



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/2704 /15

Date: 7th April 2016

Re:- Bottle & Basket, 187 Waterloo Road, London, SE1 8UX

Dear Sir/Madam

Police are in possession of an application from the Southwark's Trading Standards Service for a review of the above premises licence under Section 51 of the licensing act 2003.

Police have the following comments to make:

The application details a number of incidents that give me cause for concern in relation to the premises and their dedication to promoting the licensing objectives.

The trading standards have found fault with the operation of the premises, and they appear to have continued with the unsatisfactory operation and have continued to commit offences under trading standards and licensing legislation.

In 2014 we received a number on complaints relating to the sale of high strength Beer, lager and cider to intoxicated people and anti social behaviour resulting from this. I attended the venue on the 12th November 2014 in the company of a Southwark council licensing officer where we found an extremely intoxicated male lying on the pavement nearby who admitted purchasing alcohol from the premises. I have attached a full statement relating to this incident, a copy of the warning letter delivered to the premises and the voluntary agreement requesting the premises stop selling super strength beers, lagers and ciders. The premises verbally agreed that they would sign and return the agreement but failed to comply.

The Police fully support the application for review and would also recommend that the consideration be given to all options including the revocation of the premises licence. We would support as a minimum the conditions set out within the Review application

The Following is submitted for your consideration,
Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of PC Graham White 288MD URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 192581

This statement (consisting of: 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if I make a false statement, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false,

Signature: Date: 13th November 2014

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

I am Police Constable Graham White and I have worked for the Metropolitan Police Service for over 23 years. For the past two and a half years I have been in post as the Licensing Officer for Southwark Borough Police, dealing with all the licensed premises across Southwark borough. My role involves proactive patrols of these premises, offering help and reassurance to both patrons and management, as well as ensuring premises fully uphold the licensing objectives.

On the 20th October 2014 I attended a meeting for the Waterloo business group. At this meeting it was brought to my attention the problem with street drinkers and intoxicated people in the area of Waterloo road and Blackfriars road and it was alleged that they were getting the alcohol from Bottle and basket off licence. I was informed that all the premises on Lambeth had entered into a voluntary agreement re restrictions in the sale of high strength alcohol to stop anti social behaviour in the area and that due to this they were attending the Bottle and basket on Southwark as the border between boroughs is the middle of Waterloo road.

On the 10th November 2014 I received an email from Kristie Ashenden from Southwark council Licensing unit asking if I was available to attend Bottle and Basket, 187 Waterloo road, London SE1 8UX re complaints they had received. The complaint was included in the email and was from a local residence association complaining about groups of people attending local drop in centres then buying alcohol from the Bottle and basket and consume it to the rear of the premises. They stand around in large groups intimidating local residence become intoxicated and urinate and defecate around the area.

On Wednesday the 12th November 2014 I attended Waterloo road are in the company of Kristie Ashenden from Southwark Council to visit the premises a discuss the problems and complaints re the sale of alcohol from the premises. We pulled into Gray street from Waterloo road and I noticed a male who I now know to be [] a white male about 20 years old sitting in the loading bay for the Hampton Hilton Hotel. He had the appearance of a homeless person as he had what appeared to be his belongings with him. He was drinking a can of Tennants Super lager which has an ABV of 9%. I approached [] and introduced myself to him showing him my warrant card as I was in plain clothes. At this point I

Signature: Signature witnessed by:

Continuation of Statement of **PC Graham White 288MD**

noticed another unopened can of Super tenants in a plastic bag. I asked him his name and date of birth and confirmed he was of no fixed address. He was slurring his words, his eyes were glazed he was drunk. I asked him where he had purchased the alcohol from and he pointed at Bottle and Basket which was only about 50 yards away and said "there" I asked him how long ago and he said "not long"

Kristie Ashenden and my self then attended the premises arriving at 16.45hrs. We walked around the premises and I noticed that the cooler containing all the beers, ciders and lagers was fully stocked except for the area in the bottom right corner that all the Super strength cans. It was half empty indicating that they had sold a considerable amount of super strength. In my experience as a licensing officer and Police officer with over 20 years experience these types of alcoholic drinks are only drunk by alcohol dependent people that require this alcohol content to become intoxicated. We approached the counter of the store and introduced myself showing my Police warrant card as identification to a male behind the counter who gave his name as [REDACTED] I asked if he was the manager or if not who was. He explained that the manager was not there. He phoned a male who I spoke to on the phone who identified himself as the manager [REDACTED] and I obtained the phone number [REDACTED] I explained to him the reason for my visit and asked if it was possible for him to attend the premises and he declined stating that he was in Essex. I then asked if the Designated Premises Supervisor (DPS) Muhsin Sahindal was available to speak to or attend the premises. [REDACTED] became evasive about Sahindal's whereabouts and changed the subject. Mr Cicekli became quite obstructive on the phone when I tried to discuss the sale to intoxicated people and street drinkers saying it was only an offence if they were drunk and he could sell to them if they were not. I pointed out that selling to them in the knowledge that they would get drunk and then cause anti social behaviour and crime and disorder was not fully supporting and upholding the licensing objectives. He kept saying that they had done nothing wrong I explained the facts of what had just happened prior to my arrival at the premises with the male outside and he just denied it was them. I was not getting any where in the conversation so I informed him I would leave a letter and agreement for him to consider and to contact him when he had. I then terminate the call.

I then carried out a licensing inspection on the premises speaking to [REDACTED] During this I asked about the DPS and he said he did not really know him and had not seen him in six months. I asked how he had been authorised to sell alcohol and he did not know what I was talking about. I asked who had authorised him to sell alcohol to which he just shrugged his shoulders. I had witnessed him selling one can of Fosters lager whilst I was speaking to him to a black male about 30 years old. I asked him if he had written authorisation to sell alcohol to which he replied "No" I then asked the same questions to the other male behind the counter [REDACTED] who gave a similar response. I pointed out to both of them that they should not be selling alcohol with out being authorised by the DPS. I handed Mr [REDACTED] a copy of a warning letter address to the DPS and the premises I also handed him a Voluntary agreement requesting the premises stop selling beers, ciders and lagers above 7% due to the previous sales and problems the premises is causing. We then left the premise [REDACTED]

Signature: Signature witnessed by:



METROPOLITAN POLICE

TOTAL POLICING

Licensing Act 2003 - Record of Visit to Licensed Premises

Details

Name of Premises: Bottle and Basket

Address of Premises: 187 Waterloo Road, London SE1 8UX

Premises Type / Event: off licence

Date of Visit: 12/11/14 Time Of Visit: 16.45hrs

Officers in Attendance

1.	PC Graham White	CAD Reference:
2.	Krishe Ashenden (Southwark Council)	CRIS Reference:
3.		CRIMINIT Reference:
4.		

Premises Details

Is the Premises Licence Summary displayed and correct? Yes No

Is the Designated Premises Supervisor (DPS) present? Yes No

Record details of DPS personal Licence (include full name, issuing authority and lic No.)

DPS Contact No.: Not known

If No DPS is present provide details of person in charge: [Redacted]

Record details of personal Licence (include full name, issuing authority and lic No.)
 was not present spoke on phone [Redacted]
 MR [Redacted] was member of staff

Is the full premises Licence or an endorsed copy available? Yes No

What is the capacity of the premises if shown on premises licence? N/A.

How many persons present (rough headcount)? 2

What process is used to record customer numbers (clicker, tickets head count etc)?
N/A

Toilets and public areas

Toilets

- Are the toilets regularly checked by staff? Yes No
- Is there a Toilet attendant? Yes No
- Are the toilets covered by CCTV? Yes No
- Are the toilets and environs well maintained? Yes No
- Is there any evidence of drugs use in this area?
If yes detail evidence (drugs paraphernalia, or evidence obtained from drugs swipes or drugs itemiser)
NA Yes No

Smoking area:

- Is there a designated smoking area? Yes No
- Is it covered by CCTV? Yes No
- Is it controlled by staff? Yes No
- Is there a re-entry search policy? Yes No

Public areas:

- Is the ambient lighting in public areas adequate? Yes No
- Is there a VIP area? Yes No
- Does CCTV cover public areas and dancefloor? Yes No
- Do staff regularly clear glassware? Yes No
- Does the premises use plastic drinkware? Yes No
- Is there a cloakroom? Yes No
- Does the premises have a Medical facility/room? Yes No
- What percentage of the premises is given over to seating and tables? %

Premises Staff

- How many staff are on duty? 2
- How many Personal Licence Holders on site? 0
- Are staff training records available? Yes No
- Is there a trained first aider on duty? Yes No
- General attitude of staff
Helpful Unhelpful Obstructive Other

Actions

Have any breaches in licensing conditions been identified?

Yes No

Details of breaches

Incorrect Licence Summary Displayed. did not have copy of full licence

Section 19 (Police and Criminal Justice Act 2001) Closure notice issued?

Yes No

Is an action plan required as a result of this visit?

Yes No

Is a warning letter required as a result of this visit?

Yes No

Detail grounds for action plan and or warning letter?

Warning letter issued to premises at time re complaints of sale of alcohol to intoxicated people. Voluntary agreement left to be considered re sale of alcohol to street drinkers

Are there other offences or issues relevant to partner agencies (ie fire, environmental health, HM Customs and Excise, Etc).

Appropriate Agency: **NO**

Details:

Details of whom referral passed to

Does the premises require a further visit?

Yes No

By what date should this visit be completed

NA.

General Notes

Council to deal with licence and possible PPS issues. statements by PC while completed re street approach and possible reviews of premises licence

Further action by Licensing Office



Mr Muhin Sahindal
Bottle & Basket UK Ltd
187 Waterloo Road
London
SE1 8UX

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ /14

Date: 11th November 2014

Re:- Bottle & Basket, 187 Waterloo Road, London SE1 8UX

Dear Muhsin Sahindal

We have received a number of complaints relating to the above premises for which you are shown as the designated premises supervisor. The complaints regard to your customers having been served Alcohol whilst intoxicated and then involved in Anti-social behaviour in the surrounding area. Having sold alcohol to intoxicated people you have committed the following offence under the Licensing Act 2003.

- Section 141 of the Licensing Act 2003 makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person, on relevant premises.

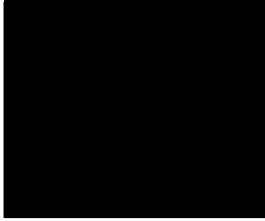
It is vital for well-run premises to adhere to the conditions listed on the Premises Licence and the responsibilities under the Licensing Act. This responsibility lies with the Designated Premises Supervisor and the Premises Licence holder to ensure compliance.

I have visited the premises with a voluntary agreement and relevant notices to restrict the sale of high strength alcohol from your premises. We will also be visiting other Licence premises in the area with the same agreement in an attempt to stop the sale to Intoxicated and alcohol dependent groups of people that then congregating in the local area drinking and causing a public nuisance to the local residence.

If further evidence of such offences are brought to the attention of this or Southwark Council Licensing unit then formal action may be required when either a revocation of the licence or strict conditions placed on the licence to uphold the Licensing objectives

If you require further information then please contact me on the number shown below.

Yours Sincerely



PC Graham White 288MD
Southwark Police Licensing Unit
Tel: 0207 232 66756
Mob: 07595 011458



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Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL**

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/14

Date:

Re:- Sale of High strength Beers, Lagers and Ciders

Dear Licence holder/Designated Premises Supervisor

We have received a number of complaints relating to premises in the local vicinity. The complaints regard to your customers having been served Alcohol whilst intoxicated and then involved in Anti-social behaviour in the surrounding area. Having sold alcohol to intoxicated people you have committed the following offence under the Licensing Act 2003.

- Section 141 of the Licensing Act 2003 makes it an offence to sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person, on relevant premises.

It is vital for well-run premises to adhere to the conditions listed on the Premises Licence and the responsibilities under the Licensing Act. This responsibility lies with the Designated Premises Supervisor and the Premises Licence holder to ensure compliance.

I have visited your premises today with a voluntary agreement and relevant notices to restrict the sale of high strength alcohol from your premises. We will also be visiting other Licence premises in the area with the same agreement in an attempt to stop the sale to Intoxicated and alcohol dependent groups of people that then congregating in the local area drinking and causing a public nuisance to the local residence.

If evidence of such offences are brought to the attention of this or Southwark Council Licensing unit then formal action may be required when either a revocation of the licence or strict conditions placed on the licence to uphold the Licensing objectives

If you require further information then please contact me on the number shown below and I will return to collect and discuss the above voluntary agreement in the next few weeks.

Yours Sincerely

PC Graham White 288MD

Southwark Police Licensing Unit

Tel: 0207 232 66756

Mob: 07595 011458

RESPONSIBLE BUSINESS AGREEMENT

THIS AGREEMENT IS MADE BETWEEN

_____, **Southwark Council**
and the Metropolitan Police on _____ and
will last for a minimum of six months.

Designated Premises Supervisor/Proprietor:

Premises address:

I agree I will:-

1. Not to sell any bottles or cans of beer, larger or cider with an ABV above 7%.
2. Not serve 2 litre plastic bottles of cider.
3. Will not serve any known street drinkers, or anyone who appears to be under the influence and display signs advising customers of this.
4. Monitor and report issues of Anti Social Behaviour (ASB) related to street drinking to the Council's ASB Reporting Line on 020 7525 500 or the Police non-emergency number 101.
5. Ensure that ALL staff are advised of the content of this agreement and adhere to the instructions.
6. After the expiry date (as stated above), continue to work with the Local Authority and Police to reduce Anti Social Behaviour, including street drinking.

To help the above complete the Responsible Retailers Agreement successfully, the representatives of the various agencies and organisations agree to provide the following help and support

We agree we will:-

1. Provide the relevant signage advising your patrons that you are working with the Local Authority and the Police to tackle alcohol related Anti-Social Behaviour in the area.
2. Utilise tools available to us to tackle issues that you have brought to our attention regarding specific individuals.
3. Monitor and review this agreement on a regular basis as agreed below.

I understand that by signing this document I am entering into an agreement between Southwark Council and the Police to undertake responsibility for my businesses part in the above project.

Although I understand the Agreement is voluntary, if I breach any of the above prohibitions, Lambeth Council and/or the Police may take steps against me and my business which may include a premises license review.

RRA Review Meetings

Date	Location

Final Review

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I confirm that I understand the meaning of this agreement and the consequences of a failure to comply have been explained to me.

Signed Date

()

Signed..... Date

()

Signed..... Date

()

SignedDate.....

()



Warning

It is a criminal offence to sell alcohol to someone who is or appears to be under the influence of alcohol.

We have agreed with Southwark Police & Local Authority Licensing we will not sell beers, lagers and ciders above 7% ABV.

We have the full support of the local Police and Southwark's Trading Standards & Licensing teams.



**METROPOLITAN
POLICE**

TOTAL POLICING

Southwark

**NEW
SCOTLAND
YARD**

MEMO: Licensing Unit

To Licensing **Date** 04 April 2016

Copies

From David Franklin **Telephone** 020 7525 5800

Email david.franklin@southwark.gov.uk

Subject **Bottle & Basket, 187 Waterloo Road, London, SE1 8UX**

I make this representation with regards to the review application of the premises licence submitted by the Trading Standards for Bottle & Basket, 187 Waterloo Road, London, SE1 8UX.

My representation is based on the licensing objectives for the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The premises licence has very few conditions within the operating schedule for the control of the sale of alcohol to children, drunk persons and street drinkers who may become drunk after consuming alcohol purchased at the premises and cause crime and disorder or public nuisance in the street.

An inspection was made at the premises on 19 March 2016 and found that there was no premises licence available at the premises, although the summary was displayed. Additionally a bottle opener was available behind the counter which the management of the premises claimed was for opening soft drinks only.

The bottle opener was removed by the premises staff and a replacement premises licence has been obtained.

There has been one complaint in 2015 that the premises had sold a single can of beer to a street drinker who then went into Ufford Street Park and allegedly made a nuisance of himself.

I would support the Trading Standards in their review and the conditions offered and recommend an additional condition that;

“All off sales of alcohol shall be supplied in closed containers”

Additionally I would advise that conditions in Annex 1 of the premises licence are mandatory conditions and therefore cannot be removed, replaced or adjusted and conditions 101 and 488 should remain on the premises licence. However the additional conditions put forward by Trading Standards can be imposed within Annex 3 of the premises licence.

David Franklin
Licensing Authority as a Responsible Authority