

Subject: FW: Re: Red Sea, 85 Camberwell Road, London, SE5 0EZ

From: Public Health Licensing
Sent: Monday, December 17, 2018 12:48 PM
To: Regen, Licensing
Cc: Shapo, Leidon; Public Health Licensing
Subject: Re: Red Sea, 85 Camberwell Road, London, SE5 0EZ

To whom it may concern:

Re: Red Sea, 85 Camberwell Road, London, SE5 0EZ

On behalf of the Director of Place and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

This representation is made in respect of the following licensing objective(s):

- Prevention of public nuisance
- The prevention of crime and disorder
- Public safety

General Comments

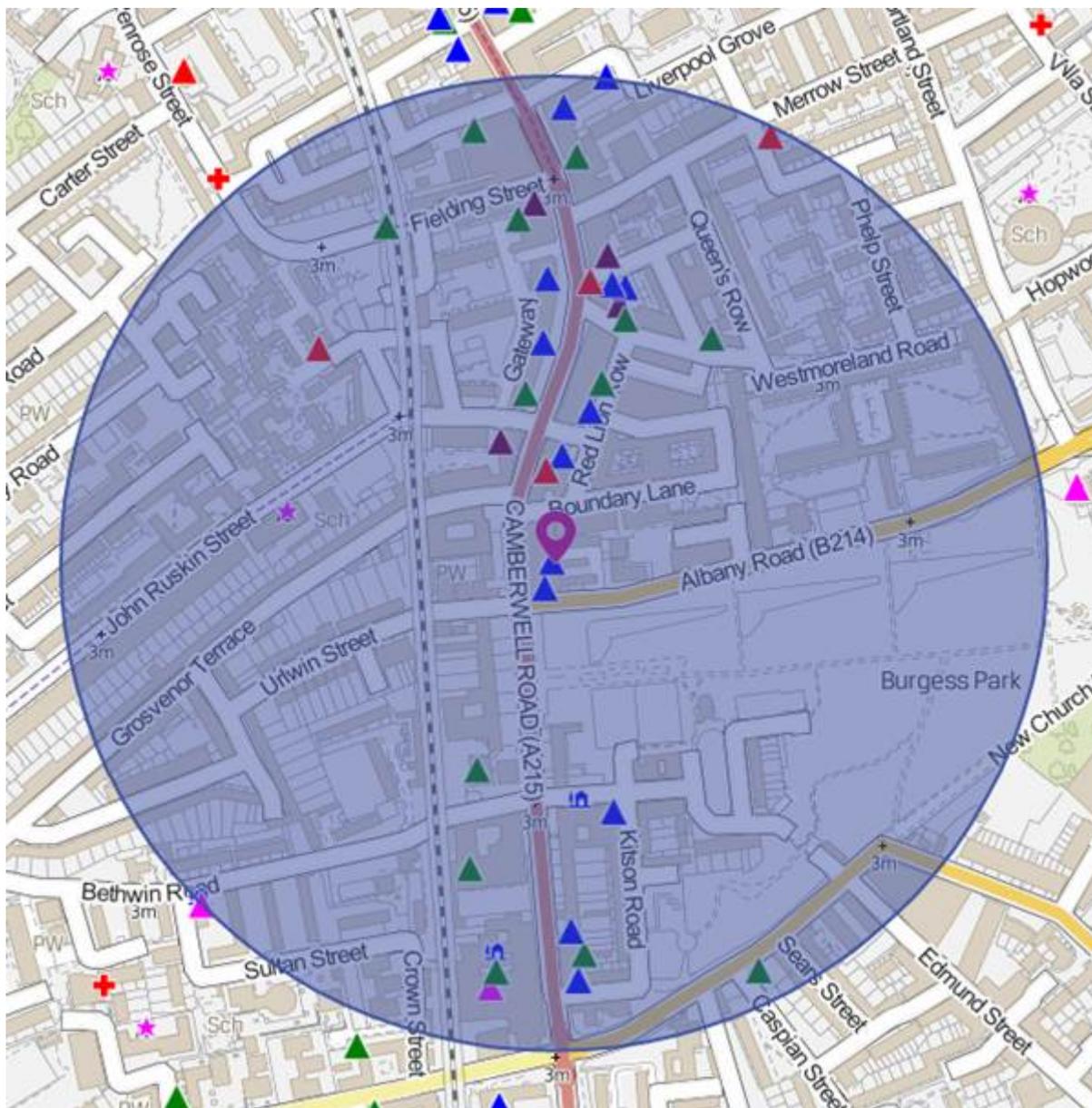
The premises is located in the Faraday ward, where 66% of the population is in the most deprived quintile.

Although this premises is located outside the Borough Bankside Cumulative Impact Policy area, it is located within a residential area.

Faraday is responsible for 4% of all alcohol related ambulance call-outs in Southwark and the standardised admission ratio for alcohol related harm is statistically higher than England.

Furthermore, within a 400m radius of the premises there are several other licensed premises, one primary school and two hostels/alcohol recovery centres. As a result of this, children and other vulnerable residents/visitors are likely to come in contact with individuals buying alcohol from the premises or intoxicated.

Figure 1 – Map excerpt showing the location of various points of interests within a walking distance from the premises



Recommendations

Public Health supports the recommendation made by the Police for the Licensing sub-committee to consider the revocation of the premises licence.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

Clizia Deidda, *on behalf of Professor Kevin Fenton, Director of Place and Wellbeing (incorporating the role of Director of Public Health)*

Clizia Deidda

Public Health Policy Officer (Mental Health, Substance Misuse & Healthcare) | Public Health Division
 Place and Wellbeing Department | London Borough of Southwark
 160 Tooley Street | London SE1P 5LX
 T: 0207 525 7707 | M: 07710 179 570
 E: Clizia.deidda@southwark.gov.uk
www.southwark.gov.uk

MEMO: Licensing Unit

To Licensing Unit Date 20 December 2018

Copies

From Jayne Tear Telephone 020 7525 0396 Fax

Email jayne.tear@southwark.gov.uk

Subject
 Re: Red Sea, 85 Camberwell Road, London, SE5 OEZ

t
 Application to review the premises licence

I write with regards to the above application to review the premises licence submitted by the metropolitan police under the licensing act 2003 which seeks to revoke the premises licence.

The review application relates to the prevention of crime and disorder and is summarised as follows:

'On the 13 August 2018 at around 2am Police were called to the premises to a suspected attempted murder. On Police arrival it was established that a male had tried to gain entry to the premises but was refused due to him being intoxicated. The male suspect left the premises then returned later and attempted to stab a member of the security team outside of the venue. The male suspect was detained and arrested for attempted murder. Further investigation showed that in fact the suspect for the attempted murder had been allowed access to the premises, CCTV from the venue shows him apparently intoxicated and drinking what appears to be a bottle of beer on the dance floor. The premises was operating in breach of its premises licence and was open to the public at least two and a half hours after they should have been closed to the public. This incident was entirely avoidable had the premises been operating in line the restrictions of its premises licence. The Premises licence holder has failed in their responsibility to promote the prevention of crime and disorder licensing objective'

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

The premises is situated in a residential area and under the Southwark Statement of Licensing Policy 2016 - 2020 the appropriate closing times for Restaurants, Public Houses, Wine bars or other drinking establishments in this area is **23:00 daily. Night Clubs (with sui generis planning classification) are not considered appropriate for this area.**

The premises is a *'restaurant and bar'* and currently has generous hours granted on the current licence which are outside the hours recommended for a residential area within the policy. It would seem that the premises is changing in nature/operating as a night club which under the policy is not considered appropriate for this area.

This premises has previously been the subject of an expedited review submitted by the chief of police for the metropolitan police following an incident associated with serious crime and/or serious disorder which took place on 4 September 2016. At the full hearing for the review it was the decision of the

licensing sub committee to suspend the licence for 6 weeks and to modify the conditions. **I attached a copy of the LSC notice of decision on 3 October 2016 to this representation.**

On Wednesday 5th September 2018 at 18:00 a licensing officer visited the premises to carry out a full premises licence inspection. Letteberhan Abraha Tafla, the premises licence holder and DPS was present during the inspection and the following breaches of the premises licence conditions were found:

- **298** That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
- **309** That all amplified recorded and live music be played through the amplification regulated by the sound limiting device.
- **311** That clearly legible notice shall be prominently displayed at each exit at the premises and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
- **320** That a sound limiter be installed in the basement room and be set at a level by the applicants engineer in association with residents of the flats above and immediately adjoining in presence of Environmental Protection Team
- **841** That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
- **8AB** That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- **8AI** That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

In addition, the officer noted that Condition 341 which states:

- **341** That an entrance lobby be constructed to the ground floor entrance sufficient in size to permit the outer door closing before customer enter the inner door to the ground floor and basement stairway.

There was no entrance lobby to the premises, you enter the premises directly from the street into the ground floor restaurant. However, there is a separate door to the basement that also has a door to street level.

After investigation of the above breaches the licensee and DPS Letteberhan Abraha Tafla received a caution on 13 November 2018 for the offences committed under the Licensing Act 2003. **I attached to this representation the information regarding the caution and the signed caution.**

On 15 December 2018 at 21:30 hours licensing officers visited the premises and witnessed further breaches of the premises licence as follows:

- **841** That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
- **8AB** That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- **8AI** That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.
- **789** That a Member of staff shall be on duty at all times the premises is open that is trianed in the use of the CCTV and able to view the CCTV and able to download images to a removable device on request of police or council officer

The licensing unit are now considering further enforcement action regarding the repeated breaches of the premise licence.

Considering the past history and the way that the premises is currently operating I have no confidence in Letteberham Abraha Tafla to promote the licensing objectives or adhere to the conditions on the premises licence. I therefore recommend that the premises licence is revoked.

I may submit further supporting information to this representation at a later stage.

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:
<http://lbs-mapweb-01:9080/connect/Includes/APPIMA/SSOLP1620.pdf>

Jayne Tear
 Principal Licensing officer
 In the capacity of the Licensing Responsible Authority

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 3 OCTOBER 2016

LICENSING ACT 2003: RED SEA, 85 CAMBERWELL ROAD, LONDON SE5 0EZ

1. Decision

That the council's licensing sub-committee, having considered an application made under Section 53A of the Licensing Act 2003 by the chief of police for the metropolitan police area for a review of the premises licence issued in respect of the premises known as Red Sea, 85 Camberwell Road, London SE5 0EZ and also having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

- a) Suspend the licence for a period of six weeks
- b) Modify the conditions of the licence by removing the following conditions:
 - Conditions 332, 345, 4AA, 4AB, 4AC, 4AI 288, 289, 290, 332 and 340.
- c) Modify the conditions of the licence by adding the following conditions:
 1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises. It should cover all areas within the premises including upstairs and the outside area to the front in all lighting conditions.
 2. That a member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
 3. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
 4. That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his meal.

5. That two SIA registered door supervisors will be engaged when the premises are in operation on Saturday and will be employed at all times after 22:00 until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented
6. That all SIA shall sign in to a register which shall include their Name, badge number and telephone number and should include a declaration of expectation from the management in dealing with crime, drunkenness, assisting police and refusing entry to intoxicated people.
7. That the company engaged to provide door supervisors (the 'service provider') shall be subject to independent third party auditing to confirm that it complies with BS 7960:2005 Code of Practice in Door Supervision, including incident record keeping, and cooperation with police and other authorised officers. An instruction to SIA staff to cooperate with investigation of any incident by an authorised officer must be explicit in the assignment instructions for these premises from the service provider to the SIA door supervisors.
8. That no spirits (alcohol containing more than 20% ABV) shall be sold by the bottle or half bottle.
9. That all spirits (alcohol containing more than 20% ABV) shall be sold by the measure of 25ml or 35ml at a maximum of two measures per container/glass
10. That after 11 p.m. only polycarbonate or toughened glass drinking vessels shall be available to patrons, and all bottled drinks sold must be decanted into a drinking container before service to the customer, with the exception of bottles of wine served to persons seated in the restaurant, and who are taking or have ordered a table meal.
11. That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
12. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals); the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.

13. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
 14. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.
 15. That no minors, under the age of 18 are allowed on the premise after 23:00 hours.
 16. That all minors under the age of 16 years of age are to be accompanied by a responsible adult at all times.
 17. That at least the designated premises supervisor plus one other personal licence holder shall be on the premises at all times that licensable activities are taking place.
 18. That the designated premises supervisor and all staff are trained by a recognised accredited organisation in their responsibilities under the Licensing Act 2003. All training records shall be kept and updated every six months and shall be on request made immediately available to the officers of the police and the council.
- d) That the times for licensable activities shall be modified as follows: Sunday to Thursday from 12.00 to 23.00, Friday from 12.00 to 00.00 and Saturday from 12.00 to 02.00 (to close 30 minutes later with all customers to have left the premises).
- e) That all regulated entertainment shall be removed from the licence

2 Reasons for the decision

The reasons for this decision are as follows:

The licensing sub-committee have considered the application made by the Metropolitan Police Service and supplementary evidence from the police presented at this hearing. The police advised that on 7 September 2016 they applied to the licensing authority for a summary review in respect of these premises. A senior member of the police force, for the area, certified that in his opinion, the premises were associated with serious crime and/or serious disorder.

The summary review application resulted due to an incident that took place on 4 September 2016 at 02.45. It was alleged that a serious assault occurred at the premises which resulted in the victim receiving injuries consistent with grievous bodily harm. On arrival, the police noted that most of the patrons attending the premises were drunk. They arrested two suspects and when the police attempted to liaise with the SIA staff they were un-cooperative and refused to provide formal witness statements to the police and were reluctant to provide their details or aid in the police's enquiries. Furthermore, CCTV cameras at the premises were obstructed and of no evidential use. The police also advised that there had been previous breaches of the licence on 10 July and 7 August 2016. On 10 July 2016, a Section 19 Closure Notice was served.

The licensing sub-committee heard from licensing as a responsible authority who advised that they supported the police application but were happy to accept the conditions and modifications of the licence agreed between the responsible authorities and the licensee.

The licensing sub-committee heard from the environmental protection officer who supported the review and advised the incident that led to the assault causing wounding, escalated from an incident of harassment of a woman by a male. The officer added that incidents of harassment carry with them the risk that such incidents may be flashpoints for escalation into violent conduct. The officer also referred to the unproven counter-allegation of an assault with a glass bottle. This suggests that the premises was providing alcohol in bottles which could be used as casual weapons. The premises also allowed bottles of spirits being available for sale by patrons, thus allowing the free pouring of spirits by the purchaser, which would inevitably lead to individuals becoming heavily intoxicated. The environmental protection officer recommended that conditions be added to the licence.

The licensing sub-committee heard from the representative from trading standards supporting the review who advised that they had recently objected to the application to vary the licence (to extend hours) under the protection of children from harm licensing objective. The current licence permits children to be on the premise at any opening times but they have to be accompanied by an adult after 23.00 (condition 332). In addition, condition 345 allows 16 and 17 year olds to drink beer, wine or cider with a table meal provided the adult purchases the drink and accompanies them at the table.

The trading standards officer also expressed concern that the premise had received a section 19 notice on 10 July 2016 due to serious breaches of the licence, which were also witnessed on 7 August. Despite advice and guidance being given, the incident of 4 September 2016 still occurred. Trading standards are of the opinion that if the conditions on the licence had been complied with, the serious assault may not have occurred. Trading standards were of the view that the licence should be revoked.

The licensing sub-committee heard from the premises licence holder and her representative who informed the sub-committee that the premises was a restaurant and on Saturday nights there was a "night club" in the basement of the premises where events take place for weddings, christenings etc. They advised that they cooperated with all of the authorities and agreed with the proposed licence conditions set out in a document submitted by the police (further evidence of the police, points 1 to 7). The premises licence holder advised that they planned to change the operation of the premises to a pizzeria. She also proposed having two friends apply for personal licences to assist her in the running of the premises.

Concerning the events of 4 September 2016, the premises licence holder advised that she had been at the premises and called the police when the incident occurred. The premises licence holder recognised that the incident happened as a result of the harassment of a female patron and assured the sub-committee that the premises are signed up to the Southwark Women's Safety Charter.

The sub-committee considered all the written and oral evidence before it and concluded that the six weeks suspension of the premises licence would allow the premises adequate time to change the operation of the premises and make the necessary arrangements for the two proposed personal licence holders to complete their training and to apply for the licenses. The licence has been modified with the agreement of the premises licence holder and will ensure that the four licensing objectives are robustly promoted.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and felt that this decision was appropriate and proportionate in order to address the licensing objectives.

3 Appeal rights

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application.

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The interim steps will remain in place until either:

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 3 October 2016



MS Letteberhan Abraha-Tafla
Red Sea
85 Camberwell Road
SE5 0EZ

Licensing Unit
Direct Dial - 020 7525 5767
Facsimile - 020 7525 5735
Our Ref:

5 November 2018

Dear Ms Letteberhan Abraha Tafla

Simple Caution

Section 136 (1) (a) of The Licensing Act 2003, which states that:

"A person commits an offence if -

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or*
- (b) knowingly allows a licensable activity to be so carried on.*

The facts surrounding the alleged offences, briefly described in the attached document, have been reported to me by an Officer of this service. I have carefully considered these facts and concluded that there are sufficient grounds to institute legal proceedings under the above legislation.

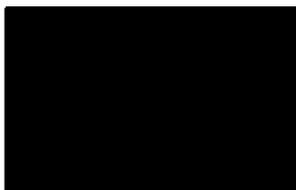
However, on this occasion I am proposing to issue a simple caution in respect of the allegations. This course of action is subject to your agreement and admission of the alleged offences.

Before making your decision I recommend you seek independent legal advice about this matter and ensure you are aware of the consequences of accepting a simple caution. These are listed on the attached document.

If you agree you need to sign the declaration attached. A countersigned copy of the caution will then be issued to you in due course.

If you have any queries about this matter please do not hesitate to contact us.

Yours faithfully,



David Littleton
Head of Regulatory Services
licensing@southwark.gov.uk

**SOUTHWARK COUNCIL
SIMPLE CAUTION (INDIVIDUAL)**

CASE REFERENCE:	
OFFENDER'S SURNAME:	Tafla
FORENAME(S):	Letteberhan Abraha
NATIONAL INSURANCE No.	
OCCUPATION:	Licence Holder/DPS
ADDRESS:	85 Camberwell Road London SE5 0EZ
DATE OF BIRTH:	15/03/1959 Eritrea

DATE OF OFFENCES:	13 August 2018/5 September 2018
PLACE OF OFFENCE(S):	Red Sea 85 Camberwell Road London SE5 0EZ
BRIEF CIRCUMSTANCES OF OFFENCE(S):	<p>During the early hours of Monday 13th August 2018 a serious incident occurred outside of Red Sea which resulted in the arrest of a patron from the premises. It later transpired that the premises was operating beyond their permitted hours and providing licensable activities without authorisation detailed below:</p> <ol style="list-style-type: none"> 1. Regulated entertainment was being provided at the venue without a licence to provide regulated entertainment of a similar description to playing of recorded music. Thus Licensable activities were knowingly allowed to be carried on at the premises without authorisation contrary to Section 136(1) (a) and (b) of The Licensing Act 2003. 2. Alcohol was being served to customers on the premises beyond their licensable hours without authorisation contrary to Section 136(1) (a) and (b) of The Licensing Act 2003. <p>The above offences prompted a licensing inspection on Wednesday 5th September 2018 where a Licensing Officer attended Red Sea premises. During the inspection the Officer witnessed the following conditions being breached:</p> <ul style="list-style-type: none"> • 298 That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry,

	<p>Management reserve the right to refuse entry'</p> <ul style="list-style-type: none"> • 309 That all amplified recorded and live music be played through the amplification regulated by the sound limiting device. • 311 That clearly legible notice shall be prominently displayed at each exit at the premises and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents. • 320 That a sound limiter be installed in the basement room and be set at a level by the applicants engineer in association with residents of the flats above and immediately adjoining in presence of Environmental Protection Team • 841 That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council. • 8AB That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the
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trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.

- **8A1** That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.
- **341** That an entrance lobby be constructed to the ground floor entrance sufficient in size to permit the outer door closing before customer enter the inner door to the ground floor and basement stairway.

Section 136 (1) (1) of the Licensing Act 2003 states that:

"A person commits an offence if --

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or

(b) knowingly allows a licensable activity to be so carried on."

On November 2nd 2018 Ms Letteberhan Abraha Tafla attended 160 Tooley Street accompanied with her solicitor and interpreter for an interview under caution. During the course of the interview Ms Tafla via her solicitor provided a prepared statement where she admitted the offences on both dates.

Ms Letteberhan Abraha Tafla has therefore accepted liability for the offences committed on the 13th August and 5th September 2018. She also gave reassurance that she will endeavour to comply with her licensing conditions going forward.

Ministry of Justice guidance on simple cautions (issued 8th April 2013)

Please read the guidance below and the attached declaration. Make sure you understand it before you sign. You may seek independent legal advice before you accept the caution. Some of these points are applicable to cautions issued by the Police and will not be relevant to this matter.

1. A simple caution is an admission of guilt to committing an offence and forms part of an offender's criminal record. A record will be retained by the Council for future use. It may also be disclosed in a court in any future proceedings.
2. If after the simple caution has been administered, new evidence comes to light suggesting that the offence(s) committed are more serious, a prosecution may still be brought.
3. A simple caution may be disclosed to a current or prospective employer in certain circumstances. Separate guidance governs the disclosure of criminal record information
4. Simple cautions become spent immediately they are administered. This means that you do not need to disclose a simple caution when asked unless you are seeking work in an occupation that is listed in the Exceptions Order to the Rehabilitation of Offenders Act 1974 such as working with children and vulnerable adults or for other excepted purposes such as seeking to obtain certain licences. Police Cautions will also be disclosed under Disclosure and Barring Service (DBS) standard and enhanced checks. Further information can be obtained from the DBS.
5. The DBS maintains the lists of those barred from working with children and vulnerable groups, including adults. A simple caution may be taken into account by the DBS when reaching a decision about the suitability of persons to work with children and adults. Accepting a simple caution for certain offences may lead to the offender's inclusion on such a list which will prevent them from working in a regulated post with children and vulnerable groups. Further information should be obtained from the DBS.

6. If the offence(s) involve a victim or victims they might still take civil action or bring a private prosecution against you. The Council may provide your details to the victims if this is necessary for legal action to take place.
7. Countries requiring foreign nationals to obtain entry visas may require applicants to declare simple cautions on their application forms or at interview. Other country's immigration rules may mean that a person who has received a simple caution is refused entry as though they have a criminal conviction. The Rehabilitation of Offenders Act 1974 only applies within the UK which means simple cautions, even if spent, may still need to be disclosed to some countries in some circumstances. This will vary from country to country and may apply to people who want to emigrate permanently or those who simply want to visit for short term purposes, such as on business, for a holiday or to study. For specific information on what an individual may be required to disclose, the relevant embassy of the country of travel should be contacted.

Further information relating to certain cautions

If this caution relates to the sale of age restricted products (ARPs) or services please note that further covert test purchases will be attempted by the Council at your business. This means we will send in underage, or young looking, volunteers to attempt to buy ARPs or services. Such test purchasing may be covertly observed and recorded. You should also advise all sales staff of this.

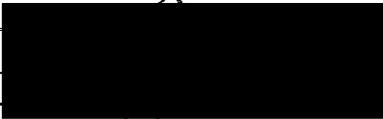
SOUTHWARK COUNCIL SIMPLE CAUTION (INDIVIDUAL)

DECLARATION:

I have read and understand all this information.
I hereby declare that I (insert name)

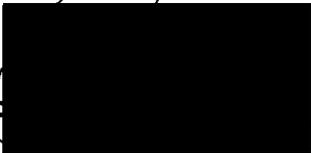
Letterberhan Abraha Tafla

I admit the offence described above and agree to accept a caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should I be found to be infringing the law in the future. I further understand that this caution may be cited should I subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances I may be under a duty to disclose the existence of this caution.

NAME: LETTEBRHAN W. TAFLA SIGNED: 
(Block capitals)

DATED THIS 13th DAY of November 2018

After a signature has been added above, an officer of Southwark Council will countersign and return a copy.

NAME: DAVID LITTLETON SIGNED: 

DESIGNATION: Environmental Health & Trading Standards Business Manager

DATED THIS 7th DAY of NOVEMBER 2018