cigarettes removed from shelving by Adrian and given to Gelmore who has put in a carrier bag. Told not to sell these

EXHIBIT

AP02

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EXHIBIT

AP03

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Adrian Paling

From: Shajiat, Shahwaz, PC3336
Sent: 22 August 2022 12:09
To: Adrian Paling
Subject: RE: Buy and Save (7 til 10) - Stanton Hill

Cheers Adrian,

The Richmond are in fact counterfeit, I think we're going to go for a straight inspection in a couple of weeks, to allow the dust to settle from your compliance visit.

Cheers

Saj

From: Adrian Paling
Sent: 22 August 2022 11:48
To: Shajiat, Shahwaz, PC3336; Phil Taylor
Cc: Adrian Paling
Subject: RE: Buy and Save (7 til 10) - Stanton Hill

Hi both

As per conversation with Phil today, plus voicemail left for Shaj last Friday...

I visited Buy and Save on Friday 19 August 2022 at 11:25 with intention of doing a compliance visit with the owner (DPS and PLH) Ravidu WADUGE.

On arrival I was greeted by a female shop worker Latha Fernando Gardi HEWAGE and a male shop worker who identified himself as the shop manager, Gelhore RAYMOND.

Compliance tests were still done in the absence of the owner, who was contacted via telephone by one of the staff and I talked to him to say I would be doing a compliance visit.

Failings identified which are in breach of Premise Licence conditions:

CCTV not accessible by staff, so could not verify retention period. It is noted they have a decent system with cameras in and outside

Challenge 25 posters not on display

Premise Licence summary not on display

Staff training documents not available and Gelhore RAYMOND stated he has not signed anything for staff training, indicating that training has not been documented.

Following from that I looked around the store and in the storerooms and lots of spare stock in there but no cigarettes. I asked Gelhore RAYMOND where they kept cigarettes and he said it was kept at the owners house or at his Aunts house. Gelhore did not disclose the addresses.

I looked behind the counter and in the cupboard where they sell cigarettes. I noticed on the top right side of the cupboard some blue packets of cigarettes. I took these out and there were 9 sealed packets of the Richmond King Size 20's as per pictures attached. I asked why they were there and Gelhore RAYMOND indicated he did not know. I said these are not to be sold and to remove immediately which was done in my presence. I stated that I would be reporting the shop to Trading Standards and there will be consequences from that.

I will issue a warning re compliance breaches if you can deal with the cigarettes, which I believe to be illicit.

Let me know if anything comes of it.

Adrian Paling
Police Licensing Enforcement Officer
County Division

Local Policing Unit (Licensing)
 Nottinghamshire Police
 Mansfield Police Station
 Great Central Road
 Mansfield
 Nottinghamshire NG18 2HQ

Office Tel: 0115 8445073
 Office Internal Ext : 318 0892
 Internal Ext: 310 1987
 Mobile:
 Police Non Emergency Dial 101
 E Mail: adrian.paling@notts.police.uk

From: Shajiat, Shahwaz, PC3336 <Shahwaz.Shajiat@Notts.Police.uk>
Sent: 18 August 2022 12:46
To: Adrian Paling <adrian.paling@notts.police.uk>
Subject: RE: Buy and Save (7 til 10) - Stanton Hill

This is the current guidance pal.

<https://theintranet.npf.internal/news/News%20Centre%20Documents/Guidance%20on%20Illicit%20Tobacco%20for%20Police%20Officers%20v%202019.pdf#search=illicit%20tobacco>

If you're unsure about anything then please let me know.

Saj

From: Adrian Paling
Sent: 18 August 2022 12:42
To: Shajiat, Shahwaz, PC3336
Subject: RE: Buy and Save (7 til 10) - Stanton Hill

Ok

Any easy signs of fakes I can look for?

Adrian Paling
Police Licensing Enforcement Officer
County Division

Local Policing Unit (Licensing)
 Nottinghamshire Police
 Mansfield Police Station
 Great Central Road
 Mansfield
 Nottinghamshire NG18 2HQ

Office Tel: 0115 8445073
 Office Internal Ext : 318 0892

Internal Ext: 310 1987
 Mobile: J
 Police Non Emergency Dial 101
 E Mail: adrian.paling@notts.police.uk

From: Shajiat, Shahwaz, PC3336 <Shahwaz.Shajiat@Notts.Police.uk>
Sent: 18 August 2022 12:41
To: Adrian Paling <adrian.paling@notts.police.uk>
Subject: RE: Buy and Save (7 til 10) - Stanton Hill

No issues pal.
 If it transpires there are issues re counterfeit cigarettes then please let us know.

Cheers

Saj

From: Adrian Paling
Sent: 17 August 2022 11:31
To: Shajiat, Shahwaz, PC3336
Subject: Buy and Save (7 til 10) - Stanton Hill

Hi Shaj

I am planning to do a compliance visit at this premise on Friday 19/08. I know we have talked about this place before and has been on your radar so any issues with me going and doing an unannounced visit?

Speak soon

Adrian Paling
Police Licensing Enforcement Officer
County Division

Local Policing Unit (Licensing)
 Nottinghamshire Police
 Mansfield Police Station
 Great Central Road
 Mansfield
 Nottinghamshire NG18 2HQ

Office Tel: 0115 8445073
 Office Internal Ext : 318 0892
 Internal Ext: 310 1987
 Mobile: J9
 Police Non Emergency Dial 101
 E Mail: adrian.paling@notts.police.uk

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EXHIBIT

AP04

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Nottinghamshire Police
County Division Police Licensing
 Mansfield Police Station
 Great Central Road
 Mansfield
 Nottinghamshire
 NG18 2HQ

Tel: 101 Extn 318 0892

22 August 2022

Ravidu Waduge (DPS and PLH)
 c/o Buy and Save
 7 High Street
 Stanton Hill
 Sutton in Ashfield
 Nottinghamshire
 NG17 3GG

Dear Ravidu

WARNING LETTER – PREMISE LICENCE CONDITIONS

Buy and Save, Sutton in Ashfield. NG17 3GG

I made a visit to your premises on 19 August 2022 at 11:25 to complete a compliance audit visit. On arrival I was greeted by a female shop worker Latha Fernando Gardi HEWAGE and a male shop worker who identified himself as the shop manager, Gelhore RAYMOND.

Compliance tests were still done in your absence, who was contacted via telephone by one of the staff and I talked to you to say I would be doing a compliance visit.

Failings identified which are in breach of Premise Licence conditions:

CCTV not accessible by staff, so could not verify retention period

Challenge 25 posters not on display

Premise Licence summary not on display

Staff training documents not available and Gelhore RAYMOND stated he has not signed anything for staff training, indicating that training has not been documented.

Please take action to correct the above immediately upon your return from holiday. Please check your CCTV system to ensure there is enough memory capacity to record 31 days. It may also be an option to use 'motion-only' settings on certain cameras instead of recording 24hrs, as this may free up extra storage space on the system.

Police recommend **daily** best practice regarding CCTV is shown below:

- Check all cameras are working, reporting any faults to the CCTV installer and inform us on the email address below
- Check the system date and time is correct, and amending as applicable
- Check the retention period of footage for all systems to ensure past footage is available to be viewed in line with your Premise Licence, ideally 31 days as a minimum

I would like to remind you of the conditions on your licence as below.

Annex 2 - Conditions consistent with the Operating Schedule

1. A CCTV system with recording equipment shall be installed and recorded on the plan appended to the licence. The system shall be installed prior to the premises carrying out licensable activities and maintained in accordance with the system.
All recordings used in conjunction with CCTV shall:
 - Be of evidential quality
 - Cover the point of sale, and entrance and exit
 - Indicate the time and date
 - Be retained for a period of 31 days
 - Sufficient staff will be trained to use the system
 - The original images will be made available for inspection immediately upon the request of Police officers, or other authorised officers.
 - Copies of recordings shall be provided in a format which can be viewed on readily available equipment without the need for specialist software.
2. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:
 - Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
 - Refresher/reinforcement training at intervals of no more than 6 months.
 - Training records will be retained at the premises for a minimum period of 12 months and available for inspection upon request by a Police Officer and/or authorised person
3. A **Challenge 25** scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (e.g. passport, driving licence, Military ID or PASS accredited card).
4. **Challenge 25** notices shall be displayed in prominent positions throughout the premises

Section 136 Licensing Act 2003 makes it a criminal offence to breach the conditions of your premise licence. Action for a breach of this section of the act can be taken against all/any of the following:

- (1) The premise licence holder
- (2) The Designated Premise Supervisor
- (3) Any person who is facilitating the breach

The penalty for breach of Section 136 Licensing Act 2003 can be sentenced to a fine of an unlimited amount and/or 6 months' imprisonment. The court also has power to use ancillary orders such as surrender of a personal licence.

As you are aware, the Responsible Authorities consider effective and responsible management of the premises and adoption of best practice in the leisure industry to be amongst the most important control measures for the achievement of all the licensing objectives.

The primary responsibility for controlling licensable activities lies firmly with the management of the premises. As you are the Designated Premises Supervisor that responsibility falls to you.

The Police request that you look at your operating procedures and put systems in place, which will assist in preventing any further breaches and offences.

If you would like to discuss this matter further, please do not hesitate to contact me on the above telephone number.

Please can you sign and return one copy of this letter to County Licensing Department, as per the address at the top of this letter. This can also be handed into any Nottinghamshire Police Station, addressed to County Licensing Department, to be forwarded via our internal mail. Alternatively, you may scan a signed copy back to the following email address.

county.licensing@notts.police.uk

Yours Sincerely

Adrian Paling

A Paling
Licensing Enforcement Officer
Nottinghamshire Police
County Division

Received copy of this letter:

Signed

Date

Print Name

CC Insp John Hewitt, Ashfield Police
Ashfield District Council Licensing Dept

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EXHIBIT

AP05

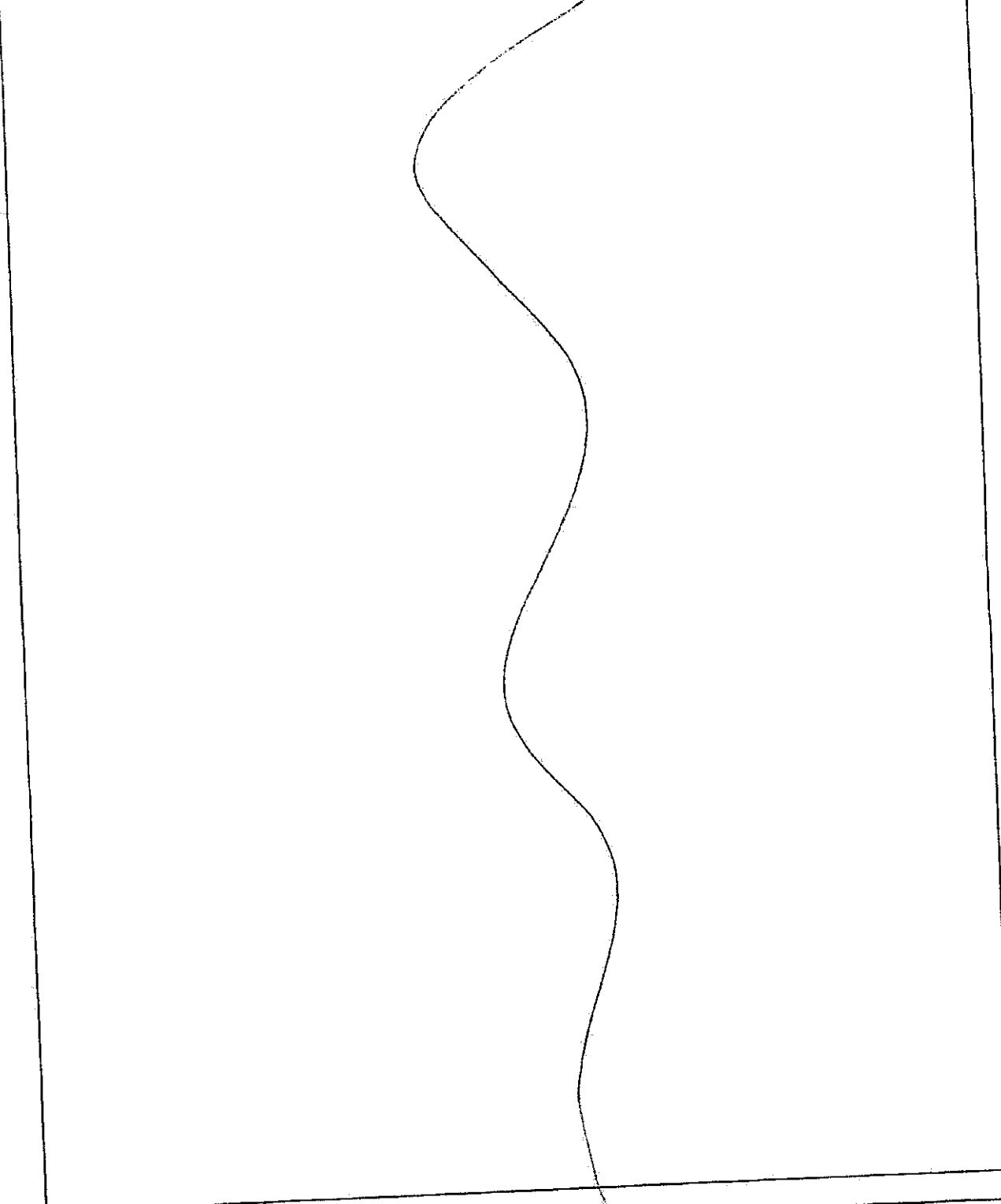
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LEO Premise Visit sheet - Not protectively marked (v2)		
Premises name	Burg and Save	
Address	Stanton Hill	
Telephone number		
Email		
Date	01/09/22	Time 15.00
LEO Visiting	Adrian Pelling	
DPS (or representative) seen	Ravidu Warduge	

CCTV checks - complete at every visit			
CCTV recording correct number of days?	Yes	<input checked="" type="radio"/> No	14
CCTV time and date correct?	Yes	<input checked="" type="radio"/> No	
All CCTV cameras working fully	<input checked="" type="radio"/> Yes	No	
CCTV warning issued (7 days to rectify)	<input checked="" type="radio"/> Yes	No	
Any planned events	Yes	No	
Full audit conducted	Yes	<input checked="" type="radio"/> No	see extra sections below
Full Audit			
Premise Summary on display	Yes	No	Record details in Summary section of issues and actions below
Premise Licence available	Yes	No	
Premises Plan available	Yes	No	
Permission to Sell by DPS available	Yes	No	
Any other Personal Licence holders	Yes	No	
Challenge 21/25 posters/Pass posters	<input checked="" type="radio"/> Yes	No	
Advice re selling to drunk/intoxicated	Yes	No	
Incident book on hand and used	Yes	No	
Refusals register on hand and used	Yes	No	
Door Staff Signing-in register available	Yes	No	
Door Staff Company			
Knife Wand	Yes	No	N/A
Staff Training documents available	Yes	No	Record details in Summary section of issues and actions below
Ask Angela discussed	Yes	No	
Drugs Advice/wipes	Yes	No	
Local trends (Spiking, Knife crime)	Yes	No	
Compliant with Premise Licence conditions	Yes	No	
Advice given for fake ID/drugs etc	Yes	No	
Full Audit (Off Licence specific)			
Is alcohol displayed correctly	Yes	No	Record details in Summary section of issues and actions below
Any special offers	Yes	No	
Crime and Disorder issues	Yes	No	
Noise/Nuisance issues	Yes	No	
Continued overleaf?	Yes		
Signed (LEO)	AP		
Signed (DPS/Rep)			
Date	01/09/22 02/09/22 AP		

Premises name	Buy & Save		
Date	01/09/22	Time	15:00
Summary of discussion and actions (continued from previous page)			
<p>19/08/22 Revisit from compliance sheet completed 19/08/22 where premise licence conditions not compliant.</p> <p>Upon arrival owner not in but Gelhore called owner who arrived within 5 minutes.</p> <p>Explained to Rawidus Wadege purpose of original visit was to go through licensing checks for compliance. This was done in absence as on holiday. Faulted on CCTV, staff training & Chall 25. Plus best practice re incident/refusals book.</p> <p>Chall 25 poster now in front window.</p> <p>Item summary a Prem licence not available - advised to contact Ashfield DC.</p> <p>Confirmed email address. States that Compliance letter that was posted out has not been received. Action to email it again to correct email address.</p> <p>States his relatives who work in shop can access CCN but on both visits these have not been working.</p> <p>Suggestion that if Gelhore RAYMOND is shop manager in absence, would be reasonable for him to use it.</p> <p>Rawidus to teach Gelhore on system</p>			
Continued overleaf? <input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> No			
Signed (LEO)	[Signature]		
Signed (DPS/Rep)			
Date	01/09/22		

Premises name	Rug and Soup		
Date	01/09/22	Time	15.00
Summary of discussion and actions (continued from previous page)			
<p>Chall 25 - Rawindu states is being asked and aware.</p> <p>Staff training - still no records. Rawindu to create a staff training book and ensure staff know of age restricted sales, fake 10, checking 10 and sign to say training has been received.</p> <p>Shop workers - Rawindu, Gelmore plus parents.</p> <p>CCTV. Only goes back to 18 August which is 14 days.</p> <p>Rawindu to go back to CCTV installer and see if can adjust settings or add hard drive / upgrade hard drive</p> <p>Prem summary located - advised to put in prominent place as was hidden behind a display.</p>			
Continued overleaf?			
Signed (LEO)		Yes	(No)
Signed (DPS/Rep)			
Date			

Premises name			
Date		Time	
Summary of discussion and actions (continued from previous page)			
			
Signed (LEO)			
Signed (DPS/Rep)			
Date			

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EXHIBIT

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Adrian Paling

From: Adrian Paling
Sent: 01 September 2022 16:18
To: Shajiat, Shahwaz, PC3336
Cc: Adrian Paling
Subject: Buy and Save - Stanton Hill
Attachments: 20220901_150921.jpg

Shaj

Not the best picture

Elux vapes on top left of picture. This is the display on the countertop.

No obvious signs of illicit cigs today and the space where the Richmond were last time now had different ones in

Still worth you doing a visit at some point.

Speak soon

Get [Outlook for Android](#)

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EXHIBIT

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Nottinghamshire Police
County Division Police Licensing
 Mansfield Police Station
 Great Central Road
 Mansfield
 Nottinghamshire
 NG18 2HQ

Tel: 101 Extn 318 0892
 02 September 2022

Ravidu Waduge (DPS and PLH)
 c/o Buy and Save
 7 High Street
 Stanton Hill
 Sutton in Ashfield
 Nottinghamshire
 NG17 3GG

Dear Ravidu

WARNING LETTER – PREMISE LICENCE CONDITIONS

Buy and Save, Sutton in Ashfield. NG17 3GG

I made a visit to your premises on 01 September 2022 at 15:00 to check for compliance procedures at your premise. On arrival I was greeted by a male shop worker who identified himself as the shop manager, Gelhore RAYMOND.

Gelhore RAYMOND contacted you via telephone and you came to the premises immediately, where we discussed the reasons for the initial visit on 19 August 2022, and this re-visit today.

1:

Failings identified on original visit 22 August 2022, which are in breach of Premise Licence conditions:

CCTV not accessible by staff, so could not verify retention period

Challenge 25 posters not on display

Premise Licence summary not on display

Staff training documents not available and Gelhore RAYMOND stated he has not signed anything for staff training, indicating that training has not been documented.

It is noted that as of today, there is a Challenge 25 poster on the front window. Please continue to enforce this for any customers buying age-restricted products, ensuring staff are aware and follow this procedure.

It is also noted that the Premise Summary was shown to me at time of visit, however you were advised that it needs to be displayed prominently, not hidden behind a display unit

2:
Failings identified on visit 01 September 2022, which are in breach of Premise Licence conditions:

CCTV not accessible by staff

CCTV does not record for 31 days as per Premise License (it only recorded 14 days)

CCTV time was incorrect

Staff training documents not available

Please take action to correct the above immediately. Please check your CCTV system to ensure there is enough memory capacity to record 31 days. It may also be an option to use 'motion-only' settings on certain cameras instead of recording 24hrs, as this may free up extra storage space on the system.

Police recommend **daily** best practice regarding CCTV is shown below:

- Check all cameras are working, reporting any faults to the CCTV installer and inform us on the email address below
- Check the system date and time is correct, and amending as applicable
- Check the retention period of footage for all systems to ensure past footage is available to be viewed in line with your Premise Licence, ideally 31 days as a minimum

I would like to remind you of the conditions on your licence as below.

Annex 2 - Conditions consistent with the Operating Schedule

1. A CCTV system with recording equipment shall be installed and recorded on the plan appended to the licence. The system shall be installed prior to the premises carrying out licensable activities and maintained in accordance with the system.
 All recordings used in conjunction with CCTV shall:
 - Be of evidential quality
 - Cover the point of sale, and entrance and exit
 - Indicate the time and date
 - Be retained for a period of 31 days
 - Sufficient staff will be trained to use the system
 - The original images will be made available for inspection immediately upon the request of Police officers, or other authorised officers.
 - Copies of recordings shall be provided in a format which can be viewed on readily available equipment without the need for specialist software.
2. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:
 - Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
 - Refresher/reinforcement training at intervals of no more than 6 months.
 - Training records will be retained at the premises for a minimum period of 12 months and available for inspection upon request by a Police Officer and/or authorised person
3. A **Challenge 25** scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (e.g. passport, driving licence, Military ID or PASS accredited card).
4. **Challenge 25** notices shall be displayed in prominent positions throughout the premises

Section 136 Licensing Act 2003 makes it a criminal offence to breach the conditions of your premise licence. Action for a breach of this section of the act can be taken against all/any of the following:

- (1) The premise licence holder
- (2) The Designated Premise Supervisor
- (3) Any person who is facilitating the breach

The penalty for breach of Section 136 Licensing Act 2003 can be sentenced to a fine of an unlimited amount and/or 6 months' imprisonment. The court also has power to use ancillary orders such as surrender of a personal licence.

The Responsible Authorities consider effective and responsible management of the premises and adoption of best practice in the leisure industry to be amongst the most important control measures for the achievement of all the licensing objectives. The primary responsibility for controlling licensable activities lies firmly with the management of the premises. As you are the Designated Premises Supervisor that responsibility falls to you.

The Police request that you look at your operating procedures and put systems in place, which will assist in preventing any further breaches and offences.

If you would like to discuss this matter further, please do not hesitate to contact me on the above telephone number.

Please can you sign and return one copy of this letter to County Licensing Department, as per the address at the top of this letter. This can also be handed into any Nottinghamshire Police Station, addressed to County Licensing Department, to be forwarded via our internal mail. Alternatively, you may scan a signed copy back to the following email address.

county.licensing@notts.police.uk

Yours Sincerely

Adrian Paling

A Paling
Licensing Enforcement Officer
Nottinghamshire Police
County Division

Received copy of this letter:

Signed

Date

Print Name

CC Insp John Hewitt, Ashfield Police
Ashfield District Council Licensing Dept

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EXHIBIT

AP09

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Adrian Paling

From: Phil Taylor <Phil.Taylor@nottsc.gov.uk>
Sent: 13 September 2022 11:15
To: Adrian Paling
Subject: RE: spend and save stanton hill.
Attachments: Vapes seized from Buy and Save.docx

Thanks Adrian I will get to work on this attached is a list of what we seized and yes it is called Buy and Save.

Environmental Health have some concerns re food stuffs and will pay a joint visit which will be even more evidence of concerns re a fit and proper person to run a shop, which I will include in the notice of representation. Unfortunately I have lost Saj for a week as he has been deployed to London on mutual aid.
 Thanks

Phil Taylor
 illicit Tobacco,
 Trading Standards
 County House.
 Chesterfield Road South, Mansfield.
 NG197AQ
 tele 0115 8042907
 mob 7

From: Adrian Paling <adrian.paling@notts.police.uk>
Sent: 13 September 2022 10:59
To: Jon Hewitt INSP3022 <jonathan.hewitt@notts.police.uk>; Phil Taylor <Phil.Taylor@nottsc.gov.uk>
Cc: Hather, Tim, T/PS960 <Tim.Hather@Notts.Police.uk>; Adrian Paling <adrian.paling@notts.police.uk>
Subject: RE: spend and save stanton hill.

Hi Phil

That is great. I take it they were the same cigs and vapes I let you know about.

Regarding a review for the premises, we would be happy to assist in that process. If you can start the review process off based on your findings above. This will need to be formally done by completion of a Notice of Representation, which would then be sent to Ashfield DC. Upon receipt of this at the Council, they send out to other Responsible Authorities to ask if they want to input to this. We can then put in appropriate paperwork to support that and I can do a statement based on my visits, findings and failings at the shop. This then shows we have worked together and will look at the shop as a whole including alcohol licensing.

Maybe Trading Standards have a template for Notice of Representation but if not, see attached which we use. Just amend it to suit.

Just note that we have the name of the premises as Buy and Save, not Spend and Save as per your email.

Speak soon

Adrian Paling
 Police Licensing Enforcement Officer
 County Division

Local Policing Unit (Licensing)

Nottinghamshire Police
Mansfield Police Station
Great Central Road
Mansfield
Nottinghamshire NG18 2HQ

Office Tel: 0115 8445073
Office Internal Ext : 318 0892
Internal Ext: 310 1987
Mobile:
Police Non Emergency Dial 101
E Mail: adrian.paling@notts.police.uk

From: Jon Hewitt INSP3022 <jonathan.hewitt@notts.police.uk>
Sent: 07 September 2022 08:35
To: Phil Taylor <Phil.Taylor@nottsc.gov.uk>
Cc: Adrian Paling <adrian.paling@notts.police.uk>; Hather, Tim, T/PS960 <Tim.Hather@Notts.Police.uk>
Subject: RE: spend and save stanton hill.

Hi Phil

Great result, well I suppose it is would be nice if they just behaved in first place! I'm just getting a new Sgt, Tim, starting at Sutton would you be up for round two on the test purchases in near future?

Tim-Can discuss but we did a test purchase op across Ashfield for cigs/ underage alcohol a month or two back. Was a nice little op which the team enjoyed so be good to do again soon. We had some premises fail last time and are meant to revisit so it wants booking back in now we have august out the way.

Cheers

Jon

From: Phil Taylor <Phil.Taylor@nottsc.gov.uk>
Sent: 06 September 2022 15:14
To: Jon Hewitt INSP3022 <jonathan.hewitt@notts.police.uk>
Cc: Adrian Paling <adrian.paling@notts.police.uk>
Subject: spend and save stanton hill.

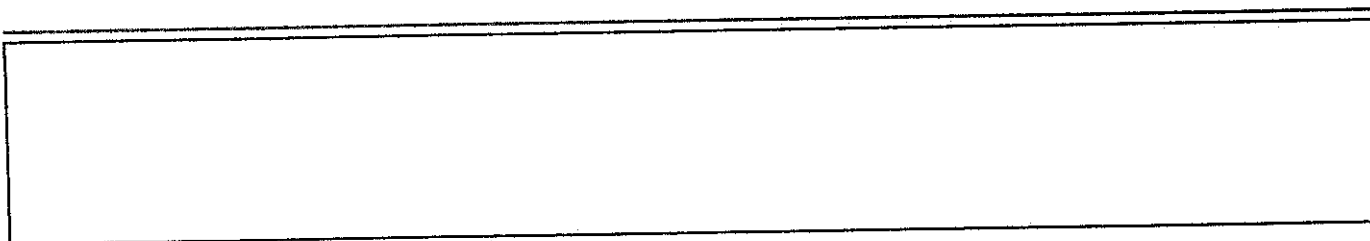
Hi Jon/ Adrian visited today following complaints from licensing seized the following.

10,000 puffs 102
7,000 puffs 212
4,500 puffs 45
4,000 puffs 4
3,500 puffs 898
2,500 puffs 12
1,500 puffs 47
800 puffs 19
Non-compliant and over 600 puffs 17.
And 30 packs of counterfeit Richmond cigs.

Saj is putting this on inn keeper do you need a statement to consider revoking the alcohol licence?

Phil Taylor
illicit Tobacco.
Trading Standards
County House.

Chesterfield Road South, Mansfield.
 NG197AQ
 tele 0115 8042907
 mob



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CLOSURE NOTICE

Issued under Anti-Social Behaviour Crime and Policing Act 2014
Part 4 Chapter 3 s76 and 77

To all persons living at, present on or having some other interest in
the
following premises: -

5-9 High Street, Stanton Hill, Sutton in Ashfield 'Buy and Save'

As a Superintendent of Nottinghamshire Police, I am empowered by
virtue of sections 76 and 77 of the Anti-social Behaviour, Crime and
Policing Act 2014 to issue a Closure of Premises Notice ('Closure
Notice') for the above premises.

The Closure Notice commences at the time and date that the notice
is posted on the premises which is : 15/11/2022 – 17:00 HOURS

ON

and

lasts 48 HOURS UNTIL : 17/11/2022 – 17:00 HOURS

Any 'bodies' and individuals that are appropriate have been
consulted

about this matter, which include Ashfield District Council.

Further, reasonable efforts have been made to inform -
the people who live on the premises (habitually or not),
any person who has control of, or responsibility for, the premises,
and

any person has any other genuine interest in them,
concerning the possibility of a Closure Notice being issued.

I am satisfied on reasonable grounds -

(i) that the use of these premises has resulted, or is likely soon to
result,

in nuisance to members of the public, or

(ii) that there has been, or is likely soon to be, disorder near those
premises associated with the use of those premises

and that the notice is necessary to prevent the nuisance or disorder
from

continuing, recurring or occurring.

This notice prohibits access to the premises -

(a) by all persons, except those specified, or by all persons except those
of a specified description;;

(b) at all times, or at all times except those specified;

(c) in all circumstances, or in all circumstances except those specified

(People who habitually live on the premises and/or the owner of the premises cannot be excluded from the premises and must be specified in the below list.)

The people specified as not being prohibited access are those who are

habitually resident at the property, the owner of the property, operatives

and agents of the utilities, postal services, city council and emergency services.

An offence is committed by a person who -

(a) without reasonable excuse, remains on or enters premises in contravention of a closure notice, or,

(b) without reasonable excuse, obstructs a person posting or serving any

of the notices identified in the below Appendix Part 3, or a person lawfully enforcing a Closure Order (see Appendix Part 4).

The maximum penalty is 3 months imprisonment.

An application under section 80 of the Anti Social Behaviour Crime & Policing Act 2014 will be made for a Magistrates Closure Order, which would have the effect of closing the premises to all persons (other than those specified) for such period (not exceeding three months) as the court may decide and would make it an offence for any person (other than those specified) to remain on or enter the

Premises. This will be made at **Mansfield**

**Magistrates' Court, Rosemary Street, Mansfield, NG19 6AB at 2pm
on 17/11/2022**

More details about these orders are in the Appendix Part 4 below



Signed:

Superintendent Claire Rukas

Date: 14.11.2022

Notes accompanying this Closure Notice:

1. Nottinghamshire Police has decided to issue this under the terms of Chapter 4 Section

76 of the Anti- social Behaviour Crime and Policing Act 2014.

Derbyshire Constabulary has

reasonable grounds to suspect that the use of the premises has resulted, or (if the notice

is not issued) is likely soon to result, in nuisance to members of the public, or that there

has been, or (if the notice is not issued) is likely soon to be, disorder near these premises

associated with the use of these premises, and that the notice is necessary to prevent

the nuisance or disorder from continuing, recurring or occurring.

CLOSURE ORDER

2. Your attention is drawn to Section 80 of the 2014 Act. This provides that the Police or

the Local authority can take action against the said premises by applying to a Magistrates

Court for a Closure Order. An application for a Closure Order must be made no later than

48 hours after the issue of a Closure Notice. The Closure Notice will specify the court at

which the first hearing will be held (unless varied or cancelled).

3. After application for a Closure Order, the Magistrates Court may issue a summons

requiring the applicant and also the persons or persons on whom it was served to attend a hearing at court on a specified date and time.

4. In accordance with the Magistrates Court Act 1980, and under human rights legislation, you are entitled to be legally represented at the hearing and to make representations to the court before any decision is taken.

5. An order under section 80 of the Anti-Social Behaviour Crime and Policing Act 2014 would have the effect of closing the premises to all persons (other than those specified) for such period (not exceeding three months) as the court may decide and would make it an offence for any person (other than those specified) to remain on or enter the Premises.

APPEALS

6. An appeal against a decision by the Magistrates Court to grant a Closure Order or a decision to refuse an application can be made by an affected person to the Crown Court within 21 days.

7. An authorised person may use reasonable force to —

- (a) Enter premises in respect of which a closure order is in force;
- (b) Do anything necessary to secure the premises against entry.

8. A person seeking to enter premises must, if required to do so by or on behalf of the owner, occupier or other person in charge of the premises, produce evidence of his or her identity and authority before entering the premises.

9. An authorised person may also enter premises in respect of which a closure order is in force to carry out essential maintenance or repairs to the premises.

10. It is an offence for anyone who without reasonable excuse remains on or enters premises in contravention of a closure notice or order (including a notice continued in force under section 81) commits an offence.

11. It is an offence to without reasonable excuse to obstruct a person acting under section 79 serving a Closure Notice or Section 85(1) in respect to a Closure Order obstructs a person attempting to enter premises and or do anything necessary to secure premises against entry commits an offence.

12. A person guilty of an offence in respect of a Closure Notice is liable on summary conviction—

(a) to imprisonment for a period not exceeding 3 months, or

(b) to a fine, or to both.

ADVICE

13. Advice relating to this notice and housing and legal matters generally can be obtained from any firm of solicitors or from the Citizens' Advice Bureau if you would like a leaflet with details of such agencies, please contact 0116 4540250.

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EXTENSION OF CLOSURE NOTICE
(Section 81 Anti-Social Behaviour Crime and Policing Act 2014)

**In the MANSFIELD MAGISTRATES COURT, Rosemary Street, Mansfield,
 Nottinghamshire, NG19 6AB**

To:

Of: **BUY AND SAVE, SEVEN TIL TEN, 5-9 HIGH STREET, STANTON HILL,
 SUTTON IN ASHFIELD, NOTTINGHAMSHIRE NG17 3GG**

TAKE NOTICE that an application for an Order pursuant to section 80 of the Anti-Social Behaviour Crime and Policing Act 2014 has been adjourned to the 1st day of December 2022 at 2pm.

AND FURTHER TAKE NOTICE that until the application is heard, access to the premises by any person other than;

- a person who habitually resides in the premises or the owner of the premises is prohibited
- operatives and agents of the utilities, postal services, district council and emergency
- services.

At the hearing of the application the Court may make an Order closing the premises to all persons for a period not exceeding 3 months.

Date: 17 November 2022

J Morgan

[Justice of the Peace/~~District Judge~~]

NOTE:

It is an offence punishable by fine or imprisonment or both for a person to remain on or enter premises in contravention of this notice.

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PLEASE BE AWARE
THAT IF YOU ARE
FOUND WITHIN THIS
PREMISE YOU ARE
COMMITTING A
CRIMINAL OFFENCE
AND WILL BE
ARRESTED.

NOTIFICATION OF CRIMINAL OFFENCE
Violation of Anti-Bullying, Harassment, Stalking and
Sexual Assault Provisions of the Ontario
Education Act, 1997

NOTICE IS HEREBY GIVEN TO THE PUBLIC THAT THE
PROVISIONS OF THE ONTARIO EDUCATION ACT, 1997
AND THE REGULATIONS MADE THEREUNDER, RESPECTING
BULLYING, HARASSMENT, STALKING AND SEXUAL
ASSAULT, ARE IN FULL FORCE AND EFFECT.

THESE PROVISIONS ARE IN FULL FORCE AND EFFECT
FROM JANUARY 1, 2000. THE PURPOSE OF THESE
PROVISIONS IS TO PROTECT STUDENTS FROM
BULLYING, HARASSMENT, STALKING AND SEXUAL
ASSAULT.

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PREMISES CLOSURE ORDER

(section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014)

Mansfield Magistrates Court
Rosemary Street
Mansfield
Nottinghamshire
NG19 6AB

Date of Order: 1 December 2022

Applicant: CHIEF CONSTABLE OF NOTTINGHAMSHIRE POLICE

Upon hearing an application for the making of a Closure Order in accordance with section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of:

**BUY AND SAVE, SEVEN TIL TEN, 5-9 HIGH STREET, STANTON HILL, SUTTON
IN ASHFIELD, NOTTINGHAMSHIRE NG17 3GG**

The court has found in relation to the address **BUY AND SAVE, SEVEN TIL TEN, 5-9 HIGH STREET, STANTON HILL, SUTTON IN ASHFIELD, NOTTINGHAMSHIRE NG17 3GG**

1. a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises; or
2. the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public; or
3. that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises

And that the making of a Closure Order is necessary to prevent the occurrence of such future serious nuisance, similar behavior or disorder.

The Court in issuing this Closure Order prohibits anyone from remaining on or entering **BUY AND SAVE, SEVEN TIL TEN, 5-9 HIGH STREET, STANTON HILL, SUTTON IN ASHFIELD, NOTTINGHAMSHIRE NG17 3GG** at any time except:-

1. Emergency Services
2. Representatives of Ashfield District Council
3. Mr Ravidu Hewa Waduge, however only from conclusion of the court hearing on 1 December 2022 until 6pm on 2 December 2022 for the sole purpose of removing items such as perishable good from the store. This does not allow the property to trade during that period.

This Closure Order shall remain in force for a period of 3 months from the date of this order and shall cease to have effect at 11:59:pm on 28 Feb 2022 .

If anyone does anything which they are prohibited from doing by this order, they shall be liable to arrest and, on summary conviction, to a term of imprisonment not exceeding 51 weeks or to a fine or both.

Mr S G Marvin Justice of the Peace 01/12/2022

EXHIBIT

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Complete if Required	GSC Class: Handling Conditions:	Reason:
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WITNESS STATEMENT
(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

Statement of: Jonathan Hewitt
 Age if under 18: Over 18 (if over 18 insert 'over 18')
 Occupation: Police Inspector

This statement (consisting of pages 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 anything which I know to be false or do not believe to be true.

Signature: J Hewitt Date: 08/12/2022

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

I am the local district commander for the Ashfield district. Part of my role is to set the local policing priorities in consideration of feedback from communities and partner agencies; I also consider the core roles of the police to protect life and property, preserve order, preventing the commission of offences and bringing offenders to justice. Within Nottinghamshire these goals are embedded within the organisations vision to 'Make Nottinghamshire a safe secure place to work, live and visit'. For Ashfield the policing priorities currently include dangerous driving, anti-social behaviour and drug dealing. Drug dealing in Ashfield is strongly linked to county lines methodology with children used to deal drugs, moved between localities and violence with knives used to enforce fear. Nationwide county lines offending has been heavily linked with serious violence and murders with many children now imprisoned for murder having been groomed by county lined offenders and ultimately become part of criminal gangs themselves.

Since I have been the district commander for Ashfield one shop in the district has repeatedly come to my attention through intelligence reports, concerns raised to my

Signature: J Hewitt Signature witnessed by: Error! Reference source not found.

team by the public and direct to myself by local Cllr's having themselves heard from their constituents. This store being Buy and Save on Stanton Hill.

Intelligence linked to premise

Within the past 12 months the following intelligence has been received regarding the store: -

16/10/2021- MACHETES are being sold under the counter to teenagers. A large amount of locals in the area are carrying MACHETES and are actively on the streets with them.

29/01/2022-The shop keeper ...is selling Alcohol to Minors on a regular basis.

02/07/2022-Owners of the Seven till Ten Store Stanton Hill Sutton in Ashfield Nottinghamshire are selling alcohol to underage females aged between 13 to 14 years old. They are selling 3x cans of beer at 10 and bottles of Vodka. The shop owners are described as Asian males and have baseball bats stored behind the counter.

16/08/2022- the owner of the store sold cannabis from the premises. This happens a lot. The store is selling laughing gas.

21/08/2022- At the Buy and Save shop Stanton Hill Sutton in Ashfield Nottinghamshire NG173GG the staff are selling vapes and drugs to underage children.

01/09/2022-The Buy and Save shop High Street Starting Hill Sutton in Ashfield Nottinghamshire is selling vape products to 13 and 14 year old children.

Police incidents at premise

As evidenced in officer statements on the 5th October 2022 during a visit with trading standards machetes were located behind the till. Also recovered was what is believed to be cannabis infused sweets. On 21st November 2021 a test purchase operation was run sale of kitchen knife made to a 15 year old child. This visit was conducted jointly with

Signature: J Hewitt

Signature witnessed by: Error! Reference source not found.

trading standards who both on this visit and previously seized unlawful vapes. What is believed to be counterfeit alcohol was also seized. My officers have assisted trading standards on a number of further visits with illegal vapes located each time.

On 14th November a further test purchase operation was run with a sale made for a vape to a 16 year old girl.

Knife Crime Concerns

Nottinghamshire Police's knife crime strategy published in 2018 recognised the local and national concern held by the public and media in relation to knife crime which was increasing levels of fear in citizens. With media outlets regularly reporting violent crimes involving knives, and knife enabled crime increasing both within Nottinghamshire and nationally positive action was required to make communities safer and rebuild public confidence. At this time the Home Secretary affirmed knife crime as a national priority. The strategy aims to break the cycle of knife crime by focusing on four main stands; these being: -

Identification and management of risk (1)

Developing Resilient spaces (2)

Communications and behavioural change (3)

Communities and the third sector (4)

Within the evidence offered there is evidence of the shop selling knives to underage children, intelligence of the same and knives have been found behind the counter.

Whether positioned for sale or self-defence as offered there is, I believe, a clear likelihood of these weapons ending up in the public domain and being used in criminal offences. Considering this and the disregard of previous agency interventions a premise closure would serve to keep the public safe and specifically with regards to the Nottinghamshire Police knife crime strategy would manage an identified risk at an early

Signature: J Hewitt

Signature witnessed by: Error! Reference source not found.

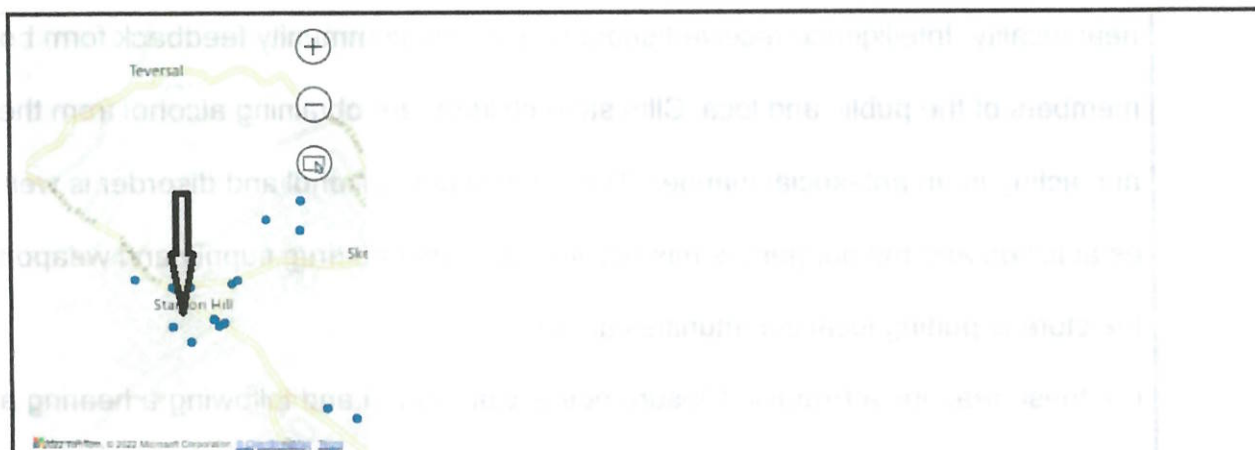
stage (1), prevent the store posing a danger to the public (2), send a clear message to the store owners and wider community that knife crime will not be tolerated (3) and show local communities their concerns will be acted upon (4). Drug dealing and specifically county lines involving knives is a priority within Ashfield so local stores putting knives in children's hands is putting their lives at risk.

Drugs and alcohol

I do not intend to delve into the potential harms caused by the sale of illegal E-cigs, the evidence of trading standards officers will provide this. Numerous have been raised for the store selling vapes and alcohol to children. Again the dangers to health regarding counterfeit alcohol will be given by trading standards but the sale of both to minors is not in accordance with the public health strategy and only serves to start the path towards substance misuse. Beyond the actual criminal offences being committed by having cannabis within the store and supplying anybody with this let alone children research suggests ongoing drug use by children leads to physical health problems, mental health problems, poorer exam results and acting out of character and not considering personal safety.

Incidents around Store.

Nottinghamshire Police use IBM Power BI which allows me to utilise a data driven approach to tasking across the district. Using this data I can confirm in the past 12 months in the area shown the map below, the area around the store, there have been 368 incidents reported to the police. As the map shows the area around the store is a hot spot for reports



Of these reports 48 were of anti-social behaviour. These consist of children playing loud music and drinking alcohol on the local park, children on motorbikes, children in drink fighting, children smoking cannabis on the street and knives found by members of the public on the street.

Summary and Closure Requirements

Premise closures can be made should the court be satisfied that a person has or (if order not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premise. Ongoing intelligence states offences of supply drugs are being undertaken.

The police have found what is believed sweets with cannabis within the store. The store has sold knives to children and have knives behind the counter to use in self-defence.

Whilst it could be argued behind the counter is a private place and no offences are committed, I would draw the courts attention to the likelihood of criminal behaviour, if not closed I believe it is only a matter of time before somebody is seriously injured or killed due to the behaviour of those operating the premise.

Further reasons for a closure order to be granted are that the use of the premise has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public. A similar provision for disorder associated to the premise is also included. I believe the selling of alcohol by the premise is linked to anti-social behaviour in the

Signature: J Hewitt

Signature witnessed by: Error! Reference source not found.

near locality. Intelligence received supports this and community feedback from both members of the public and local Cllrs state children are obtaining alcohol from the store and acting in an anti-social manner. The link between alcohol and disorder is well established and the dangerous mix between alcohol and drug supply and weapons by the store is putting local communities at risk.

For these reasons a Premise Closure notice was issued and following a hearing at Mansfield Magistrates court a closure order was made on 1st December closing the store for 3 months. Since the closure I have noted from comments on the forces social media feed and those from local media outlets that it appears well known the store would sell vapes and alcohol to children with many comments seemingly from those under 18 expressing both these prior sales and uncertainty of where they may now source such items.

My request would be that any subsequent licencing review the stores licence is revoked. The store has repeatedly shown itself not to be fit and proper, will not sell in accordance with the law and has not heeded numerous warnings.

Signature: J HewittSignature witnessed by: Error! Reference source not found.