



LICENSING COMMITTEE - LICENSING HEARING
(SUB-GROUP A)
13 May 2013 at 10.30 am
Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Cllrs. Mrs. Parkin, Pett and Walshe (substitute)

(Composition: Each Sub-Committee will contain three Members of the Licensing Committee. Any member of the Licensing Committee may act as a substitute on any of the Licensing Sub-Committees.)

IMPORTANT INFORMATION

If an interested party (e.g. a parish or town council) has not made a "relevant representation" (section 18(6) and (7) of the Licensing Act 2003), it will not receive a notice of the hearing (Reg. 6(1) Hearings Regulations). The interested party will not, therefore be "a party to the hearing" (Reg. 2 Hearings Regulations). There will therefore be no right to address the hearing (Reg. 16 Hearings Regulations).

The above also applies to a Member i.e. if s/he does not make a "relevant representation" s/he will not be a "party to the hearing" and has no right to address the hearing unless appointed by "a party to the hearing" to assist or represent that party".

Would you please note that all the reports/information listed on this agenda are available from the Democratic Services Team on request (01732 227241). Alternatively you can make an appointment to view the information at the District Council Offices by contacting the Licensing Partnership Manager on 01732 227325.

1. **Appointment of Chairman**
2. **Declarations of interest.**
3. **Co-operative Store, 73 - 75 High Street, Swanley, Kent. BR8 8AF** (Pages 1 - 92)

(Swanley Christchurch & Swanley Village)

1. Procedure at Sub-Committees of the Licensing Committee (established in accordance with Section 9 of the Licensing Act 2003)

- 1.1 In accordance with Section 9(1) of the Licensing Act 2003, the Licensing Committee has resolved to establish five Sub-Committees, each consisting of three members of the Committee.
- 1.2 The Sub-Committees have delegated authority to determine those functions that are reserved for decision by the Sub-Committees in accordance with Appendix B of the Council's Statement of Licensing Policy dated 7 January 2011.
- 1.3 Hearings shall be conducted in accordance with this Procedure Note and The Licensing Act 2003 (Hearings) Regulations 2005 subject to the right of the Sub-Committee to vary that procedure at their absolute discretion if considered in the public interest.
- 1.4 The quorum for a Sub-Committee shall be two members.
- 1.5 At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
- 1.6 The order of business at hearings shall be:
 - (a) Election of Chairman.
 - (b) Declarations of interests.
 - (c) Chairman explains the procedure to be followed at the hearing, including the setting of equal time limits for all parties and the granting of adjournments.
 - (d) Chairman ascertains who is assisting or representing the parties.
 - (e) Applicant (or his/her representative) addresses the Sub-Committee.
 - (f) Applicant questioned by members. At the discretion of the Sub-Committee, other parties may be permitted to question the applicant.
 - (g) Persons who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
 - (h) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the applicant may be permitted to question other parties.
 - (i) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.
 - (j) Applicant (or his/her representative) makes closing address.
 - (k) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.

(l) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.

(m) The parties will be informed of the decision at the hearing or thereafter in accordance with Regulation 26 of the 2005 Regulation.

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APPLICATION FOR A PREMISES LICENCE FROM THE CO-OP, 73 - 75 HIGH STREET, SWANLEY, KENT. BR8 8AF FOR VARIATION UNDER THE LICENSING ACT 2003

Licensing Committee (Hearing) – 13 May 2013

APPLICATION REFERENCE NO: 13/00593/LAPRE

Report of the: Community and Planning Services Director

Status: For Decision

Head of Service Head of Environment & Operational Services – Mr Richard Wilson

Recommendation: Members' instructions are requested

Background

The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is attached at Appendix A.

The application is made by Co-operative Group Food Limited, 1 Angel Square, Manchester. M60 0AG

Application is to vary the hours when licensable activities may take place and to include the provision of late night refreshment. To also remove the embedded conditions placed on the existing premises licence.

The variation is to:

Section I	To allow late night refreshment every day from 23:00 hours until 05:00 hours.
Section J	To allow sale of alcohol every day from 05:00 hours until 00:00 hours.

The applicant intends to take the following action in order to promote the four licensing objectives if the proposed variation is granted:

General:

Having had regard to the four licensing objectives and the locality, the following conditions are appropriate.

Agenda Item 3

The Prevention of Crime and Disorder:

The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recording shall be stored for a minimum period of 21 days. Recording shall be made available upon request by an authorised Officer of the Police or the Local Authority.

There shall be "CCTV in Operation" signs prominently displayed at the premises.

An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport or any other recognised form of photographic identification incorporating the PASS logo.

The premises will be fitted with a burglar alarm system.

The premises will be fitted with a panic button system for staff to utilise in the case on an emergency.

Public Safety:

The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

The Prevention of Public Nuisance:

The premises licence holder will, upon request, provide the telephone number of their Customer Relations Contact Centre.

The Protection of Children from Harm:

All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.

An age till prompt system will be utilised at the premises in respect of age restricted products.

A refusals register (whether kept in a written or electronic form) will be maintained at the premises and made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

Representations received from statutory consultees:

Fire Safety	NO COMMENTS RECEIVED
Trading Standards	NO COMMENTS RECEIVED
Social Service	NO COMMENTS RECEIVED
Police	NO OBJECTIONS
Commercial	NO OBJECTIONS
Environmental Protection	NO OBJECTIONS
Development Control	NO COMMENTS RECEIVED

Representations received from interested parties:

1 received from Town Council

Conclusions

Without prejudice, the Officer would like to draw to Members attention issues that they may wish to consider:

Mandatory conditions – the following conditions will be added to the premises licence when it is issued.

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

(a) at a time where there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Agenda Item 3

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and such departure must be supported by clear and cogent reasons.

Sources of Information:

[http://www.culture.gov.uk/alcohol and entertainment](http://www.culture.gov.uk/alcohol%20and%20entertainment)

Contact Officer(s):

Mrs Leeann Leeds Ext.7270

**PAV RAMEWAL
CHIEF EXECUTIVE DESIGNATE**

RISK ASSESSMENT STATEMENT

This Hearing is regulated by The Licensing Act 2003 (Hearings) Regulations 2005 No. 44.

The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on the 13 May 2013 subject to any appeal to a Magistrates Court or higher Court.

PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part B



Premises Licence Number	11/01018/LAPMV
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Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code Co-op 73 - 75 High Street Swanley Kent BR8 8AF Telephone number 01322 662 955	
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Where the licence is time limited the dates Not Applicable
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Licensable activities authorised by the licence Sale or Supply of Alcohol

Times the licence authorises the carrying out of licensable activities Sale or Supply of Alcohol	
Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

The opening hours of the premises	
Sunday	10:00 - 22:30
Monday to Saturday	08:00 - 23:00

The non-standard opening hours of the premises On Good Friday from 08:30 hours until 22:30 hours, Christmas Day 12:00 hours until 15:00 hours & 19:00 hours until 22:30 hours.
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Where the licence authorises supplies of alcohol whether these are on and / or off supplies Alcohol is supplied for consumption off the premises.

Annex 1 – Mandatory conditions

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 – Embedded conditions

Permitted Hours (from original Justices Off Licence)

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- (b) On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- (c) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- (d) On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Regulated Entertainment - (from original Justices Licence)

Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

Annex 3 – Conditions consistent with the Operating Schedule

Not applicable

Annex 4 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 5 – Plans

Please see attached

Licence Number: 11/01018/LAPMV
Issue Date: 22/01/2013

Page 3 of 3



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Map center: 551826, 168426

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EAP3681

25 March 2013

Licensing Partnership
Sevenoaks District Council
PO Box 182
SEVENOAKS
Kent
TN13 1GP

Dear Sirs

Re: Notice to Vary Premises Licence – 73-75 High Street, Swanley

Swanley Town Council wishes to register their objections to this application and requests that the premises continues to operate under its current licence. This is so not to cause any further disruption or disturbance to local residents living in the vicinity of the premises.

Yours faithfully

PP



**Christopher Drake
Acting Clerk**



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England and Wales High Court (Administrative Court) Decisions

You are here: [BAILII](#) >> [Databases](#) >> [England and Wales High Court \(Administrative Court\) Decisions](#) >> Taylor v Manchester City Council TCG Bars Ltd [2012] EWHC 3467 (Admin) (07 December 2012)
URL: <http://www.bailii.org/ew/cases/EWHC/Admin/2012/3467.html>
Cite as: [2012] EWHC 3467 (Admin)

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Neutral Citation Number: [2012] EWHC 3467 (Admin)
Case No: CO/5736/2012

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT IN MANCHESTER
(ON APPEAL FROM THE MANCHESTER AND SALFORD MAGISTRATES' COURT BY WAY OF CASE
STATED)

Leeds Combined Court,
1 Oxford Row, Leeds LS1 3BG
07/12/2012

Before:

MR JUSTICE HICKINBOTTOM

Between:

MATTHEW TAYLOR

Appellant

- and -

MANCHESTER CITY COUNCIL
TCG BARS LIMITED

Respondents

Jeremy Phillips (instructed by LR Law) for the Appellant
Sarah Clover (instructed by Susan Orrell, City Solicitor, Manchester City Council)
for the First Respondent
The Second Respondents were not represented and did not appear.
Hearing date: 26 November 2012

HTML VERSION OF JUDGMENT

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Mr Justice Hickinbottom:

Introduction

1. When and to what extent, if at all, can an application to vary a licence under the Licensing Act 2003 be amended?
2. That is an important question in practice, because many applicants seek to change their proposed variation in the light of representations they receive objecting to it or some part of it. It is a question which, as I understand it, has never before been addressed by the courts.
3. The question comes before this court in the form of a case stated by Deputy District Judge Robinson sitting in the Manchester and Salford Magistrates' Court. On 8 and 9 March 2012, he heard an appeal by the Appellant Matthew Taylor against a decision of the Licensing Sub-Committee of the First Respondent Manchester City Council ("the Council"), taken on 7 October 2011, to grant a variation to a premises licence relating to premises known as Via in Canal Street, Manchester. The Second Respondents TCG Bars Limited ("TCG Bars") owned and operated Via, and were the premises licence holder.
4. As a preliminary issue, Mr Taylor contended that the Council had acted unlawfully because TCG Bars had significantly revised their application after the statutory period of advertisement and consultation had expired, meaning that responsible authorities (such as the Council's own Environmental Health Department) and local residents had no reasonable notice of the revision and no proper opportunity of making representations in respect of it.
5. The Deputy District Judge held that the Council did not act unlawfully, and Mr Taylor appealed that decision to this court by way of case stated dated 14 May 2012. In paragraph 52 of the Case Stated, the Deputy District Judge poses the following question for this court:

"Given the variance between the application to vary the premises licence originally advertised and the revised scheme, and the timing of those revisions, was I correct in ruling that it was lawful for [the Council] to proceed to determine [TCG Bars'] application in accordance with section 35 of the Licensing Act 2003?"

The Licensing Act 2003

6. In this judgment, all statutory references are to the Licensing Act 2003, unless otherwise indicated.
7. The Licensing Act 2003, which came into force on 24 November 2005, radically changed licensing in England and Wales. Until then, there had been a patchwork of licensing systems, under which alcohol licences were granted by licensing justices, reflecting their historical role in maintaining the peace; whilst other licensing functions, such as entertainment, were in the administrative province of local councils.
8. The 2003 Act created a single system, in which magistrates were relieved of their administrative licensing responsibilities, in favour of local authorities. The White Paper which led to the reforms ("Time for Reform: Proposals for the Modernisation of Our Licensing Laws" (Cm 4696) (April 2000)) identified three reasons for the transfer of all licensing functions to local councils, as follows (paragraph 123):

"...

- o Accountability: we strongly believe that the licensing authority should be accountable to local residents whose lives are fundamentally affected by the decisions taken.
- o Accessibility: many local residents may be inhibited by court processes, and would be more willing to seek to influence decisions if in the hands of local councillors.
- o Crime and disorder: Local authorities now have a leading statutory role in preventing local crime and disorder, and the link between

alcohol and crime persuasively argues for them to have a similar lead on licensing."

The first bullet point emphasises that licensing decisions were to be regarded as administrative decisions, taken in the public interest and subject to political accountability.

9. The role of a licensing authority under the 2003 Act was recently considered by the Court of Appeal in R (Hope and Glory Public House Limited) v City of Westminster [2011] EWCA Civ 31 ("Hope and Glory Public House"). Having rehearsed the history behind the Act, Toulson LJ, giving the judgment of the court, said (at [41]-[42]):

"41. ... [T]he licensing function of a licensing authority is an administrative function. By contrast, the function of the district judge is a judicial function. The licensing authority has a duty, in accordance with the rule of law, to behave fairly in the decision-making procedure, but the decision itself is not a judicial or quasi-judicial act. It is the exercise of a power delegated by the people as a whole to decide what the public interest requires...."

42. Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."

That chimes with the White Paper, Toulson LJ again stressing the essentially evaluative nature of the decision making process in most licensing matters, which demands a complex balancing exercise, involving particularly the requirements of various strands of the public interest in the specific circumstances, including the specific locality. He also marked the fact that Parliament has determined that, in this context, local authorities are best placed to make decisions of that nature.

10. The administrative nature of a licensing authority's function is also emphasised by, e.g., regulation 23 of the Licensing Act 2003 (Hearings) Regulations 2005 (SI 2005 No 44) ("the Hearing Regulations"), which provides that the hearing of an application "shall take the form of a discussion led by the authority..." and forbids cross-examination except in limited circumstances.
11. However, the justices still have a role to play in the new scheme. The main sanction for those who fail to comply with the new licensing laws is criminal, and magistrates have retained responsibility for dealing with people charged with offences under the licensing laws, as well as having an appellate function from licensing decisions of the relevant local authority.
12. The basic mechanism for regulation of the relevant activities is as follows. By section 2 of the 2003 Act, "licensable activities" can only be carried on under and in accordance with a "premises licence" issued by a "licensing authority", defined in section 3(1) usually to be the relevant local council; and section 136 imposes a criminal sanction on those who carry on licensable activities otherwise than under and in accordance with such a licence. "Licensable activities" include the retail sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment (section 1(1)).
13. Section 4 is also an important provision. Under it, a licensing authority must carry out its functions under the Act (and hence must determine any licensing decision it has to make) with a view to promoting the following "licensing objectives":
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and

Agenda Item 3

(d) the protection of children from harm

It is noteworthy that all of these objectives are essentially concerned with the public interest; although, of course, evidence of how a licence might affect individuals may be relevant to the assessment of that public interest.

14. By section 4(3), in exercising those functions, the authority must also have regard to both:
- i) Guidance issued by the Secretary of State under section 182, which requires her to issue such guidance. The relevant version for the purposes of this appeal, which I shall refer to as simply "the section 182 Guidance", was issued in April 2012. It has now been replaced by new guidance issued in October 2012.
 - ii) The authority's own licensing statement published under section 5, which requires each authority to publish a statement of licensing policy regularly, at the relevant time for a period of three years and now (by virtue of section 122 of the Police Reform and Social Responsibility Act 2011) for a period of five years. The Council's current Statement of Licensing Policy ("the Council's Statement of Licensing Policy") covers the period 2011-14.
15. The licensing functions of an authority are in practice delegated to a licensing committee or sub-committee (sections 6 and 7). In the Council's case, they have established a Licensing Committee of 15 Council Members, with any application that requires a decision being determined by a Sub-Committee of three members of the Licensing Committee at a hearing (paragraph 3.36 of the Council's Statement of Licensing Policy).
16. As Mr Phillips submitted, the regime is essentially a permissive one, generally allowing anyone to carry out "licensable activities" in an unfettered way by requiring the licensing authority to grant or vary a licence on application, unless the decision making powers of the licensing authority are triggered – by, e.g., representations being made on an application to vary – whereupon the authority must take a decision in response to the application based upon the promotion of the licensing objectives. However, even then, the steps it has power to take are limited to those specifically identified in the scheme.
17. Section 17 sets out the procedure for making an application for a new licence. Section 17(3) requires an application to be accompanied by "a plan of the premises to which the application relates, in the prescribed form". Section 17(5) provides that the Secretary of State must by regulations require the applicant and the licensing authority to advertise the application for a prescribed period and in a prescribed manner, and "prescribe a period during which interested parties and responsible authorities may make representations to the relevant licensing authority about the application". "Interested parties" are defined in section 13(3) as including a person living in the vicinity of the premises. (Under section 105 of the Police Reform and Social Responsibility Act 2011, "interested parties" has now been substituted by "persons who live, or are involved in a business, in the relevant licensing area"; but that change has no relevance to this appeal). "Responsible authorities" are defined in section 13(4) to include relevant local weights and measures, police, fire, rescue, health, environmental health and planning authorities.
18. An application must also put forward an individual as the "designated premises supervisor", and no supply of alcohol can be made under a licence unless there is such a supervisor named in the licence and he has a current "personal licence" in accordance with Part 6 of the 2003 Act (sections 15 and 19). Personal licences form no part of this appeal, and I need not say anything further about them; except that, since May 2010, the designated premises supervisor for the premises at 28-30 Canal Street has been Anthony Cooper.
19. The Secretary of State has made procedural regulations in respect of applications for premises licences in the form of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 (SI 2005 No 42) ("the Premises Regulations"), as well as the Hearing Regulations.
20. Subject to the express requirements of the Hearing Regulations, procedure at the hearing of an application is expressly a matter for the licensing authority (regulation 21 of the Hearing Regulations). There is no similar provision in the Premises Regulations, which are generally prescriptive as to the pre-hearing procedure that must be followed by the applicant (who must comply with the appropriate provisions in Parts 2 and 4), and the licensing authority (which must comply with the appropriate provisions in Parts 4 and 5) (regulations 4 and 6).

- 21 Regulation 23(1) of the Premises Regulations repeats the requirement that an application for a new licence must be accompanied by a plan; and regulation 23(3) provides that a plan, when required, must show various specified topographical features, including:

"(a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;

(b) the location of points of access to and egress from the premises;

(c) if different from subparagraph (3)(b), the location of escape route from the premises;

(d) ..."

Of course, in addition to the elements required by regulation 23(3), a plan that is lodged may show other matters which are not required by law.

22. Regulation 25 requires applications to be advertised in specific ways for 28 days.

23. "Relevant representations" are defined as representations made by an interested party or responsible authority, which are neither frivolous nor vexatious nor withdrawn, and which are in time and "are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives" (section 18(6) and (7) of the 2003 Act). That definition is important: representations to be relevant have to be about the effect of the licence on the promotion of the public interest licensing objectives set out in section 4, although evidence of the actual or potential impact of the licence on individuals may be relevant to the various strands of public interest involved. That is reflected in Appendix 2 to the Council's Statement of Licensing Policy which, under the heading "Relevant Information for Residents and Other Interested Parties", states:

"...

- o In accordance with [the definition of 'relevant representation'], you should demonstrate how your representation affects the promotion of the licensing objectives.
- o Provide an evidential base for the grounds of the representation; which could include written logs of problems, details of previous complaints, photographs or video evidence of the particular case."

24. The relevant period for representations in a case such as this is "28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant" (regulation 22 of the Premises Regulations).

25. Where no "relevant representations" are made, the licensing authority is bound to grant the application subject only to specified conditions derived from the operating schedule (section 18(2)). Where such representations are made, a decision making power arises in the licensing authority, because the requirement that the authority is bound to grant the application is subject not only to those same conditions but also to section 18(3) and (4), which provides that, where relevant representations are made:

"(3) ... the authority must –

(a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary; and

(b) having regard to the representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

(4) The steps are –

Agenda Item 3

(a) to grant the licence subject to [such conditions mandated by the statutory provisions, and such conditions as are consistent with the operating schedule accompanying the application modified to such extent as the authority considers necessary for the promotion of the licensing objectives];

(b) to exclude from the scope of the licence any licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application."

26. With regard to subsection (4)(a):

(i) by section 18(5), for these purposes, conditions are "modified" if any of them is "altered or omitted or any new condition is added"; and

(ii) by section 109 of the Police Reform and Social Responsibility Act 2011, "necessary" has now been replaced by "appropriate"; but again that change is not material to this appeal.

27. Whilst the provisions of section 18(3) and (4) are written in mandatory terms ("... the authority *must...*"), a discretion arises as the result of the words "take such steps ... *as it considers necessary* ..." (emphases added). However, in determining a licence application, the discretion that an authority has is limited in two ways: (i) that authority can only take one or more of the steps listed in section 18 (4), and (ii) it is empowered (although also obliged) to take only such of those steps it "considers necessary for the promotion of the licensing objectives". The statutory provisions consequently both define and limit an authority's powers in determining an application for a new licence.

28. Once a licence has been granted, if it is proposed to change the relevant business or premises such that the carrying out of licensable activities will fall outside the licence which has been granted, then the licence holder can change the licence in one of three ways.

29. First, if it is proposed to extend the period for which the licence has effect or to vary substantially the premises to which it relates, then a new application under section 17 has to be made (section 36(6), and paragraph 8.73 of the section 182 Guidance). That requires, not only advertisement and a period for the making of relevant representations to be made, but also the licensing authority to reconsider and review the entire licence afresh.

30. Second, at the other end of the scale, if the proposal is of a very limited nature, which is incapable of having an adverse impact on the promotion of any of the licensing objectives, then a simplified procedure involving restricted publicity can be adopted (sections 41A-41D, introduced by the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 (SI 2009 No 1772)). Paragraphs 8.59 and 8.60 of the section 182 Guidance provide:

"8.59. Many small variations to layout will have no adverse impact on the licensing objectives. However, changes to layout should be referred to the full variation process if they could potentially have an adverse impact on the promotion of the licensing objectives, for example by... affecting access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits....

8.60. Licensing authorities will also need to consider the combined effect of a series of applications for successive small layout changes (for example, as part of a rolling refurbishment of a premises) which in themselves may not be significant, but which cumulatively may impact on the licensing objectives. This emphasises the importance of having an up to date copy of the premises plan available."

31. It is not suggested by any party that the changes proposed in this case, to which I shall come shortly, warranted a new section 17 application for a new licence, or could properly have been the subject of the minor variation procedure. It is common ground that it was appropriate for those proposed changes to be the subject of the third procedure, namely an application for a variation of the licence under

section 34.

32. The procedure for an application under section 34 mirrors the procedure for a new application under section 17.
33. The Secretary of State has to make regulations for the due advertisement of the application (section 34 (2)); and, by regulations 25 and 26 of the Premises Regulations, she has provided that the advertisement of such application must be the same as for an application under section 17 for a new licence.
34. Any premises licence has to be accompanied by a plan; but that does not mean that a plan always has to accompany an application to vary. Section 34(5) and regulations 27 and 27A of the Premises Regulations refer, expressly or implicitly, to accompaniment by a plan *where appropriate*; and regulation 23(1) only requires a plan to accompany an application for a new licence under section 17. For example, if an application to vary is made merely to extend hours for the same licensed activities without any change to the premises themselves, a plan would be unnecessary in practice and is not required by the scheme. However, it was properly common ground that where, as here, there is an application for a variation including significant changes to the internal layout of the premises (including elements required to be on a plan by regulation 23(3)), a plan complying with regulation 23(3) would be essential to the application.
35. Section 35(2)-(4) of the 2003 Act, reflecting to an extent section 18(2)-(4) in respect of a section 17 application for a new licence, provides that, where no relevant representations are received within the relevant period, then the licensing authority must grant the variation; but, where such representations are received, then they trigger a decision making process. The authority must hold a hearing and must, having regard to the representations, take such steps from those listed in section 35(4), if any, as it considers necessary for the promotion of the licensing objectives. Sub-section (4) states that:

"(4) The steps are –

- (a) to modify the conditions of the licence;
- (b) to reject whole or part of the application

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

36. Again, the licensing authority has a discretion in its decision making here; but, as with section 18(4) for an application for a new licence, where there are relevant representations in respect of an application to vary, it is limited: the authority can only respond to the application in one or more of the ways set out in section 35(4), and it can only take such steps "as it considers necessary for the promotion of the licensed objectives." Again, that requires an evaluation of what is necessary for the promotion of those objectives.
37. Therefore, as with a section 17 application, it can be seen that it is the making of relevant representations in respect of an application to vary that triggers a process of decision making by the authority, in the form of a hearing and decision to take such steps as are allowed and required by section 35(3) and (4). Where no representations are received within the relevant period, the applicant is entitled to the variation he seeks: no decision making process is triggered at all (Corporation of the Hall of Arts and Sciences v The Albert Court Residents' Association [2011] EWCA Civ 430, "Corporation of the Hall of Arts and Sciences"). It was suggested, obiter, in Corporation of the Hall of Arts and Sciences that an authority has no power to take into account late representations even where the decision making process may have been triggered by other, in-time representations (see, e.g., [41]); and it seems to me that that follows from the wording of section 35(3), which focuses exclusively on relevant representations which are defined in terms of being in-time. However, it was common ground before me – and, in my view, properly so – that, if someone has made relevant representations, then he may later amplify them.
38. There is one final procedure that should be mentioned. Under section 51, where a premises licence is in effect, a responsible authority or interested party may apply to the licensing authority for a review of the licence. The onus of establishing grounds for review falls upon the person initiating the application – including establishing that the ground is relevant to one or more of the licensing objectives (section

51(4)(a) – but, otherwise, the procedure again reflects that for a new licence. In particular, any such application has to be the subject of advertisement (as well as notice to the licence holder), and there is a period in which representations may be made. There must be a hearing to consider the application and any relevant representations, which are again defined by reference to relevance to the licensing objectives (section 52(7)). In response to an application, the authority again must take such steps that are listed as it considers necessary for the promotion of the licensing objectives, those steps being, in this context:

- "(a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence."

39. Such an application would be appropriate where a licence holder performs licensable activities, within the scope and in accordance with the terms and conditions of his licence, but nevertheless those activities impact adversely on local residents, by causing unanticipated disorder or a public nuisance. It might be prompted by, e.g., a change in the manner in which the business is conducted (albeit within the scope and conditions of the licence), or merely busier trade.

The Facts

40. Canal Street is an area of restaurants and bars, as well as residential accommodation, in a central part of Manchester known as the Village.
41. Since September 2005, TGC Bars have operated a bar in premises at 28-30 Canal Street, under a premises licence granted by the Council. Those premises front onto Canal Street, and back onto Richmond Street, a parallel street. They comprise essentially two licensed floors: the ground floor including a mid-level mezzanine floor, and a basement.
42. The licence authorises three activities: the retail sale of alcohol, the provision of identified regulated entertainment and the provision of late night refreshment. The licence as initially granted was subject to 94 conditions, including the following in Annex 2:

Condition 31: "The licensed premises shall be provided with an adequate number of exits clearly indicated and so placed and maintained so as to readily afford the audience ample means of safe egress."

Condition 33: "Emergency doors must not be fitted with any securing device other than an approved type of panic bolt fitting..."

Condition 34: "Doors not in normal use, which are regarded as emergency exits, should be fitted with an alarm which is activated when they are opened. The alarm should be inaudible in public areas and should sound in an area permanently manned by management/staff whilst the premises are occupied..."

Condition 60: "Alterations or additions, either permanent or temporary, to the structure, lighting, heating or other installations or to the approved seating gangways or any other arrangements in the premises must not be made except with the prior approval of the City Council."

Condition 71: "Occupancy: Basement 240 persons, Mid Level 120 persons, Ground Level 260 persons, Total 620 persons."

Condition 72: "The windows and external doors on the Canal Street façade to be kept closed after 23.00 hours except for access and egress."

43. The licence had a plan of each floor attached to it, showing the matters required by regulation 23(3), and more. It showed five sets of external doors on the Canal Street façade ground floor, two (each with a lobby inside) marked, "Entrance"; and one, at the south east end of the building, giving access to the basement only via a doorway onto Canal Street ("the V2 doorway") and a set of stairs. The V2 doorway is adjacent to the door to the residential apartments on the upper floors of 10 Canal Street (the first floor, ground floor and basement of those premises being another licensed bar called "Crunch", owned and managed at the relevant time and now by the Appellant, which has an entrance just a few yards further up Canal Street). At the bottom of those stairs from the V2 doorway, the basement plan attached to the licence for the Via premises shows double doors marked "FD" into a bar area with dance floor.
44. The extent to which the V2 doorway had been used prior to the application to vary is contentious. However, it was common ground before the Deputy District Judge that it had not been used as the principal entrance and exit to the premises, and use of the doorway had not been required to cease as a result of being a breach of licence. For the purposes of the preliminary ruling, the parties agreed that it was not necessary for the judge to make a finding about the extent of the use that had been made of that doorway (Case Stated, paragraph 13) – and he did not make any such finding.
45. On those licence plans, there are a number of doors shown from the rear of the building onto Richmond Street; notably one set, again to the east end of the building, giving access to a second set of stairs down to the basement ("the Richmond Street doorway"). The external doors to the Richmond Street doorway are again marked on the plan, "FD". The evidence was, and the Deputy District Judge found (Case Stated, paragraph 10), that at all material times that doorway was in fact only used by staff and as an emergency escape.
46. In addition, the plans showed that there were several sets of internal stairs joining the ground floor and basement.
47. On 9 August 2011, TGC Bars made an application to the Council, under section 34, to vary their licence. The proposed variation had a number of elements, comprising in effect as follows (Case Stated, paragraph 14):

"...

- o An extension of hours [for both sale of alcohol and provision of entertainment by one hour per day, ending one hour later each day].
- o Internal works to the ground floor premises.
- o The creation of two separate venues (Via – ground floor; Club Polari – basement), by the construction of internal walls, which had the effect of providing new toilet accommodation for Via at basement level. Club Polari would have its own completely separate toilet accommodation.
- o The provision of a wholly new and independent means of access to Club Polari for members of the public/club patrons by way of a public entrance doorway on Richmond Street (necessary because the previously utilised access from Via would no longer be possible with the new layout)."

The "previously utilised access from Via" is, of course, not a reference to the V2 doorway and stairs; but to the internal access from the ground floor.

48. The application was based upon a completed prescribed form, schedule of alterations and plans. The plans showed considerable changes to the internal walls and general layout of each floor (which made a plan a vital component of the application: see paragraph 34 above); but no change to the structure or layout of either the staircase at the north east corner of the building to the Richmond Street doorway (where the legend "FD" still appeared on the external doors), or the staircase at the south east corner onto Canal Street via the V2 doorway (where the doors at the foot of the stairs were also still marked "FD"). However, the schedule made clear that the alterations would include:

Agenda Item 3

"... a full refurbishment of the rear staircase (currently used for staff and as an emergency escape) to provide improved and independent public access to this basement area from the rear of the building."

49. The application was duly advertised, and a number of representations were received by the Council in respect of the proposed extension of hours and the public access from Richmond Street. None objected to the division of the premises into two separate public venues, *per se*.
50. The Council's Environmental Health Department opposed both the proposed increase in hours and the proposed public use of the Richmond Street doorway on grounds of public nuisance. In respect of the latter, they said that that door was likely to lead to issues of public nuisance because Richmond Street is very narrow and bordered by high sided buildings, so any noise created by customers using that side of the building would likely be exaggerated by the corridor effect of the buildings which could lead to noise nuisance for the occupiers of the apartments that back onto Richmond Street. Those apartments include some in 10 Canal Street. No representations were received from any other responsible authority.
51. With regard to interested parties, the occupants of Flat 8, 10 Canal Street (Mr & Mrs Seymour) objected to the public use of the Richmond Street doorway on similar grounds, asking for permission for that new public entrance to be refused. Mr Taylor (who lives in Flat 1), the occupant of Flat 3 (Mr Welford) and another local resident living in a different block, all objected to the extension of hours. All of those representations were received by the Council before the close of statutory period for representations, on 7 September 2011.
52. On 12 September, solicitors for TCG Bars responded to those representations by writing to the Council as follows:

"The application is made up of three parts –

1. To carry out some internal alterations.
2. To create a new entrance on Richmond Street.
3. To extend the operation hours at the premises for alcohol and entertainment.

We have received representations from some residents and from the Environmental Health [Department] which our client has considered fully.

We are instructed, therefore, to amend the application in the light of the representations as follows.

1. We withdraw the part of the application to extend the hours for licensable activities which will remain as existing.
2. We attach amended layout plans which remove the application for the new entrance on Richmond Street.

The application to carry out other internal works which have not received any representation remains as per the amended plans.

We have copied in all authorities and the residents with email addresses and would ask them to confirm as soon as possible that the representations are now withdrawn as they have no relevance to the application so that the application can be granted by delegated powers."

It is be noted that the letter purported to "amend" the application to vary.

53. The "amended plans", dated 12 September 2011, were headed "Revision A – Main entrance to basement bar now positioned to front elevation". They showed most of the external doors at the back of the building (including the Richmond Street doorway) marked, "Escape"; and the V2 doorway

marked, "Entrance to Basement Bar". However, there were no differences in the structure or layout from the plan used for the original application. The doors in the basement at the foot of the V2 doorway stairs, and the external doors of the Richmond Street doorway, were both still marked "FD".

54. The new proposal came to Mr Taylor's immediate notice, and he discussed it with three other residents of 10 Canal Street on the evening of 12 September, before writing to TGC Bars' solicitors, with a copy to the Council, the following day:

"Looking at your revised plans. On your ground floor plan there is a new second entrance planned for named "Entrance to Basement Bar". This entrance is new on this plan which is currently a fire escape for the premises. This new proposed Entrance is directly next to the entrance door way to the 10 Canal Street flats. This is of great concern as Via already creates more than an acceptable amount of noise and I believe that this entrance will create further noise and disturbance.

My objection has been based around noise...

... I believe most if not all premises in the area now include operating conditions in their licences to assist with the management of noise and disturbance including having sound limiters, closing doors and windows when regulated entertainments are taking place, and the use and training of dispersal aids and policies with staff.

If the applicant can provide some conditions in their licence for this, I believe I would be happy to agree the application."

55. Mrs Seymour, having first withdrawn her representation, reinstated it on 7 October, having been contacted by Mr Taylor who pointed out the intention to use the V2 doorway as the sole means of public access to the basement. Mr Welford, the same day (7 October) also objected to the revision, on that same basis. The Environmental Health Department appears to have withdrawn its objection on the basis that the hours were not to be extended and Richmond Street would not be used for public access.

56. The hearing before the Council's Licensing Sub-Committee was held that day, 7 October 2011. Mr Taylor was the only interested party to attend, and he pressed for a number of conditions. In the event, the Sub-Committee granted the application, but included two further conditions on the licence, as follows:

1. Exit from the premises onto Richmond Street is to be used as a fire exit only.
2. A barrier to ensure queue forms in front of Via is to be operational from 20.00 daily. The barriers to be removed at the same time as the barriers which define the smoking area.

The second additional condition reflects paragraph CD1 of the Council's Statement of Licensing Policy, which requires the effective management of queues to prevent any nuisance or disorderly behaviour: "... [L]icensees are expected to demonstrate how they will manage queues to the premises."

57. That decision was formally notified to Mr Taylor on 20 October 2011. On 24 October, he lodged an appeal with the Magistrates' Court, under section 181 of the 2003 Act. It was in the context of that appeal that the Deputy District Judge made his ruling in respect of the preliminary issue, which has in turn been appealed to this court.
58. To complete the chronology, without prejudice to this appeal, the Council, TGC Bars and the interested parties who had made representations (notably, Mr Taylor) have now agreed that further conditions should be imposed; the Council have imposed those further conditions; and the premises have been operating as two discrete bar venues for some months on the basis of those conditions. No application for any review of the licence has been made under section 51, and there is no evidence of any difficulties in practice occurring as a result of the business operating under the licence with those conditions. Mr Cooper's apparently unchallenged evidence (paragraph 3 of the undated and unsigned statement used before the Deputy District Judge) was to the effect that, since the opening of the discrete basement bar in November 2011, there have been no issues with the Council's Environmental Health Department, the premises have been trading well, and he has maintained good relations with

neighbours including those who live in 10 Canal Street.

The Parties' Contentions

59. Mr Phillips for the Appellant Mr Taylor stressed that the 2003 Act, Regulations and Guidance do not on their face allow for *any* change to an application to vary a licence. Whilst he was prepared to accept that *de minimis* changes to an application might be made, he submitted that no amendment could be made that might reasonably be considered capable of having an adverse impact on the promotion of the licensing objectives. Where such a change is contemplated, an applicant is bound to start again by resubmitting the application, with the consequent new obligations for advertisement and new rights for responsible authorities and interested parties to make representations. Such changes, he submitted, should not generally arise when an applicant has engaged in pre-application consultation with responsible authorities and interested parties, as encouraged by paragraph PN3 of the Council's Statement of Licensing Policy. However, to allow amendments greater than that after the application had been made and advertised would fundamentally undermine the regulatory scheme's provisions for representations; encourage the undesirable practice of applicants lodging applications in a form designed to attract a lesser degree of objection, with the intention of amending subsequently and without notice to those who might be detrimentally affected; and be "transparently at odds" with local residents' right to private life under Article 8 of the European Convention on Human Rights.
60. Applying those principles to this case, Mr Phillips submitted that the 12 September amendment, with its change of route for public access to the basement floor, was clearly at least capable of having an effect on the licensing objectives, notably the prevention of public nuisance. By advertising the initial proposal to create a discrete basement venue with a new means of access on Richmond Street and then, after the expiry of the time for making representations and without public notice, amending the location of that access to the V2 door onto Canal Street, responsible authorities and interested parties were effectively deprived of the opportunity to make representations in relation to potential effects the revised scheme might have upon the promotion of the licensed objectives. They would not necessarily have become aware of the new means of access at all; but, even if they did, they could not have become aware of them until, at the earliest, 12 September 2011, when the revision was put forward. By that date, they would have been debarred from making any representations against the revised scheme, as the time limit for representations is strictly construed and had expired.
61. In the circumstances of this case, the legislative scheme required responsible authorities and interested parties to be given an opportunity to make representations in respect of that new proposal. As they were denied that opportunity, the Sub-Committee acted unlawfully in proceeding on the basis of the amended application.
62. Miss Clover for the Council submitted that, under the premises licence, the licence holder had always been able lawfully to use the V2 doorway for public access to the premises. On 12 September 2011, TGC Bars abandoned their application for extended hours and the refurbishment of the Richmond Street stairway and entrance to enable them to be used for public access to the basement. The application was thereafter restricted to the internal structural and layout changes, which did not include any changes to the structure of the V2 doorway and stairs, nor any changes to which any relevant representations had been made. The mere increase in intensity of use of that doorway for public access that was likely as a result of the proposed change did not require any formal variation to the licence.
63. The Sub-Committee was therefore able, and indeed right, to deal with the application solely on the basis of that limited remaining proposed variation in structure and layout. If, in the view of interested parties such as local residents, the change of business operation in fact impacted upon the licensing objectives, then the appropriate remedy lay in an application for review under section 51 (see paragraphs 38-39 above).

Discussion

64. This appeal concerns the principles and structure of the licensing scheme implemented by the 2003 Act.
65. As I have described (paragraph 12 above), regulation of the retail sale of alcohol and prescribed entertainment is effected by imposing a criminal sanction upon those who carry out such activities other than in accordance with a licence granted by the relevant local authority. This means that a licence holder is entitled to sell alcohol and provide entertainment in any manner he wishes, so long as

the licence does not prohibit that manner of provision in some way, because (e.g.) it falls entirely outside the scope of the licence or it breaches one of the licence conditions.

66. If those activities are carried out lawfully, within the scope of the premises licence and in accordance with the licence conditions, but the manner in which they are carried out adversely impacts on one of the licensing objectives (e.g. by in fact causing disorder or a public nuisance), then the remedy of any person affected (whether a responsible authority or an interested party) is to apply for a review of the licence under section 51, to which the licence holder, and responsible authorities and other interested parties can respond.
67. Where the holder of a licence intends to carry out activities in a way that he considers may not be in accordance with his licence, then he is able to apply for a variation of the licence to extend the scope of the licence to cover that manner of carrying out those activities or remove a condition in respect of which he considers he would be in breach, using one of the three procedures set out above. If he does not, and the activities do fall outside the scope of the licence or breach the licence conditions, he is liable to prosecution. So the risk of not applying for a variation is his. That is no doubt why the terms of section 34(1) do not require an application for variation to be made in any circumstances, those terms being merely permissive: "The holder of a premises licence *may* apply to the relevant licensing authority for variation of the licence" (emphasis added).
68. On an application to vary, the Premises Regulations provide detailed rules for both advertisement, and as to how, when and by whom representations can be made in respect of the application. Representations can only be made on the public interest grounds set out in section 4, and must be made within 28 days: although representations can be amplified once made, once the 28 day period has expired the authority has no power to receive representations from those who have not previously submitted any. If no representations at all are made on those grounds in that 28 day period, then the licence holder is entitled to his variation as of right. If representations are made on those grounds, then that triggers a process of decision making by the authority. The very purpose of the representations is, initially, to be that trigger.
69. Once the decision making process is triggered, it is driven by the terms of the scheme, the discretion given to the authority by the scheme, and the requirement that the authority acts fairly.
70. The scheme provides no mechanism for amending an application once made, and neither the Act nor the regulations, nor the Secretary of State's Guidance nor the Council's own Statement of Licensing Policy, makes any mention of the possibility of amendment. Clearly, a power to amend that would defeat or undermine the object of the procedural provisions relating to advertisement and right of responsible authorities and interested parties to make representations could not conceivably be implied; and neither Mr Phillips nor Miss Clover suggested otherwise.
71. However, the scheme has no express power enabling an applicant to amend an application to vary; and, in my judgment, properly construed, the regulatory scheme does not as such allow or envisage any amendment to an application to vary once it has been made.
72. It does not need to do so, because of the nature of the decision making process with which the authority is involved. As stressed in the illuminative judgment of Toulson LJ in Hope and Glory Public House (see paragraph 9 above), in respect of licensing, a licensing authority exercises an administrative function given to it by Parliament. Whilst the authority must no doubt take into account the rights of those people who live and work in the vicinity, those interested parties can only make representations as to the "likely effect of grant of the application on the promotion of the licensing objectives", i.e. on the basis that the *public* interest will be adversely affected. It is the potential impact upon that *public* interest, and that alone, which triggers any decision making process at all. In its absence, the licence holder has a right to the variation it seeks.
73. Once triggered, it requires the making of an evaluative judgment, involving (as Toulson LJ said in Hope and Glory Public House) the weighing of a variety of competing public policy considerations, such as the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, and including the impact generally on the lives of those who live and work in the vicinity. It inherently involves an evaluation of what is to be regarded as reasonably acceptable in the particular location, and of what is necessary and proportionate to the promotion of the statutory licensing objectives in terms of scope of the licence and conditions in a local context.

Agenda Item 3

74. The scheme is based on the premise that the relevant local authority is uniquely equipped and well-placed to make such judgments. In such areas of quintessential policy, the State generally has a wide margin of appreciation, or, in the more domestic terms used by the Divisional Court in Meade v Brighton Corporation [1968] 67 LGR 289 (a case concerning a gaming machine permit under the Betting, Gaming and Lotteries Act 1963): "The discretion in the local authority is about as wide as it could be". The court will be cautious before interfering with the exercise of such a discretion.
75. However, wide as a licensing authority's discretion might be in general, it is limited by the specific terms of the scheme: in the context of premises licence applications under the 2003 Act – whether for new licences under section 17, or for variations under section 34, or for review under section 51 – a licensing authority does not simply have an open discretion, even when its decision making function is brought into play.
76. The principle restrictions on an authority's discretion are, for the purposes of this appeal, two-fold.
77. First, an application to vary never triggers a general review of the licence: the scope of the review of the licence is limited. "Relevant representations", which trigger the review, must be (i) confined to the subject matter of the variation (paragraph 9.4 of the section 182 Guidance), and (ii) "about the likely effect of the grant of the application on the promotion of the licensing objectives". That focus reflects the fact that, where those representations are made, they trigger an enquiry by the authority into the effect the proposed variation may have upon the promotion of the licensing objectives (and, to that extent, I respectfully agree with the authors of Alcohol and Entertainment Licensing Law by Manchester, Poppleston & Allen (2nd Edition) (2008), at paragraph 6.9.4, to that effect). An application for a new licence or for a review is similarly limited, although the precise statutory restrictions are different, tailored to the nature of the particular application.
78. Second, in the light of the conclusions of that enquiry, the authority must determine the application to vary. However, the scheme again does not give the authority an open discretion to do whatever it likes. Indeed, the provisions are prescriptive. Section 32(5) requires the authority to consider whether, for the promotion of the licensing objectives, it is necessary to reject the application (in whole or in part) and/or to modify the conditions of the licence to accommodate the variation in the context of the licence as a whole. There is a discretion here, insofar as the authority only has to act if it considers such rejection or modification is necessary: but, if and insofar as it does consider that, then it has both a power and an obligation to reject the application or modify the licence conditions accordingly. The authority can do no more, and no less. Again, an application for a new licence or for a review has similar restrictions on the authority's powers.
79. These provisions therefore effectively define and limit the extent of the authority's powers as to how a licensing authority may respond to an application to vary a licence. Its field of potential action is limited by the scope of the extant licence and the application to vary that licence; and it is limited to rejecting the application to vary (in whole or in part) and/or to modifying the conditions of the licence to accommodate the variation in the context of the licence as a whole.
80. It is here that an applicant's changing wishes or intentions may come into play. Given the power of a licensing authority to reject part of an application for variation or modify the licence conditions, it is open to an applicant (e.g. in the face of relevant representations received) to indicate to both licensing authority and responsible authorities/interested parties who have made relevant representations that (i) he does not wish to pursue part of an application and/or (ii) he is willing to agree to a modification to the licence conditions to cater for the concerns expressed.
81. Whilst that may be expressed, as in this case, as an "amendment" to the application to vary, in my view it does not amount to a formal amendment to his application; but the licensing authority is bound to take those views of the licensee into account in exercising its discretion as to appropriate steps it might take in deciding the application in its original form. An authority would not usually consider it necessary to consider further any part of the application which the applicant no longer wishes to pursue – although, on particular facts, it may do so if, for example, the part abandoned cannot be properly severed from other aspects of the licence. The authority would also wish to consider, with the responsible authorities/interested parties, whether the conditions to which the applicant is prepared to submit address the concerns raised in their relevant representations as to the potential impact of the proposed variation on the promotion of the licensed objectives.
82. Given the administrative nature of the authority's function, it is perfectly appropriate for the authority thus to liaise with the applicant licensee and the responsible authorities/interested parties to see

whether a compromise can be reached. Where, after relevant representations are lodged, discussions between the licensing authority, the applicant and responsible authorities/interested parties who have made relevant representations lead to an agreement within the scope of the extant licence and original application to vary as to the parts of the application to be granted and the conditions upon which that grant will be made, then it is open to the authority to make a grant on those conditions; so long as it considers that the rejection of the parts agreed to be rejected and modification of the conditions agreed to be modified are necessary for the promotion of the licensing objectives. In those circumstances, the responsible authorities/interested parties might withdraw their representations (regulation 10 of the Hearing Regulations), or the parties may agree that a hearing is unnecessary and the authority may dispense with a hearing if it agrees that it is unnecessary (section 35(3)(a), and regulation 9 of the Hearing Regulations)

83. For the reasons already explored, given the decision making power granted to it by Parliament, the administrative nature of that power and the unique position an authority is in to make the relevant judgments, subject to any restrictions expressly imposed by the terms of the statutory scheme itself, the discretion of a licensing authority is necessarily wide, and the exercise of such a discretion with which this court should be cautious of interfering. Whilst the pre-hearing procedure is detailed and prescriptive, and does not have the equivalent of regulation 21 of the Hearing Regulations (which expressly gives the authority power over its own procedure), that discretion applies to the procedure the licensing committee adopts pre-hearing, subject to the procedure adopted (i) complying with the procedural requirements of the scheme, and (ii) being "fair" and directed to promoting the licensing objectives in section 4. That was illustrated in Corporation of the Hall of Arts and Sciences, in which, in addition to the mandated advertisement of the application to vary, the authority had a practice of notifying directly businesses and residents in the immediate vicinity of the relevant premises. "Fair" here has to be seen in the context that the authority is performing an administrative function: it is not acting in a judicial or quasi-judicial capacity (see Hope and Glory Public House at [41] per Toulson LJ). If the licensing committee stray outside that wide discretion, and adopt a procedure which is irrational or otherwise unlawful, then the resulting decision may be open to challenge by way of appeal or judicial review (see Hope and Glory Public House at [51]-[52] per Toulson LJ; and Corporation of the Hall of Arts and Sciences at [39] per Stanley Burnton LJ).
84. In conclusion, it is to that extent, but only to that extent, that an applicant may notify "amendments" to the parts of the application he wishes to pursue, and the conditions he is prepared to accept to enable the variation to be granted. However, the licensing authority in the form of the licensing committee or sub-committee must eventually itself come to a judgment as to whether the promotion of the licensing objectives requires the rejection of the whole or part of the original application as made, and, insofar as it does not, whether it requires any modification to the licence conditions. In making that judgment, it cannot however extend the scope of the licence.
85. If the variation is granted in terms that are unacceptable to an interested party, then there are a number of routes of challenge. First, of course, as in this case, an appeal can be made to the Magistrates Court. Second, if the procedure adopted by the authority is irrational or otherwise unlawful, then the resulting decision would be open to challenge by way of judicial review (see paragraph 83 above). Third, if the variation results in unexpected adverse effects on the licensing objectives, then an interested party can seek a review of the licence under section 51.
86. Let me deal finally with two specific submissions made by Mr Phillips.
87. First, he submitted that, on an application to vary, no change to the licence could be made that might reasonably be considered capable of having an adverse impact on the promotion of the licensing objectives, unless that change was made clear in the initial application as advertised; and, where such a change to an application to vary is contemplated, an applicant is bound to start again by resubmitting the application, with the consequent new obligations for advertisement and new rights for responsible authorities and interested parties to make representations.
88. I do not agree with that proposition – or, at least, the full extent of it – which, with respect, does not seem to me to be in line with the nature of the scheme when looked at as a whole.
89. The proposition might have more force if the function of the decision maker were judicial, rather than administrative. However, relevant representations trigger an administrative investigation by the licensing authority into the effect the proposed changes will make to the promotion of the licensing objectives: that decision making process having been triggered, it is then for the authority to weigh the various strands of public interest and determine whether the promotion of those objectives requires the

rejection of any part of the application or modification of the licence conditions.

90. It is true that the investigation is restricted to the matters raised in the representations, but the important point is that the action the authority can take is restricted by the scheme to rejecting the application in whole or part, or modifying the licence conditions.
91. In respect of the former, insofar as the authority rejects the application to vary, that will have the effect of leaving the licence, to that extent, unaltered: the authority cannot extend the scope of the licence beyond that of the extant licence and the variation proposed.
92. With regard to modification of the licence conditions, the statutory scheme gives the authority full scope to add, subtract or vary any conditions to accommodate the variation in the context of the licence as a whole. The scheme requires the authority to modify the conditions if and to the extent that it considers modifications necessary to promote the licensing objectives. "Promoting the licensing objectives", as I have described, requires the balancing of various strands of public interest; and, in performing that balance, it is possible, of not inevitable, that one of the objectives may be demoted in order to benefit another. Where that is so, the scheme simply does not require further consultation of local residents and other interested parties in the form of re-advertisement with a fresh opportunity to make new relevant representations. It does not do so because:
- i) The authority is already charged with the task of balancing the strands of public interest involved, on the basis of such evidence as it has collected. In many cases, it will consider that it is in a position to make that decision without formally consulting interested parties and local residents again. If it is not – e.g. if it considers that the procedure will be unfair to local residents without such further consultation – then it is open to the authority to require the applicant to start again with a fresh application. However, absent a proposed change extending the scope of the licence, that would be an exceptional case.
- ii) If the authority were required to start the process over again, simply because the exercise of its statutory powers might adversely affect one strand of the public interest involved, that would seriously compromise the dialogue between the authority, applicant and responsible authorities/interested parties who have made representations, which is encouraged as an inherent part of the scheme.
93. Responsible authorities and interested parties can take considerable comfort from the fact that the authority cannot extend the scope of the licence beyond that of the extant licence and variation proposed. Furthermore, where such authorities and parties have made relevant representations, they are able to play a full part in both the pre-hearing dialogue (designed to come to a result that is satisfactory to the applicant and responsible authorities/interested parties) and the hearing itself. If they are dissatisfied with the result of the hearing in practice, they are able to appeal or challenge the result by way of judicial review or seek a review of the licence. If the manner in which the licensed business is operated causes (e.g.) a private nuisance, then they can bring a private law claim. But, in licensing terms, their rights and interests are not paramount: they are just one factor which the authority must take into account, when determining an application to vary. For the reasons I have given, in exercising a licensing function, the focus is on the public interest.
94. For those reasons, I do not accept Mr Phillips' proposition.
95. Nor do I find Mr Phillips' reliance on Article 8 effective. Article 8 concerns an individual's right to a private life. For the reasons I have just given, there are considerable safeguards for that right in the scheme, and in the private law. There is no arguable breach of Article 8 simply because the scheme does not provide for re-advertisement of any proposed change of licence conditions which might arguably affect either the licensing objectives or the private life of a specific individual. Far from being "transparently at odds" with local residents' right to private life under Article 8, I do not consider that Article 8 has any role to play in the issue in this appeal.
96. It seems to me that the principles that I have outlined are not only clear from the terms of the regulatory scheme, but are also practical in their application. Whilst I have been involved in an exercise in the proper construction of the terms of the statutory scheme, that comes as some comfort – particularly as it must have been Parliament's intention to impose a regulatory scheme that is workable. On the evidence before me, they also appear to be the principles which, in practice, licensing authorities have in substance generally applied since the advent of the new scheme in 2005. That may explain why the issue in this appeal has not until now ever come before the courts.

Application of the Principles to this Appeal

97. I now turn to apply those principles to the appeal before me.
98. The Appellant's complaint is that the initial application to vary the licence did not indicate that the V2 doorway would be used as the only means of public access to and egress from the new self-contained basement bar. In that application, the proposal was to refurbish the Richmond Street doorway and stairway to or from the basement, and use that to get the public to and from the basement. That change to the application was not the subject of advertisement, and consequently the Appellant and other local residents were denied the opportunity to make representations in respect of the use of the V2 doorway for that purpose. That amendment, it was submitted, required the licence holder applicant to start the variation process again – at least so far as advertisement and period for representations are concerned. It was that failure which rendered the decision of the authority unlawful.
99. For the reasons I have given above, the applicant could not formally amend his application, once it had been submitted; but the Council, in determining whether it was appropriate to reject the whole or part of the application, or modify the licence conditions to accommodate the proposal, was entitled to take into account the applicant's changed wishes and intentions. In the face of opposition to both the extension of hours and the refurbishment of the Richmond Street doorway and stairway to enable public access to the basement bar by that route, the Council was entitled to conclude that they could and should properly reject those parts of the application.
100. The real issue, of course, is whether the Council was entitled to grant the variation, on the basis of the original application, with the V2 doorway being the sole public means of access to the newly-discrete basement bar, without requiring the applicant to submit a new application or at least requiring the new proposal to be re-advertised with a fresh period for responsible authorities and interested parties to lodge relevant representations.
101. As I have indicated, the extent to which the V2 doorway was in fact used for public access to the premises prior to the application to vary is controversial. As I understand it, there was some evidence that, for a short period, the V2 doorway had been used for public access to the basement; but the evidence suggests that the doorway was not used a great deal, and Mr Cooper (the premises licence's designated premises supervisor: see paragraph 19 above) appears to confirm that the V2 door was used as a fire door but not used as a (public) entrance, access to the basement being through the main doors of Via and internal stairs (paragraph 2 of an unsigned and undated statement used at the hearing before the Deputy District Judge).
102. However, as the parties properly conceded before the Deputy District Judge, in respect of the application to vary, what mattered was not the use to which the V2 doorway had actually been put, but the use of it that was lawful under the original licence. In my judgment, the licence as issued in 2005 undoubtedly allowed the V2 doorway to be used for public access to the premises.
103. Mr Phillips conceded before me that the 2005 licence enabled that doorway to be used for public access to the basement, in the sense that the licence did not limit the use to which that entrance/exit could be put and, therefore, if that doorway were used for public access to the basement, a prosecution under section 136 for breach would fail. He submitted that it would fail merely because of the high burden of proof required in criminal proceedings; but, in my view, there was clearly no restriction on the use of that entrance/exit to the premises in the 2005 licence.
104. I accept that, by virtue of regulation 23(3)(b) and (c) (paragraph 21 above), a licence plan should identify the location of points of access to and egress from the premises on the one hand, and, if different, identify discretely the location of escape routes from the premises; but the marking "FD" in the internal doors at the foot of the V2 stairs cannot indicate that the route from the basement to the V2 doorway was merely an escape route and no more. Many internal doors are marked on the plans with "FD" and, whatever that means (and, of course, it might stand for "Fire Door": see also paragraph 2 of Mr Cooper's statement), it does not appear to identify mere escape routes. Even on the final plan, from the face of which it is clear that the applicant proposed to use the V2 doorway and stairs as the only means of public access to the basement, the doors at the foot of the stairway are marked "FD".
105. In the 2005 licence, in my judgment, there were no restrictions on the use of doorways between the premises and the streets, front and back, either in the conditions or on the face of the plans that form part of the licence. In those circumstances, any of the doorways (including the V2 doorway and the Richmond Street doorway) could be used for public access to and egress from the premises. If the means of access through a particular door caused an adverse impact on the licensing objectives, it would have been open to either a responsible authority or an interested party to have made an

application for review under section 51.

106. Mr Phillips relied upon the well-known passage from the judgment of Scott-Baker LJ in Crawley Borough Council v Stuart Attenborough [2005] EWHC 1278 (Admin) at [6]-[7], to the effect that licence conditions must be enforceable, and consequently sufficiently clear for that purpose; but, in my judgment, the scope of the licence and conditions in this case, so far as the allowable use of the V2 entrance is concerned, were manifestly clear.
107. The ability of the licence holder lawfully to use the V2 doorway means of public access to and egress from the basement was not lost, even if the licence holder did not in fact use that doorway in that manner either very much or at all or to the extent that he may use it in the future. Nor, in my view, was it lost merely by the separation of the ground floor and basement bars into distinct units. That separation, of course, had an inevitable effect on how the business would operate. The final proposal, which involved the V2 doorway being used as the sole entrance/exit for the new discrete basement bar, inevitably changed the degree of use of the V2 doorway by (i) reducing the number of people who might use the V2 entrance/exit, from 620 (the total capacity of the premises) to 240 (the capacity of the basement alone), whilst (ii) meaning that all of those who used the basement bar would have to use the V2 entrance/exit. That was a change of business which resulted in a change of intensity of use of the doorway – in effect, reducing the possible maximum usage of that doorway whilst substantially increasing the likely use – but that did not require a variation to the licence at all.
108. That applied equally to the door into Richmond Street at the north east corner of the premises: there were no restrictions on the use of that doorway either, and, under the 2005 licence, the licence holder could have used that doorway for public access – although it may have been likely that, had they done so, there would have been an application for review by the Environmental Health Department, if not the occupiers of residential accommodation that abutted Richmond Street. However:
- i) The application to vary included an application to change the structure and layout of the building to this extent, namely the "full refurbishment of the rear staircase... to provide improved and independent public access to this basement area from the rear of the building...". That appears, not from the plan – the plan was unaltered from that attached to the 2005 licence – but from the schedule of proposed alterations (see paragraph 48 above). Insofar as that involved a change to the structure or lay out of the premises, it may have required a variation to the licence (and/or approval under Condition 60 of the licence conditions: see paragraph 42 above).
 - ii) In any event, it was open to the applicant, in the light of opposition to the use of the Richmond Street doorway, to indicate that it would not use that doorway for the public, but would use the V2 doorway. No structural or layout changes were requested (or, as I understand it, required) for use of the V2 stairs and doorway for the purposes of access to the basement. The only change marked on the final plans, and the only change intended, was substantially greater use of that route for public access to the premises than had previously occurred. However, that was not required to be put into the plan, and that use already fell within the boundaries of the extant licence. Increased use of a means of egress and ingress in fact, where that use is already lawful in terms of the licence, does not require a variation of the licence.
109. In those circumstances, TCG Bars did not need a variation in their licence to enable them lawfully to use the V2 doorway for public access to the basement. After 12 September 2011, the only variation proposed by TCG Bars related to the internal structure and layout of the premises, in respect of which no representations were made and of which neither Mr Taylor nor any other person making relevant representations made any complaint.
110. However, the TCG Bars nevertheless had to satisfy the Council that queues would be managed effectively (paragraph CD1 of the Council's Statement of Licensing Policy: see paragraph 56 above). It was open to the Council, in the light of the likely future use in fact of the V2 doorway as a public entrance/exit to modify the conditions of the licence, by imposing an additional condition relating to queuing. It can properly be assumed that that condition was imposed because the Council considered it necessary for the promotion of the licensing objectives relating to the prevention of disorder and public nuisance.
111. For those reasons, in my judgment, the Council's Licensing Sub-Committee was lawfully entitled (i) to proceed with the application to vary the licence; (ii) to take into account the applicant's express wish not to proceed with parts of the application, namely the extension of hours and refurbishment of the Richmond Street entrance and stairway for use by the public; (iii) to determine, in accordance with

those wishes, to reject those parts of the application as not being necessary for the promotion of the licensing objectives; (iv) to determine that, if the remaining parts of the application were to proceed, a new condition relating to queuing outside the V2 entrance was necessary for the promotion of those objectives; and (v) to grant the variation on that basis. That is the substance of the Sub-Committee's decision in this application.

Conclusion

112. For those reasons, in my judgment, the judge was correct in ruling that it was lawful for the Council to proceed to determine the application to vary in accordance with section 35 as it did, even though the applicant had notified the change of scheme whereby the public access to and egress from the basement would be by way of the V2 doorway and not the Richmond Street doorway. The result was not outwith the scope of the existing licence and application to vary as seen together.
113. I would consequently answer the question posed by the Deputy District Judge in the affirmative, and I dismiss this appeal accordingly.

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The **co-operative**
way

Welcome
Programme



Welcome and Citrus Training Guide

October 2010



Contents

	Page
1. How the Co-operative Way: Welcome Programme Works.....	3
- A Summary of our new induction programme	
2. Day 1 - The Co-operative Way: Good For You	3
- An overview of our new Day 1 Event for new starters	
3. Instore Training - Introduction.....	4
- The important role of the Store Manager during the Welcome Programme	
4. Instore Training - Preparation.....	5
- Accessing Citrus, Changing Passwords and Assigning Store Buddies	
5. Store Buddies and Practical Training	10
- The role of the Store Buddy, Buddy Documents and Giving Feedback.	
- Citrus Policy.	
6. Welcome to Your Store	17
- Introducing your New Starter, Practical Training and the Welcome Citrus Module and Sign Offs	
7. Continuing the Welcome Programme	20
- Modules, Assignments, Module Structures and Quizzes	
8. Monitor and Review Process	24
- Monitoring Progress through reports, observations and 4-weekly reviews	
9. Completion.....	27
- At the end of the 12 week training period	
10. Welcome for Returning Colleagues	28
- What happens if colleagues return after leaving	
Quick Guide	29

1. How the Co-operative Way: Welcome Programme works

"The Co-operative Way – Welcome" is the induction programme for all new members of your store. The programme is of 12 weeks duration, however, it is ability based so a new colleague could complete the programme in less time.

The Welcome programme takes a blended learning approach to training new starters which includes:

- A fun, interactive, 1 day training course for all new starters
- Citrus training modules providing knowledge of store roles and procedures
- Practical training provided by your Store Buddies
- DVDs and other training activities
- Interactive quizzes on Citrus to test your new starter's understanding of their role
- 4-weekly reviews to check the progress of your new team members



This guide provides you with the information needed to welcome new team members to your store and to successfully train them on Citrus.

2. Day 1 - The Co-operative Way: Good for You

The programme starts with an interactive and engaging first day course called "The Co-operative Way – Good for You" day, usually provided by your RST or in-store trainer.

The day takes the following structure:

- Welcome to the Co-operative.
- The World of Retail.
- The Co-operative Difference.
- The Co-operative Brand.
- Our Customer Promises.
- Getting Ready.

When interviewing for new colleagues, you will need to tell them that they will be required to make arrangements to attend the course, from 10.00am until 5.00pm. Your Operations Manager will inform you of the course dates and locations. We have a policy of 'recruitment to induction' so the course will be the first working day for all, without exception.

3. Instore Training - Introduction

The development of new colleagues is fundamental to the success of your store. An investment of time and energy in the training and development of colleagues, increases their commitment and maintains high standards. It also reduces labour turnover and minimises the number of problems for you to sort out later!

Throughout the Welcome Programme, it is your responsibility, as store manager, to ensure that this process is upheld, to get the best out of your new colleague.

To help you achieve this, your new starter will be provided with:

- Citrus e-learning modules providing knowledge of store roles and procedures
- Practical training provided by your Store Buddies

4. Instore Training - Preparation

Accessing Citrus

Citrus is available from InControl through the Applications menu, or from the login screen (if you do not have access) via the floating Citrus button which is visible at the top left of the screen.



Logging into Citrus

To enter Citrus you need to enter your:

- User name (employee number)
 - Your new starter's employee number will be available on Citrus, the day after it has been set up on Right for Us.
- Password.
 - When you first log in, your initial password is Password1. You will then be asked to change this by entering a new password. The Co-operative Group password policy applies. i.e:
 - > at least 8 digits
 - > at least 1 digit will need to be a number or symbol
 - > something that you can remember
 - > confidential and should not be shared with anyone else
 - > changed every 60 days (you will be asked to do this)

You will then need to enter your username and new password to enter Citrus (in any store which has Citrus - you will be able to view your own learning).

Your unique username and password replaces the need for a signature so it is important that you do not share this with anyone. If you are asked if you want the computer to remember your password, select 'No'.



If you forget your password, or you believe that someone else may know it, contact Operational Store Support (0844-262-2001, option 2) who can reset it for you.

4. Instore Training - Preparation

Accessing Induction/Training

From the Citrus Wheel click on "Induction/Training".

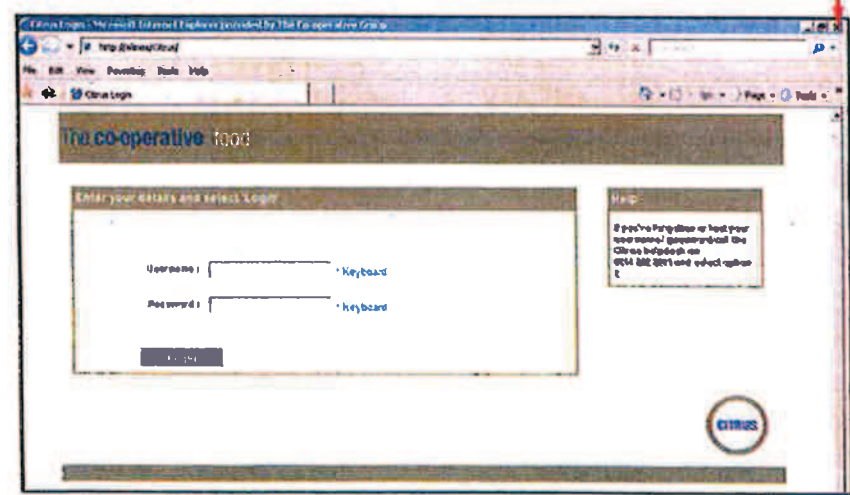
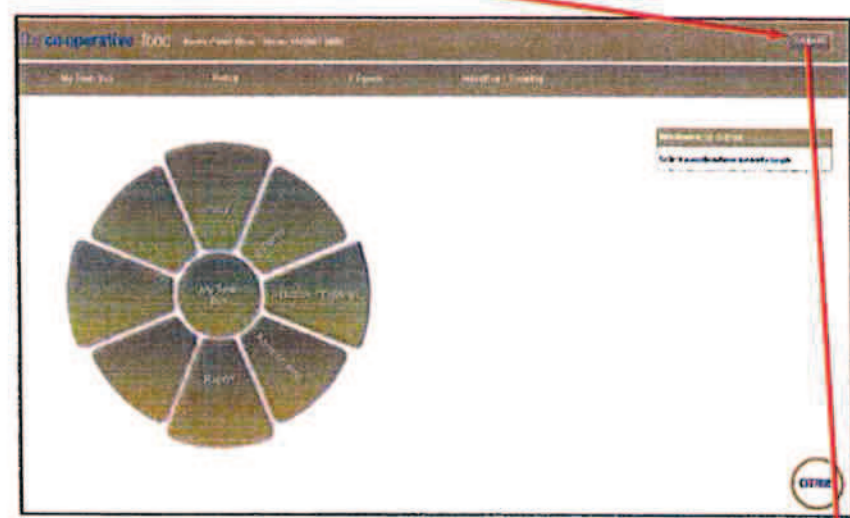


Exiting Citrus

Citrus will time-out if you do not do anything within 20 minutes, however, you should always log out of the system if move away from the computer.

From the Citrus Wheel

From the Citrus Wheel, click "Logout" and then close the screen by pressing 'X'

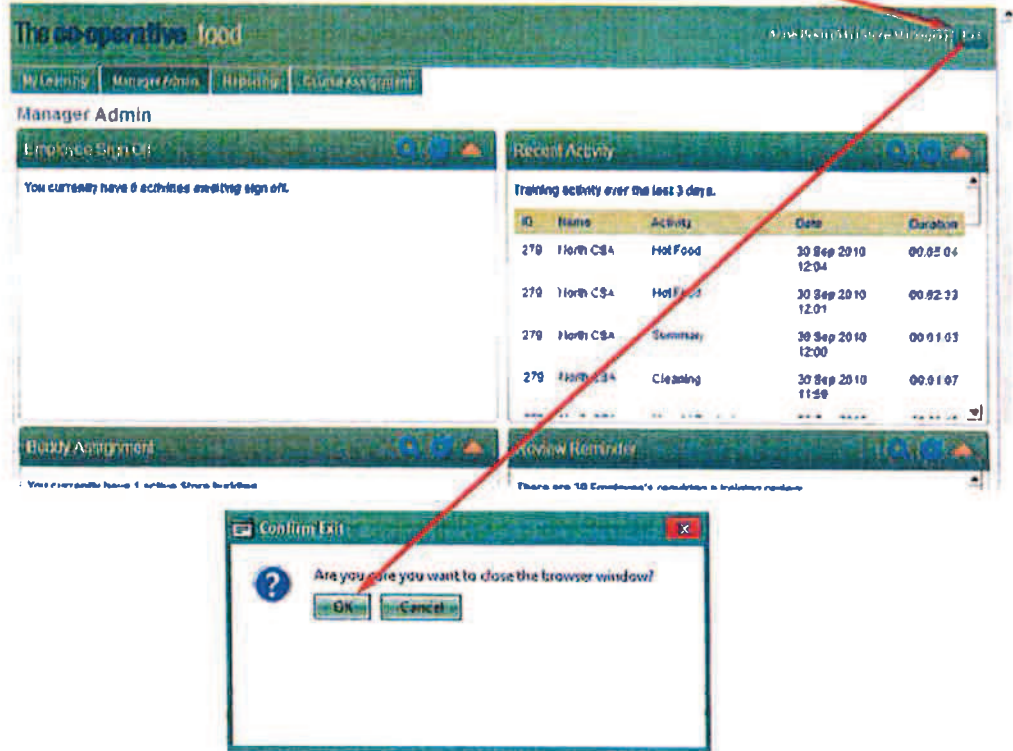


4. Instore Training - Preparation

From Training Screens

To exit from Induction/Training screens back to InControl:

- Select "Exit" and "OK" when prompted



If you are part-way through a module when exiting, the system will save the modules you have completed. However, you will have to start a lesson again if you have already started.



Handy Tip :

Press F11 to fill your computer screen. Press F11 again to return

4. Instore Training - Preparation

Your 'Store Buddies'

To ensure the learning conducted in store is effective, it is important to select suitable team members to act as 'Store Buddies'. The role of the Store Buddy is to develop the required skills, knowledge and attitude in the new colleague, so that they complete the tasks to the correct standard.

You will need to choose a Store Buddy for each part of the programme and the "Buddy Documents" will provide them with 'training notes' and will ensure we get consistency of standards across the co-operative food business.

The best Store Buddies will be members of your supervisory team and 'instore trainers', however, when you choose a Store Buddy, consider:

- Who has the best skills in that area of operation
e.g. For the Bakery module you should select the section head or the instore bakery specialist. For the Petrol modules you will need a certified supervisor/manager to provide the training.
- Who is best at passing on the skill/knowledge/attitude and can be motivational.
- Who is available on that day.

4. Instore Training - Preparation

Assigning Store Buddies

You need to assign your Buddies on Citrus, to give them access to the Buddy Documents.

- From the Buddy Assignment menu on your Manager Admin page, select a member of your team from the drop down menu then click on the 'Add Buddy Assignment icon'.

The screenshots illustrate the process of adding and managing store buddies. The left screenshot shows the initial state with one active buddy (David Seaman) and a dropdown menu for selecting a new buddy. The right screenshot shows the state after adding a second buddy (John Carter), with a confirmation message and a table listing both buddies. Red arrows highlight the '+' icon for adding a buddy and the red minus icon for removing a buddy.

ID	Name	Added	Added By
85	David Seaman	19/07/2010 10:01:02	Lul Farigno
86	John Carter	11/08/2010 09:54:21	Anne Bolin

- To remove a Buddy, click on the 'Remove Buddy Assignment' icon.

You can choose as many Buddies as you like, as long as you feel they are the best person for training each module. You may even use a couple of Buddies to train out each module.

Supporting your Store Buddies

Monitoring the performance of your Store Buddies is an important part of the Welcome process. Observe your Store Buddies to ensure that the process is being maintained correctly and that they remain positive with your new colleagues.

Give your buddy(s) the time to train and support your new employees. In some circumstances it may be beneficial to leave the buddy off of the schedule so that adequate training can be given.

Support your buddy(s) through the first few modules as this is also new to them, and their confidence will grow at different rates

5. Store Buddies and Practical Training

What is expected of you as a Store Buddy?

As a Store Buddy, you will be expected to welcome the colleague into your department and assist them with their training throughout.

You will be expected to:

- Role model the co-operative way.
- Print off and follow the buddy document for your department and show new colleagues how to access the modules required.
- Provide guidance and feedback whilst they complete the practical work of the module
- Keep your store manager informed of training and developments. This helps identify additional training needs

The module learning process will provide the basic knowledge and you will provide the practical experience. It is vital that the Co-operative Way - Welcome Programme process is followed correctly and that you remain positive with your new colleagues at all times. All your training notes can be found in the 'Buddy Documents' which can be accessed, viewed and printed from Citrus.

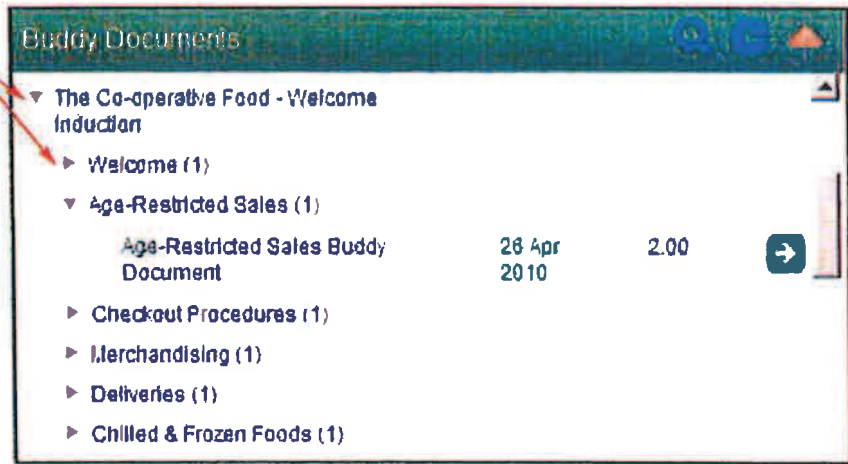
Accessing Buddy Documents:

There is a Buddy Document section on the bottom left of your "My Learning" page.

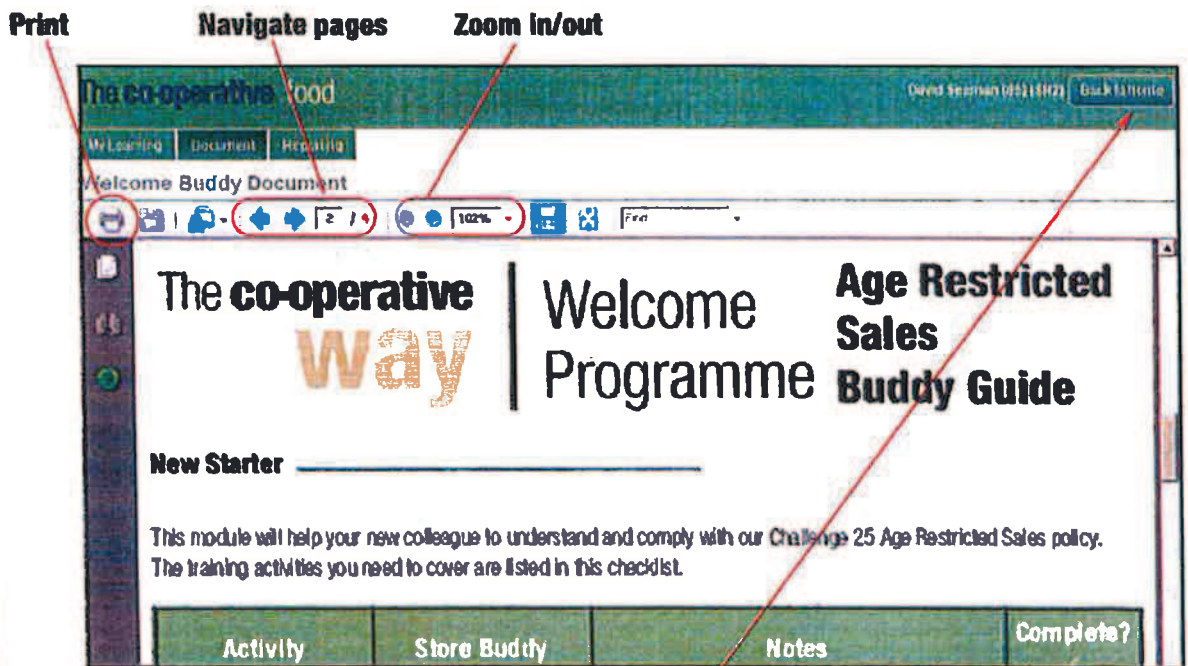
The screenshot displays the Citrus Learning Management System interface. The main section is 'My Learning', which includes a 'My Training Diary' table. This table lists activities such as 'The Co-operative Food - Welcome Innovation', 'Checkout Procedures', 'Chilled & Frozen Foods', 'Produce', and 'Bakery', along with their completion percentages and due dates. Below the training diary is a 'Buddy Documents' section, which is highlighted with a red box. This section lists various documents available for the 'The Co-operative Food - Welcome Innovation' course, including 'Welcome (1)', 'Age-Resistant Sales (1)', 'Checkout Procedures (1)', 'Merchandising (1)', 'Getronics (1)', 'Chilled & Frozen Foods (1)', 'Produce (1)', 'Meat & Poultry (1)', 'Bakery (1)', and 'Customisation (1)'. To the right of the training diary is the 'My Profile' section, which shows the user's name 'David Beaman (66)', store number '1048061-0000', job role 'ER2', and buddy status 'Active'. Below the profile is the 'My Progress' section, which shows a table of completed activities with columns for Activity, %, Status, and Completed. The activities listed include 'The Co-operative Food - Welcome Innovation', 'Welcome', 'Age-Resistant Sales', 'Merchandising', and 'Getronics', all with 100% completion status and dates ranging from 19 Jul 2016 to 23 Jul 2016.

5. Store Buddies and Practical Training

- Click on the grey arrows next to "The Co-operative Food - Welcome Induction" to display the storage area for each module's Buddy document.



- To view the Buddy Document itself, select . This will open up a pdf which can be viewed or printed.



- To return to the main menu, select "Back to home"


5. Store Buddies and Practical Training

Your Buddy Documents provide all the information you need to know to train your new starter correctly. Read this carefully before training your new starter. Buddies should speak to their manager if they have any queries regarding this.

The first page provides a checklist to ensure that all practical training has been covered by yourself and other Store Buddies.

- Enter the name of your new starter at the top of the document
- The activities refer to the tasks in the Buddy Document.
- After your new starter has completed the Citrus lessons for the module, you will be asked to provide the practical training outlined in the Buddy Document. As you complete these, enter your name by the activity and any notes about your new starter.
- If the training is completed for each activity, tick the complete box.
- At the end of your shift, pass the document back to your manager, as another Store Buddy may be required to continue this training.
- After completing the practical training, you will need to ask your new starter to log onto Citrus again to complete the module quiz (see page 23).

The co-operative



Welcome
Programme

**Age Restricted
Sales
Buddy Guide**

New Starter _____

This module is for your new starter to understand and comply with our Challenge 25 Age Restricted Sales policy. The training tasks you need to cover are listed in the checklist.

Activity	Store Buddy	Notes	Complete?
Challenge 25 DVD/Video			<input type="checkbox"/>
Customer Transaction Cards			<input type="checkbox"/>
Checkouts Policy Confirmation			<input type="checkbox"/>
Checkouts Transactions			<input type="checkbox"/>
Recording the sales			<input type="checkbox"/>
Point of Sale			<input type="checkbox"/>

Enter your name and keep a note of what activities your new starter has been shown. When they have completed the activity successfully tick the 'complete?' box.

Rev 03/02/16

The co-operative food

5. Store Buddies and Practical Training

The following pages in your Buddy Documents provide a more detailed overview of the training you are required to give to your new starter.

The Co-operative Way: Welcome and Citrus - Training Guide

The co-operative Welcome Programme		Age Restricted Sales Buddy Guide
Use this guide to provide your new colleague with the Age Restricted Sales training during their Welcome Programme.		
Task Guide	Notes	
1. Challenge 25 DVD/Video	<ul style="list-style-type: none"> Ask your new colleague to watch the Challenge 25 DVD/Video. 	<input type="checkbox"/>
2. Citrus ARS Module	<ul style="list-style-type: none"> Ask them to complete the Citrus Module lessons. When they have finished, continue. 	<input type="checkbox"/>
3. Customer Transaction Cards	<ul style="list-style-type: none"> Practice age restricted sales using the Customer Transaction Cards. Check the responses against the Action Points. Ensure that your new colleague is able to challenge confidently. 	<input type="checkbox"/>
4. Checkouts – Policy Confirmation	<ul style="list-style-type: none"> Show the age restricted sales reminders when logging onto the checkout. Explain that they must confirm their understanding of our policy every time they log on. 	<input type="checkbox"/>
5. Checkouts – Transactions	<ul style="list-style-type: none"> Demonstrate an age restricted transaction at the checkout, explaining how to enter the customer's perceived age and how to progress after ID has been shown or not. Remind them that they should never enter an age older than they believe to avoid asking for ID. 	<input type="checkbox"/>
6. Recording Refusals	<ul style="list-style-type: none"> Demonstrate how to complete the Refusals Register 	<input type="checkbox"/>
7. Point of Sale	<ul style="list-style-type: none"> Show examples of our Point of Sale including badges, posters, shelf hangers and the Citizen Card application forms. 	<input type="checkbox"/>
8. Complete the Quiz	<ul style="list-style-type: none"> When the new colleague has had sufficient practice, ask them to complete the Citrus module quiz. 	<input type="checkbox"/>
Revised 09/09/10		The co-operative food

5. Store Buddies and Practical Training

If there is any information you are unclear of, please speak to your manager, or use the Policy function to learn more.



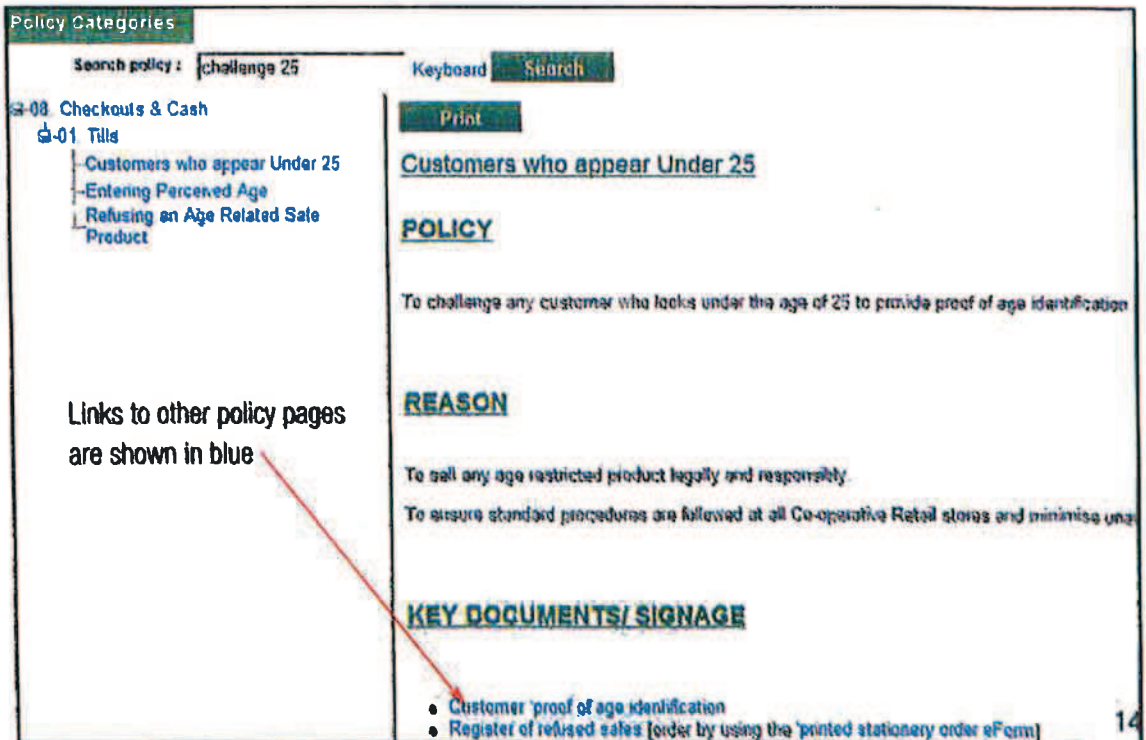
Accessing Policy

- From the Citrus Wheel click on "Policy".

Finding Policies

You can search for policies:

- By entering a keyword in the search box (type in your word and click on 'Search')
- Through the policy hierarchy
 - expand/collapse categories using the **+** and **-** icons)
 - a full Site Map can be found at the bottom of the Policy Categories
- Click on the policies to view



5. Store Buddies and Practical Training

Giving Feedback

As part of your role as a Buddy, you will be expected to give feedback to your new colleague. The purpose of giving feedback is to tell them what they are doing well, and what they need to be doing differently.

It is very motivating to be told that you are doing things well. This will help ensure that good practice continues.

By telling them what they need to do differently, helps make sure that they change any wrong or bad habits. This will help them learn and develop into their role.

Some people find it difficult to give feedback to others, especially if it is telling them they need to change what they are doing. To help you with this, there is a simple structure that you can follow. This ensures that what you say is clear and easy to understand.

You just need to remember 'AID', which stands for:

- ACTION** Firstly, what did you see or hear that you would like to give feedback on?

- IMPACT** Secondly, what impact or effect did it have (on the task, procedure, climate or individual)

- DO** Finally, what would you like them to continue doing or what could be done differently?

5. Store Buddies and Practical Training

To help you even further, there are some suggested phrases that might help you deliver each part of AID:

ACTION

- What I saw/observed was...
- What I heard was...
- When you said/didn't say...
- When you did/didn't do...

IMPACT

- It caused...
- The impact it had on the customer/procedure was...
- The effect it had on me/your colleague was...

DO

- I'd encourage you to do/say that more often...
- It would be good for you to continue...
- What I would have liked was...
- What would make it even better...
- A tip for next time is to...

As long as you give the feedback with the right intention (to help the other person), are supportive and caring, using the simple structure of AID, the feedback will be received well and it will really help them do the job 'The Co-operative Way'.

6. Welcome to your Store

The new colleague has been told to report to their store manager on their first day in store.

- Greet your new starter
 - A good greeting is to check how they got on with "The Co-operative Way – Good for You" day. Make them feel welcome and ask them "what was 'good for you' about the course".
- Uniform
 - Check they have their store uniform and badge with them and answer any questions they may have about working in your store.
- People Services/Right for Us
 - Ensure that their ID details have been copied and sent to People Services, and enter their details onto MY TEAM. They will have been introduced to the 'Right for Us' process on "The Co-operative Way – Good for You" day but will need to login to Right for Us' and know what the procedure is in your store.
- Sickness, Absence and Holidays
 - Explain the rules regarding sickness, absence and holidays.
- 'Welcome' Module
 - They should now be ready for their 'Welcome' module and you should introduce them to their Store Buddy for the day.
 - The Welcome to Your Store Buddy Document provides the structure for your new starter's first day(s) in store. This includes:
 - Tour of store and staff facilities
 - Break times and staff purchase rules
 - Store fire procedures
 - Smoking policy
 - "Customer Promises" board, pointing out the promises for your store.
 - Product trail, from back door to checkout
 - Citrus Welcome module - if your new team member hasn't been set up on Citrus yet, continue with the Buddy training



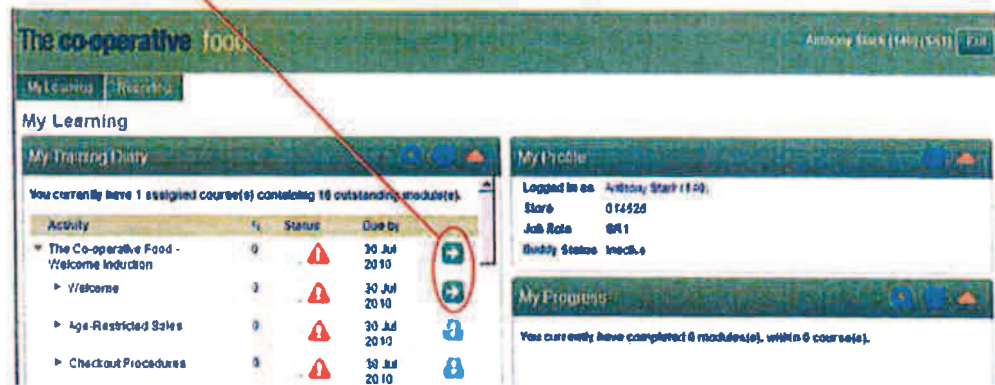
Handy Tip :

Work out when your PC tasks are performed during your day and rota in Citrus training for your new starter.

6. Welcome to Your Store

'Welcome' Citrus Module

- The Store Buddy should demonstrate how to log in to Citrus and change their password (see page 5).
- From 'My Training Diary' select "The Co-operative Food – Welcome Induction" to view all modules, or "Welcome" to begin.



Each screen explains how to navigate through the module.

- Advise your new starter to read each screen carefully. This will provide them with important information on policy and procedures in your store.
- Demonstrate how to navigate around the Learning Module, being patient with them, particularly as some may have language or learning difficulties, or may not have used a computer before. The Welcome Module will usually take around 15 minutes.
- Your Store Buddy will then collect your new starter to continue with the practical training. (Note: depending on shift patterns, this practical training may take more than one day).

6. Welcome to Your Store

d) Sign Off

When a member of staff completes a module on Citrus you will be sent a Sign Off request. This is usually sent when the new team member has completed their quiz (however, there is no quiz for the Welcome module) and practical training.

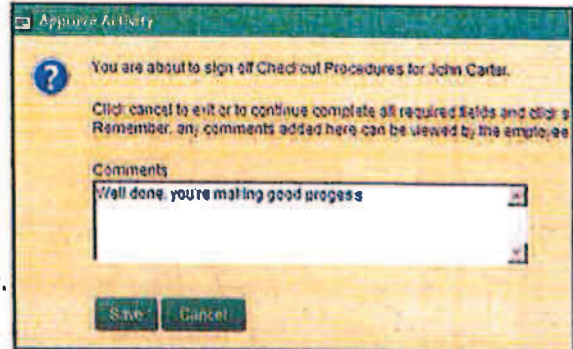
The Welcome Module must be signed off before Age Restricted Sales can be accessed, and Age Restricted Sales must be signed off before all other modules can be accessed.

ID	Name	Activity	Passed	% Passed	Approve
85	John Carter	Checkout Procedures	10:08:2010 08:39:23	100/100	✓ ? ✗

Speak to your Store Buddy to ensure that all practical training has been completed.

- If you are happy to sign off a module click ✓ .
- If you believe that more training is required and wish to review later, click ? and select a new date for review.
- If you wish to decline approval, click ✗ .

If you would like to enter a comment for your new starter, you can do so in the comment box e.g. Well done! However, remember that whatever you write in the comment box will be viewed by your new starter, Operations Manager and other field staff so be careful what you write. Feel free to speak to your new starter whilst completing the sign off.




If the Store Manager is not available to sign off a module, your Operations Manager can sign off modules for you.

The Co-operative Way: Welcome and Citrus - Training Guide

7. Continuing the Welcome Programme

a) Modules

After completing the Welcome module, all new starters must then complete the Age Restricted Sales module. Even if you don't work on a checkout selling age restricted products, it is everyone's responsibility (including Post Office staff) to prevent underage sales. Other modules will not be made available until this has been completed and signed off.

Whilst new starters have 12 weeks to complete their induction, a warning sign  will appear if the Welcome and Age Restricted Sales modules have not been completed in 7 and 10 days respectively. It will also appear near the end of their 12 weeks to remind them of their responsibilities.

Depending on the role of your new starter and your store facilities, the following modules are then available for completion, and in any order:

- Scottish Licensing (after receiving their "Working Legally in Scottish Licensed Premises" briefing).
- Checkouts
- Merchandising
- Deliveries
- Chilled & Frozen Foods
- Produce
- News & Magazines
- Bakery (Food Safety Level 2 is required)
- Delicatessen (Food Safety Level 2 is required)
- Hot Food (Food Safety Level 2 is required)
- Post Office Compliance
- Post Office Security
- Post Office Horizon
- Post Office Customer Service
- Post Office Balancing
- Essential Petrol Skills
- Supervisory Duties for Store Supervisors (if joining as a store supervisor - contact your RST for more details of courses)
- Supervisory Duties for Petrol Supervisors (if joining as a Petrol Competent Person - contact your RST for more details of courses)



7. Continuing the Welcome Programme

If your store receives a new concession (e.g. Bakery) contact OSS to arrange this update. As a store manager, you can also assign courses manually to an employee if required.

If you move store, ensure that your Right for Us is updated to ensure that training requirements are updated accordingly. You will not have to re-sit all your training if you move to another store.

b) Assigning Modules/Courses

As a store manager, you can manually assign courses to specific people in store.

- From the "Course Assignment" screen, search for the person you'd like to assign a course/module to, by:

- Last name/Employee number, or
- Role and Store

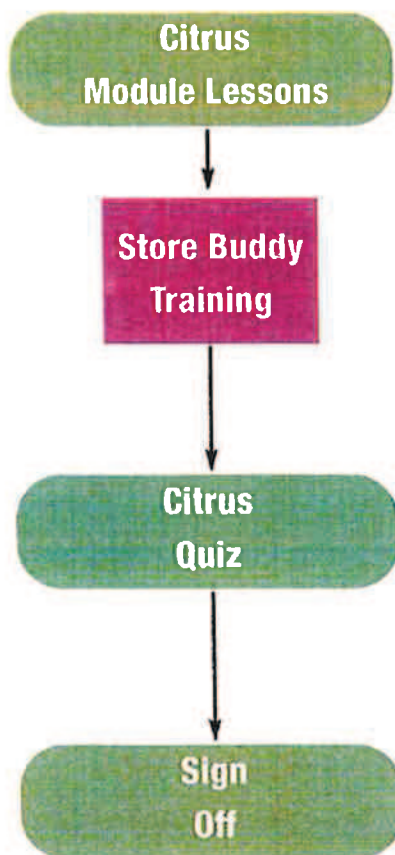
- Then press 'Search'

- Select the required person then click on the green arrow to confirm
- Select the Course or Module you'd like to assign to the person
- Click 'Save'

7. Continuing the Welcome Programme

c) Module Structure

Full details of each module is provided in the relevant Store Buddy Document, however most modules continue with the following structure:



- Your new colleague obtains knowledge of each store section by completing a module on Citrus.
- This takes approximately 15 minutes.
- The Store Buddy can offer assistance if required
- The Store Buddy should print off the Buddy Document from Citrus for the required module (or collect the existing one from your Store Manager).
- The Store Buddy should use this to train your new team member.
- Discuss their progress with your Store Manager.
- After achieving the standard required, their knowledge will be evaluated with a quiz on Citrus.
- They must get 100% to pass each module.
- If they do not pass the quiz after 3 attempts they must retake the Citrus module.
- Your Manager will only sign off your new team member, for each module, when they have passed the quiz and all practical training has been carried out.

Additional training materials may be required for some of these modules e.g. DVDs. Full details are provided in the Buddy Documents.

7. Continuing the Welcome Programme

d) Quizzes

- Quiz questions are set for each module's learning objective to test understanding.
- A pass mark of 100% is required to pass the quiz.
- If the pass mark is not attained, the new starter is required to take the quiz again.
- If the quiz is failed 3 times, the new starter must redo the whole module.
- Quiz attempts are recorded
- Unlike the lessons, once you have passed the quiz, you will not be allowed to re-enter.
- There are different types of questions:
 - True/False
 - Select 1 answer
 - Select all answers that apply
 - Hotspots - Click on parts of a photograph
 - Select answer from a drop down menu
 - Enter text (this may be a letters or numbers)
 - Drag and drop



Quiz Hints and Tips!

When new colleagues take their module quizzes:

- Encourage them to take their time. There is no time limit to answering questions.
- Advise them to read the questions and the multiple choice answers carefully. Sometimes they require more than one answer!
- Questions are randomised, so if you have to do the quiz again, you may not receive the same questions!

8. Monitor and Review Processes

The progress of your new colleague will be monitored by:

- Monitoring progress on Citrus.
- General observations.
- 4 weekly review meetings.

a) Monitoring Progress on Citrus

You will be able to access the Citrus system at any time to check:

- Recent activity of your new starters (available to view on your Manager Admin screen)

ID	Name	Activity	Date	Duration
85	David Seaman	Proxy Sales	10 Aug 2010 16:18	00:00:37
85	David Seaman	Our 'Challenge 25' Policy	10 Aug 2010 16:17	00:02:50
85	David Seaman	Products	10 Aug 2010 16:13	00:03:35
85	David Seaman	Challenge 25	10 Aug 2010 16:11	00:01:15

- The progress of your new colleagues (available to view on your Manager Admin screen)

ID	Name	% Complete
85	John Carter	25
85	David Seaman	83

8. Monitor and Review Processes

- Reports available for each training module (available from the Reporting screen).

Summary or detailed reports available

Search by store, employee or role

The screenshot shows a web-based reporting interface. At the top, there are navigation tabs: 'My Learning', 'Manager Admin', 'Reporting', and 'Course Assignment'. The 'Reporting' tab is active. Below the tabs, there are several filter sections:

- Report Type:** Radio buttons for 'Summary Report' (selected) and 'Detailed Report'.
- Employee Details:** Three dropdown menus for 'Store' (value: 1042591-0000), 'Users' (value: --Select Any--), and 'Roles' (value: --Select Any--).
- Course Details:** Radio buttons for 'Any', 'Active', and 'Inactive'. Two dropdown menus for 'Courses' (value: The Co-operative Food - Welcome) and 'Modules' (value: Age-Restricted Sales).
- Date:** Two date pickers for 'Start Date' and 'End Date'. Radio buttons for 'Any', 'Started', and 'Completed'.

 At the bottom of the form are two buttons: 'View Report' and 'Reset Form'. Red lines from the surrounding text point to these various filter sections.

View reports for full courses (i.e. induction) or specific modules

Define dates for your search

- View the completion of each module by each employee on the Summary report

The Co-operative Food - Welcome Induction Overall Completion: 20%

1 - Welcome, 2 - Age-Restricted Sales, 3 - Checkout Procedures, 4 - Merchandising, 5 - Deliveries, 6 - Chilled & Frozen Foods, 7 - Products, 8 - News & Magazines, 9 - Gallery, 10 - Cashierless, 11 - Post Office Regulatory Compliance, 12 - Post Office Security, 13 - Post Office Motions, 14 - Post Office Customer Service, 15 - Post Office Safesong, 16 - Essential Patrol Skills, 17 - Scottish Licensing, 18 - Store Supervisor Duties, 19 - Store Supervisor Patrol Duties, 20 - Hot Food

014026 (01) - 2004 - 202 Overall Completion: 20%

Employee	Role	Module Progress	Total
SAM-Jane Beaman (21603)	SRI	1 - 100%, 2 - 100%, 3 - 0%, 4 - 0%, 5 - 0%, 6 - 0%, 7 - 0%, 8 - 0%, 9 - 0%, 10 - 0%, 11 - 0%, 12 - 0%, 13 - 0%, 14 - 0%, 15 - 0%, 16 - 0%, 17 - 0%, 18 - 0%, 19 - 0%, 20 - 0%	0%
SAM-John Broadland (21619)	SRI	1 - 0%, 2 - 0%, 3 - 0%, 4 - 0%, 5 - 0%, 6 - 0%, 7 - 0%, 8 - 0%, 9 - 0%, 10 - 0%, 11 - 0%, 12 - 0%, 13 - 0%, 14 - 0%, 15 - 0%, 16 - 0%, 17 - 0%, 18 - 0%, 19 - 0%, 20 - 0%	0%
SAM-Chaz F25232	SRI	1 - 0%, 2 - 0%, 3 - 0%, 4 - 0%, 5 - 0%, 6 - 0%, 7 - 0%, 8 - 0%, 9 - 0%, 10 - 0%, 11 - 0%, 12 - 0%, 13 - 0%, 14 - 0%, 15 - 0%, 16 - 0%, 17 - 0%, 18 - 0%, 19 - 0%, 20 - 0%	0%
SAM-Nigel Marlowe (21627)	SRI	1 - 0%, 2 - 0%, 3 - 0%, 4 - 0%, 5 - 0%, 6 - 0%, 7 - 0%, 8 - 0%, 9 - 0%, 10 - 0%, 11 - 0%, 12 - 0%, 13 - 0%, 14 - 0%, 15 - 0%, 16 - 0%, 17 - 0%, 18 - 0%, 19 - 0%, 20 - 0%	0%
SAM-Nigel Marlowe (21628)	SRI	1 - 0%, 2 - 0%, 3 - 0%, 4 - 0%, 5 - 0%, 6 - 0%, 7 - 0%, 8 - 0%, 9 - 0%, 10 - 0%, 11 - 0%, 12 - 0%, 13 - 0%, 14 - 0%, 15 - 0%, 16 - 0%, 17 - 0%, 18 - 0%, 19 - 0%, 20 - 0%	0%
Andrew Stark (20052)	SRI	1 - 0%, 2 - 0%, 3 - 0%, 4 - 0%, 5 - 0%, 6 - 0%, 7 - 0%, 8 - 0%, 9 - 0%, 10 - 0%, 11 - 0%, 12 - 0%, 13 - 0%, 14 - 0%, 15 - 0%, 16 - 0%, 17 - 0%, 18 - 0%, 19 - 0%, 20 - 0%	0%

- View individual progress through each module on the Detailed Report

John Carter (20044) - SR1 Overall Employee Completion: 0%
Course Completion Due Date: 20 Jul 2010

Module	Activity	Status	Completed	Achievement	
Age-Restricted Sales	Introduction (Lesson)	✓	14 Jul 2010 10:41 AM		
	Challenge 25 (Lesson)	✓	2 Aug 2010 11:28 AM		
	Products (Lesson)	✓	2 Aug 2010 11:28 AM		
	Our 'Challenge 25' Policy (Lesson)	✓	2 Aug 2010 11:28 AM		
	Refusing a Sale (Lesson)	✓	2 Aug 2010 11:42 AM		
	Proxy Sales (Lesson)	✓	2 Aug 2010 11:43 AM		
	Summary (Lesson)	✓	2 Aug 2010 11:44 AM		
	Age-Restricted Sales (Quiz)				
	Quiz Attempt 1	✗	13 Jul 2010 2:25 PM	87%	
	Quiz Attempt 2	✗	13 Jul 2010 2:46 PM	93%	
	Quiz Attempt 3	✗	2 Aug 2010 11:47 AM	100%	
	Age-Restricted Sales (Signoff) - Last Attempt	✓	6 Aug 2010 1:44 PM		

8. Monitor and Review Processes

b) General Observations

During the programme, you and your Store Buddies should observe your **new** colleague:

- Helping customers on the shop floor
- Their personal presentation levels
- Performing their roles and procedures
- Challenging customers who appear to be 25 years of age or younger

c) 4 weekly Review Meetings

Conducting 4-weekly reviews is an essential part of the process, to check the progress of your new starter. You will be sent reminders of your reviews.

ID	Name	Activity	Date Due
39	SR1-John Beanland	The Co-operative Food - Welcome Induction	14/07/2010 10:04:45
40	StoM-John Beanland	The Co-operative Food - Welcome Induction	14/07/2010 10:04:46
43	Bruce Chan	The Co-operative Food -	14/07/2010

- Gather feedback from your buddy(s) and arrange a meeting with your new colleague.

When conducting the meetings:

- Check how much they are enjoying working here?
- Ask if there is anything they would like more information on?
- Praise them for any areas in which they have shown particular strengths
- Offer your observations, praise and recommendations to improve, as applicable
- Check if they are motivated in their job? If not, why not, and what can you do to help?
- Remember, if your new colleague has underlying problems outside of work, they could benefit from the Employee Assistance Programme.
- Also check their quiz results and observations from the Store Buddies making sure that any issues have been re-addressed.
- Also discuss attendance and time-keeping.
- Record the outcome of your training review by selecting the pencil next to your employee and by entering details in their comment box.

Review Comments

Please enter training review comments for course The Co-operative Food - Welcome Induction and user SR1-John Beanland.

Remember: all comments added here can be viewed by the employee

Comments

14/7/10 John is showing good progress and has fitted into the team really well. He struggled at first to challenge customers who appear under 25 but his confidence has grown and he is progressing well. He is friendly and his

Save Cancel

9. Completion

It is the Store Manager's responsibility to ensure that training has been completed during the 12 week training programme, by discussing progress with their Store Buddies.

Induction completion will occur when the final module assigned to the new starter has been signed off by the manager.

When your new starter has their Probationary Review, training records and the outcomes of their review meetings can be used to assist. However, please note that Citrus is not linked to the Probationary Review system.

10. Welcome for Returning Colleagues

a) Returning within 6 months/with existing employee number

If a former co-operative food team member (who has previously completed 'The Co-operative Way: Welcome') returns to employment within 6 months of leaving, and their employee number still exists, they must review the Age Restricted Sales module and any modules where there have been significant changes in policy or procedures since they left our employ.

Regarding their skills, they must also be observed conducting all the required duties for their role and, should their performance not meet the required standard, action must be taken to provide them with corrective training.

b) Returning after 6 months/new employee number

Colleagues who return after an absence of more than 6 months, should attend Day 1 of the programme, "The Co-operative Way – Good For You" and then complete the full Welcome programme.

With their prior knowledge of our systems and procedures, they should progress through the programme fairly rapidly.

Thank you for your commitment to providing an effective 'Welcome' and quality training for your new team members.



If you have any queries or comments regarding Citrus, please contact Operational Store Support (0844-262-2001, option 2).



Quick Guide

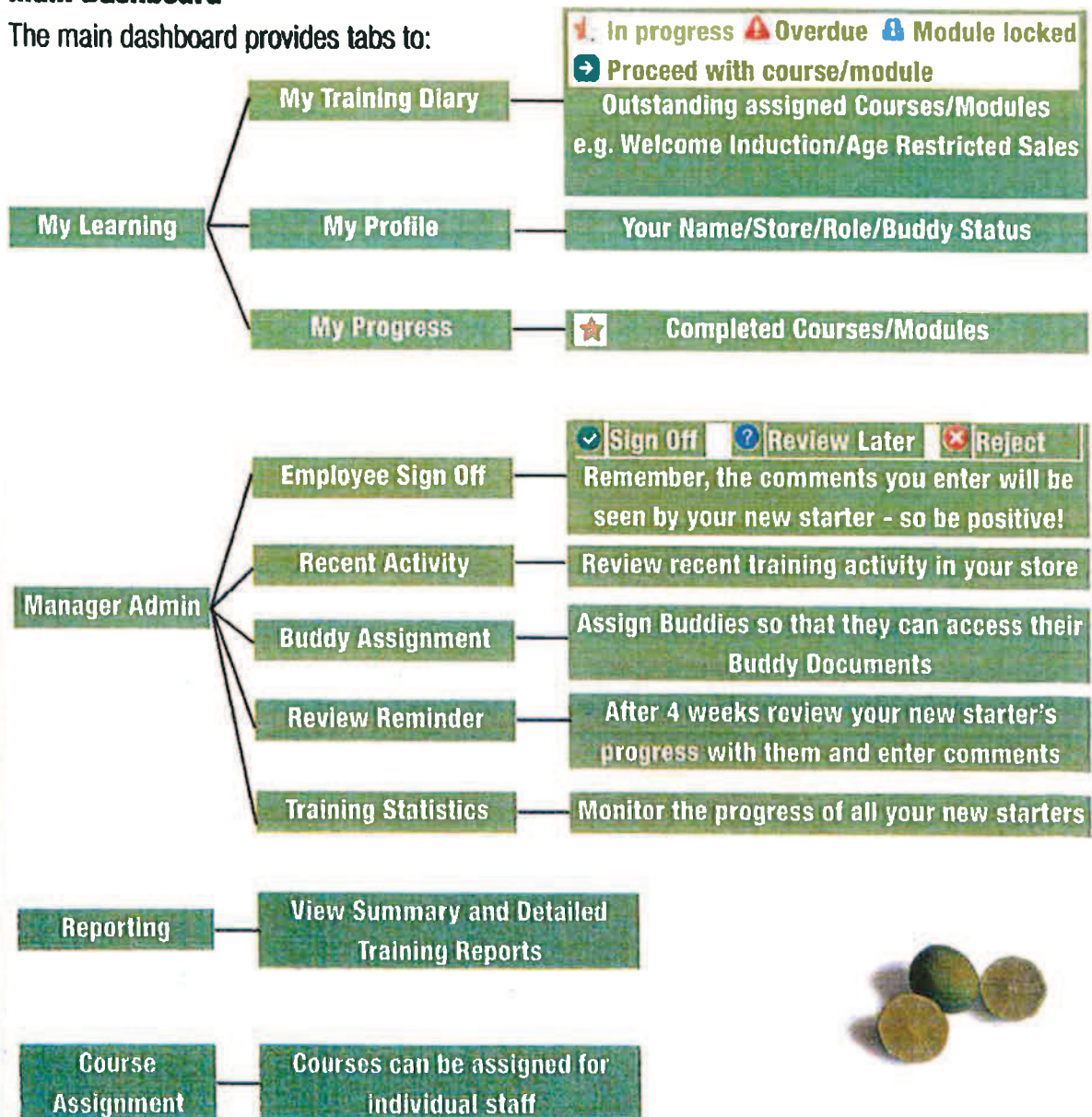
Logging In/Out

- Your **username** is your employee number.
- Your original **password** is Password1.
- Change immediately to something you can remember.
- Logging on, displays the **Citrus wheel**.
- The header displays your name, and the Logout button.
- Select Exit at any time to return to the Citrus wheel.
- The Citrus wheel allows access to Induction/Training and Policy

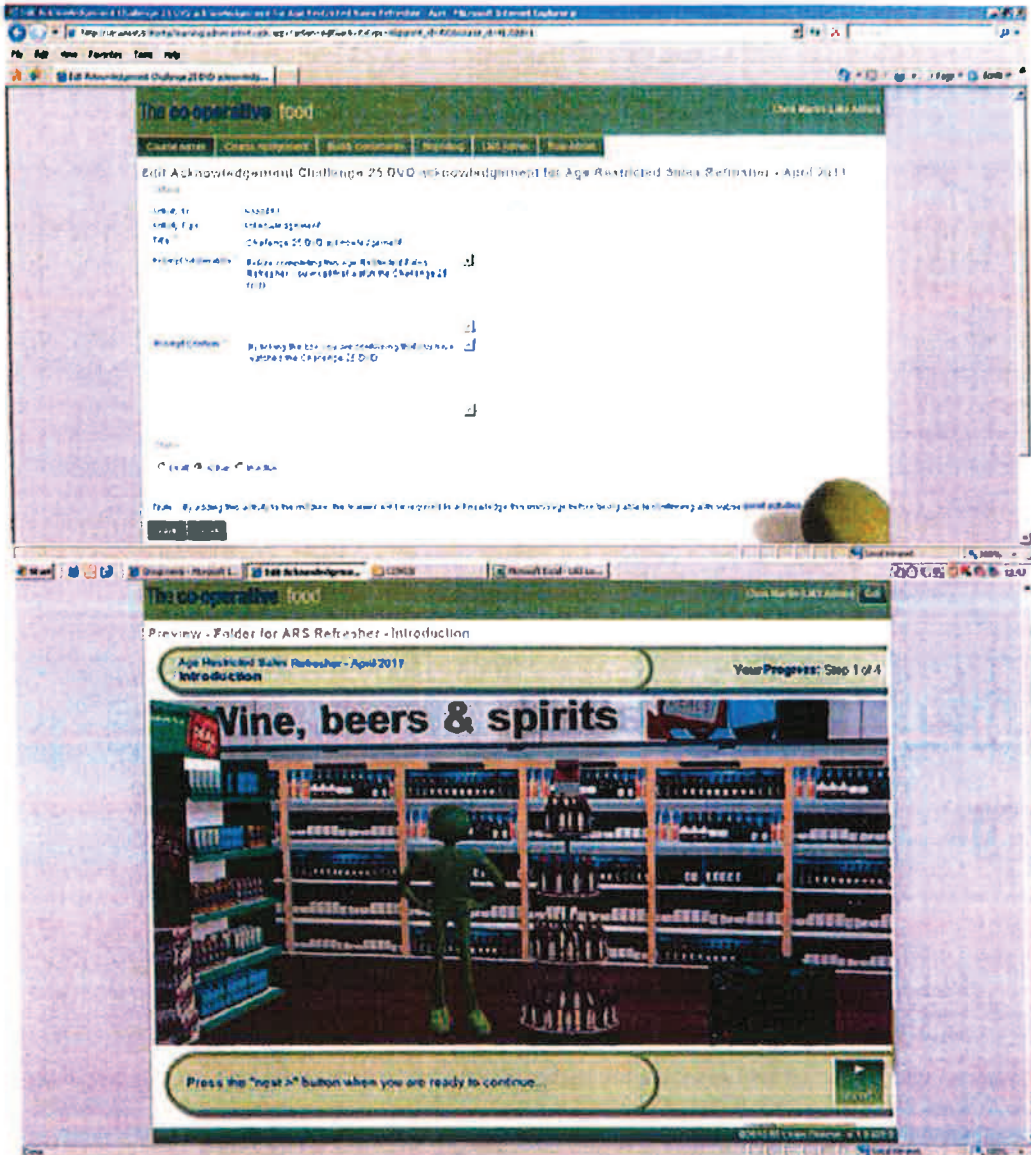


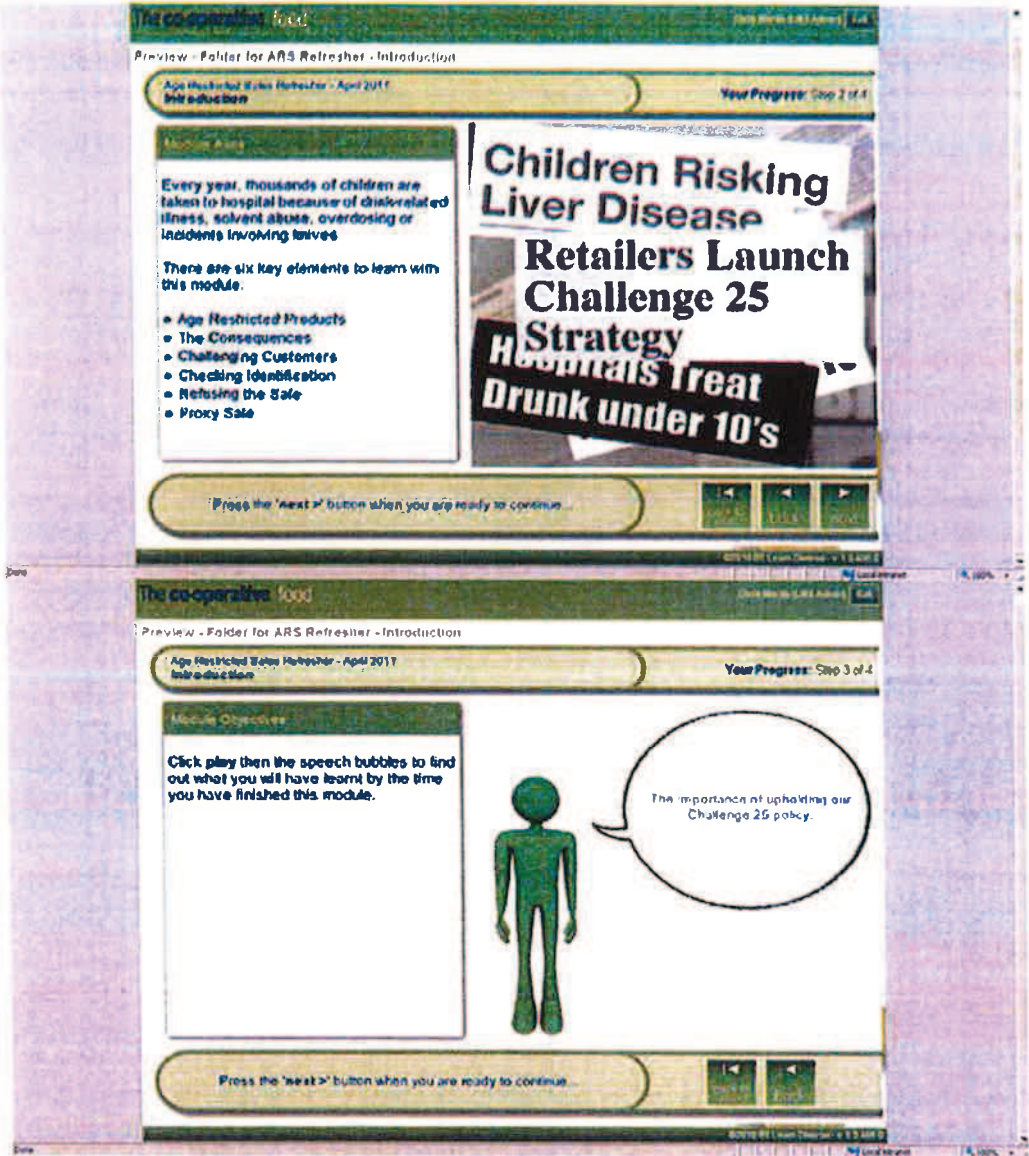
Main Dashboard

The main dashboard provides tabs to:

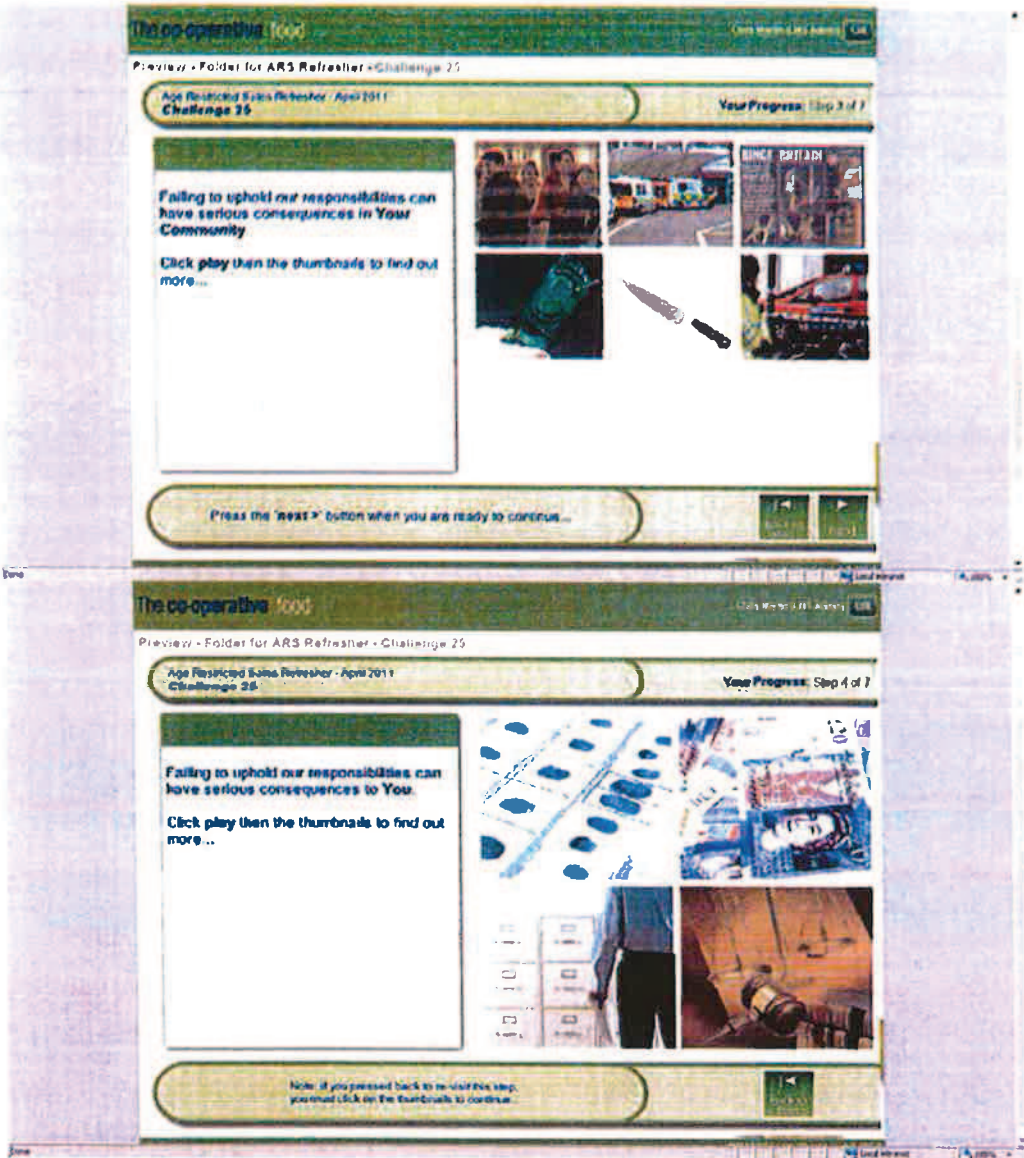


ARS Refresher April 2011 - Screenshots









The co-operative food

Preview - Folder for ARS Refresher - Challenge 25




Age Restricted Sales Refresher - April 2011

Challenge 25

Your Progress: Step 5 of 7

Failing to uphold our responsibilities can have serious consequences to Your Store.

Click play then the thumbnails to find out more...



Note: if you pressed back to reach this step you must click on the thumbnails to continue.

The co-operative food

Preview - Folder for ARS Refresher - Challenge 25



Age Restricted Sales Refresher - April 2011

Challenge 25

Your Progress: Step 6 of 7

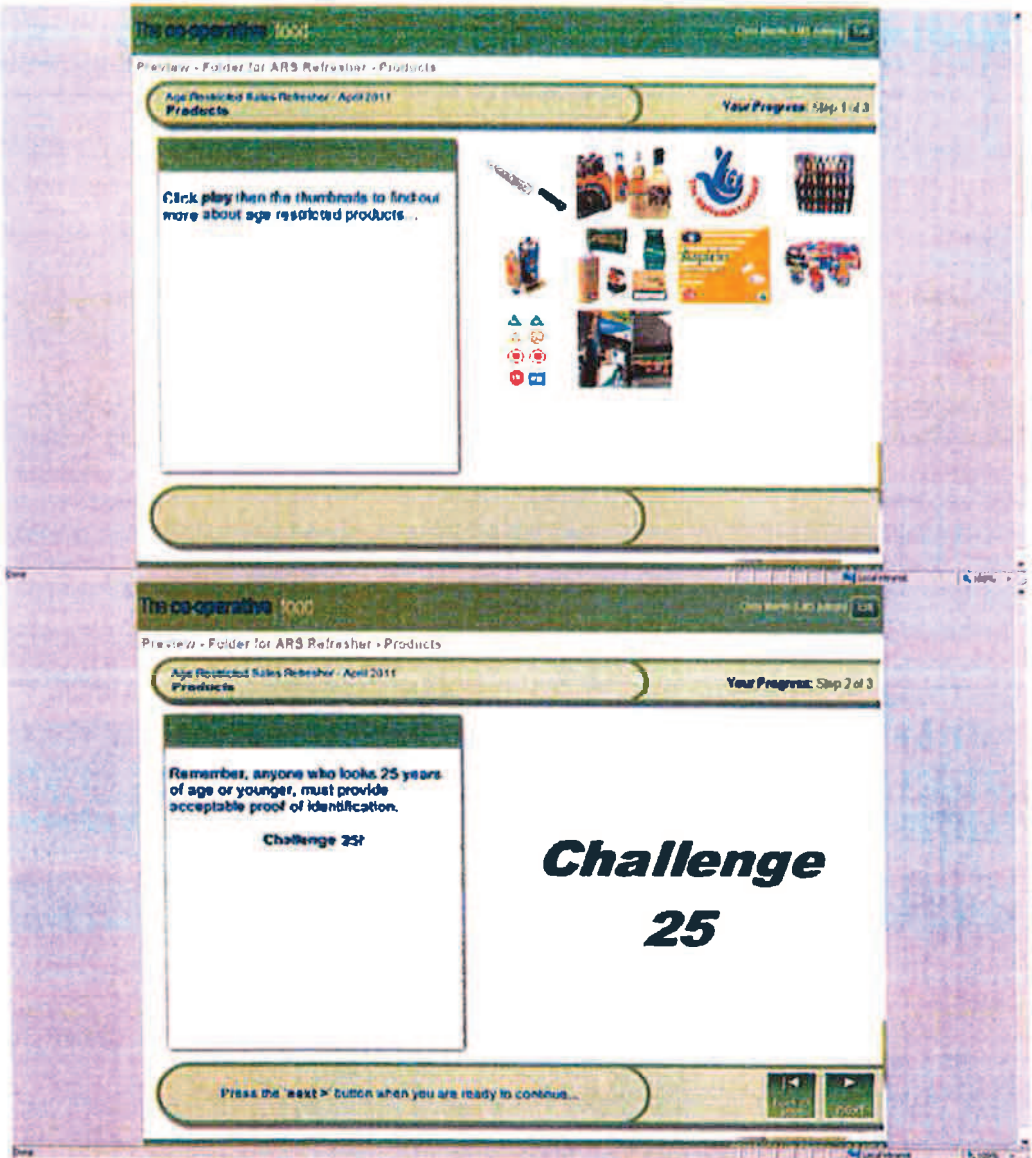
The retail 'Challenge 25' policy ensures that only people who can prove they are old enough can buy alcohol, tobacco, solvents, knives, lottery tickets, analgesics (such as paracetamol) and other age restricted products such as DVDs and computer games.

The cost of getting this wrong can be devastating.



DRINK AWARE COLUK

Press the 'next' button when you are ready to continue.



The co-operative food


Preview - Folder for ARS Refresher - Our Challenge 25 Policy

Age Restricted Sales Refresher - April 2011
Our "Challenge 25 Policy"

Your Progress: Step 1 of 21

Checklist 21 Pass

Let's now look at the **Challenge 25 Policy** in more detail and consider what you should do when a customer attempts to purchase an age restricted product.



Press the 'next >' button when you are ready to continue...

The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy

Age Restricted Sales Refresher - April 2011
Our "Challenge 25 Policy"


Your Progress: Step 2 of 21

Because of the consequences of getting age restricted products wrong, it is so important to get it right.

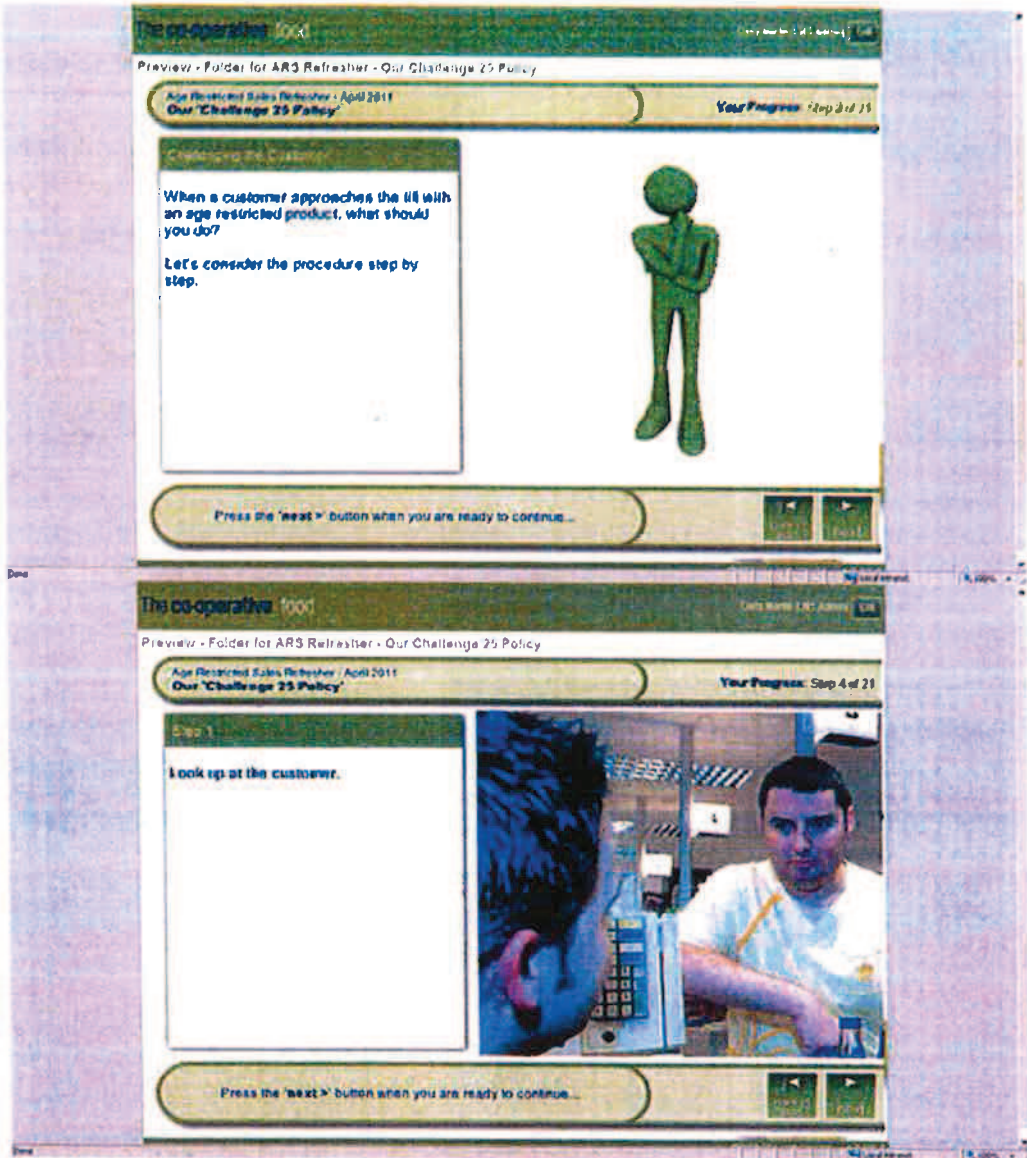
Therefore, the co-operative food and most other supermarkets, have a "Challenge 25 policy".

This means that anyone purchasing an age restricted product, who looks under 25, must be able to prove they are old enough to purchase it.

The chances of mistaking an 18 year old with a 26 year old is slim. Following our policy and systems correctly, can help prevent you from making an illegal sale.

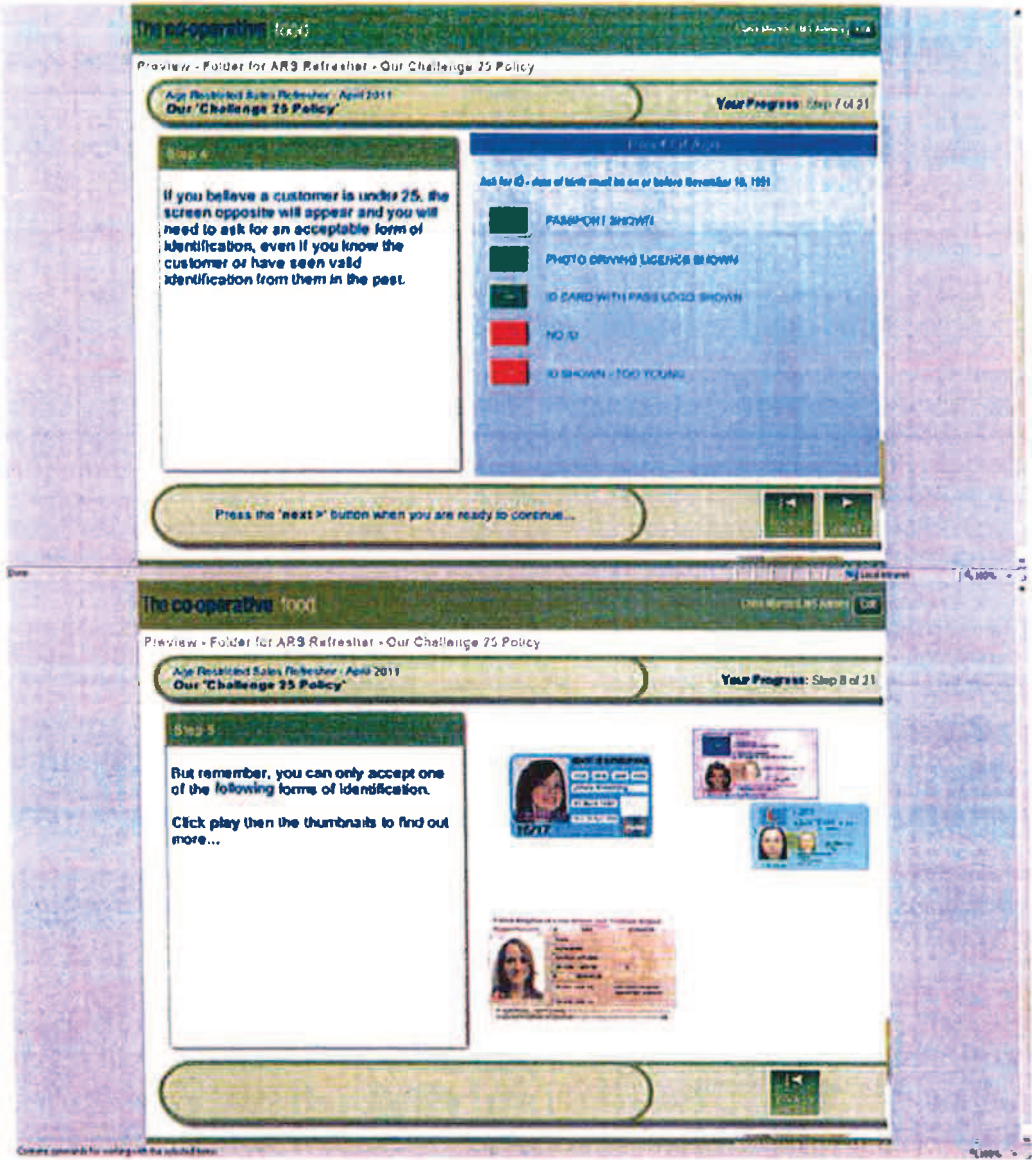


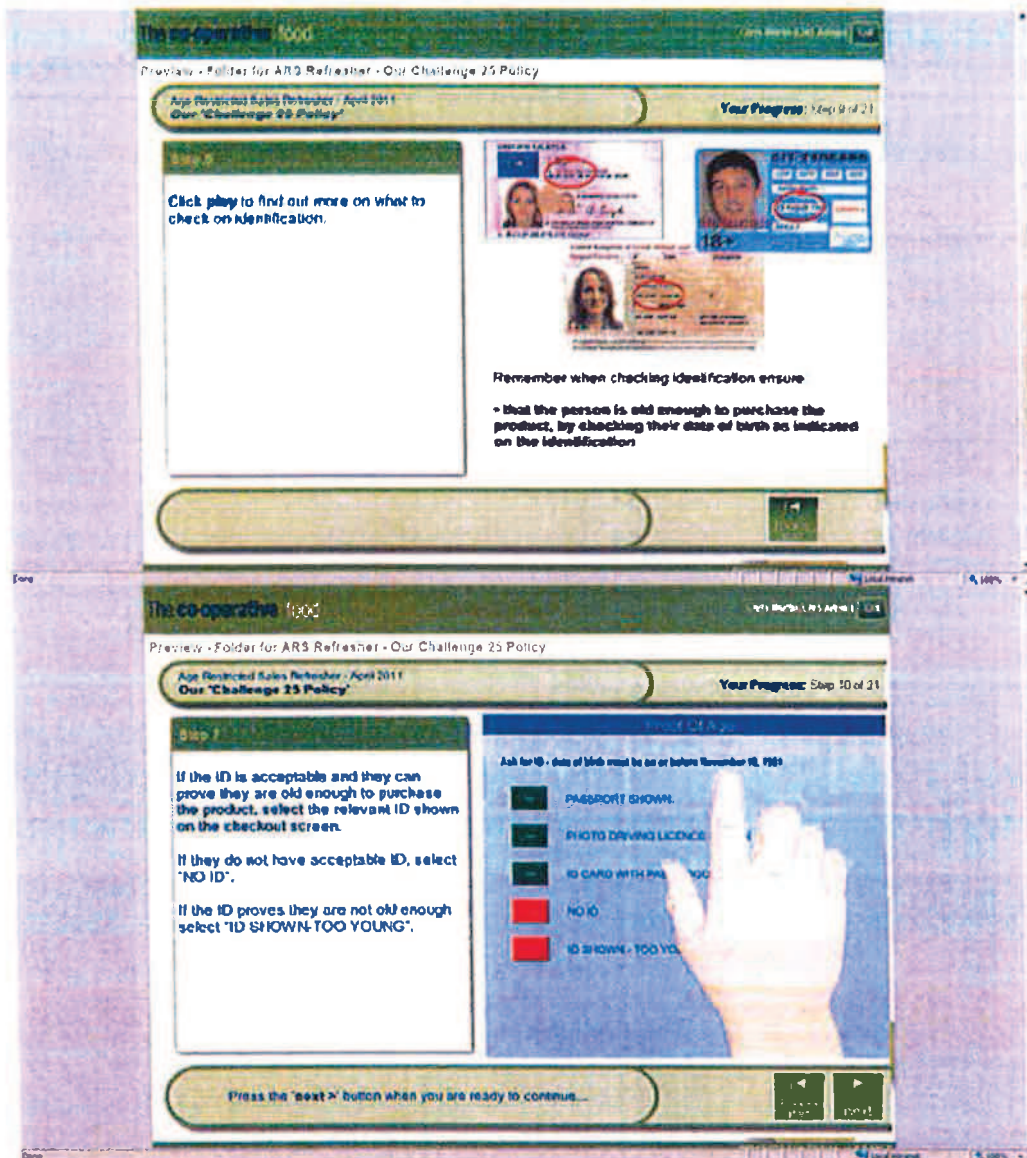
Press the 'next >' button when you are ready to continue...



Agenda Item 3











The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy


Age Restricted Sales Refresher - April 2011
Our 'Challenge 25' Policy

Your Progress: Step 16 of 21

Anyone who looks 25 years or younger must be able to prove they are old enough to purchase age restricted products.

A) True
B) False

Correct - Anyone who looks 25 years or younger must be able to prove they are old enough to purchase age restricted products.



Press the 'answer ?' button when you are ready to continue...

The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy


Age Restricted Sales Refresher - April 2011
Our 'Challenge 25' Policy

Your Progress: Step 16 of 21

You need to be 16 to purchase cigarettes.

A) True
B) False

Correct - You must be 18 to purchase cigarettes.



Press the 'answer ?' button when you are ready to continue...

The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy


Age Restricted Sales Refresher - April 2011
Our 'Challenge 25 Policy'

Your Progress: Step 17 of 21

You could face fines up to £5000 if you sell to someone under age.

A) True
B) False

Correct - You could face fines up to £5000 if you sell age restricted products to someone under age.



Press the 'answer ?' button when you are ready to continue...

The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy


Age Restricted Sales Refresher - April 2011
Our 'Challenge 25 Policy'

Your Progress: Step 18 of 21

A birth certificate is a valid proof of identification.

A) True
B) False

Correct - A birth certificate is not a valid proof of identification. The only identification acceptable to us is a valid passport, photo driving licence including provisional and a proof of age card with a PASS logo.



Press the 'answer ?' button when you are ready to continue...

The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy


Age Restricted Sales Refresher - April 2011
Our 'Challenge 25 Policy'

Your Progress: Step 19 of 21

If someone looks 23 but doesn't have identification, you should proceed with the sale.

A) True
B) False

Correct - Anyone who looks 21 years of age must be asked for ID every time they walk into the store to make restricted purchases.



Press the 'answer 7' button when you are ready to continue.

The co-operative food

Preview - Folder for ARS Refresher - Our Challenge 25 Policy


Age Restricted Sales Refresher - April 2011
Our 'Challenge 25 Policy'

Your Progress: Step 20 of 21

That's all the questions for now.

If you are unsure about any of the answers, now is the time to go back to the start and look at some of the topics again.

If you are clear about the points being made, then let's move on...



Press the 'next 8' button when you are ready to continue.

The co-operative food


Preview - Folder for ARS Refresher - Refusing a Sale

Age Restricted Sales Refresher - April 2011

Refusing a Sale

Your Progress: Step 1 of 8

Refusing a sale can sometimes be difficult if the customer becomes argumentative or even aggressive. Let's now look at what you should do when you refuse a sale.



Press the 'next' button when you are ready to continue...

The co-operative food

Preview - Folder for ARS Refresher - Refusing a Sale

Age Restricted Sales Refresher - April 2011

Refusing a Sale


Your Progress: Step 2 of 8

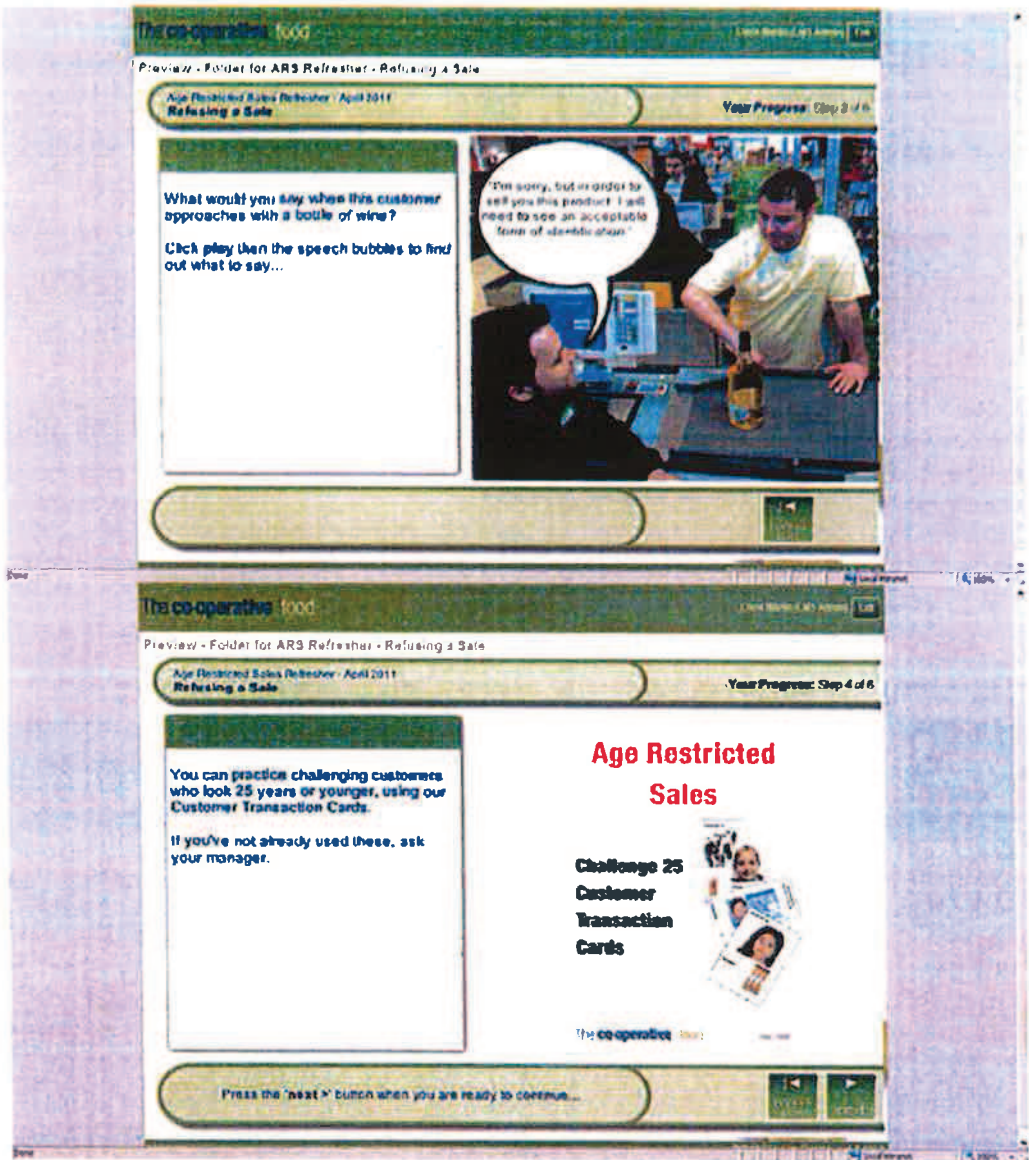
When refusing a sale, remain polite and assertive and repeat our policy. Inform the customer that if they look 25 or younger that they must provide an acceptable proof of identification every time they purchase age restricted products.

Click play then the thought bubbles to reveal how you should act when refusing a sale...

... and always ensure that all refusals are logged properly on the bill.

Breathe evenly and keep a safe distance from the customer





The co-operative food

Preview - Folder for ARS Refresher - Refusing a Sale

Age Restricted Sales Refresher - April 2011

Your Progress: Step 6 of 6

PROXY SALES

During a new starter's first four weeks they will need to gain authorisation from a Team Leader or Manager to complete any age restricted sale.

Sometimes known as 'lockdown', Team Leaders or Managers will need to enter their ID number at the new starter's till to complete the sale.

Only when they are confident challenging customers, and providing they are 18 years or older, will they be given full authorisation.



Press the 'next >' button when you are ready to continue...

next >

The co-operative food

Preview - Folder for ARS Refresher - Proxy Sales

Age Restricted Sales Refresher - April 2011

Your Progress: Step 1 of 4

PROXY SALES

As we have a responsibility to uphold our licensing objectives, you must not sell age restricted products to someone, if you believe that they are buying them for someone underage.

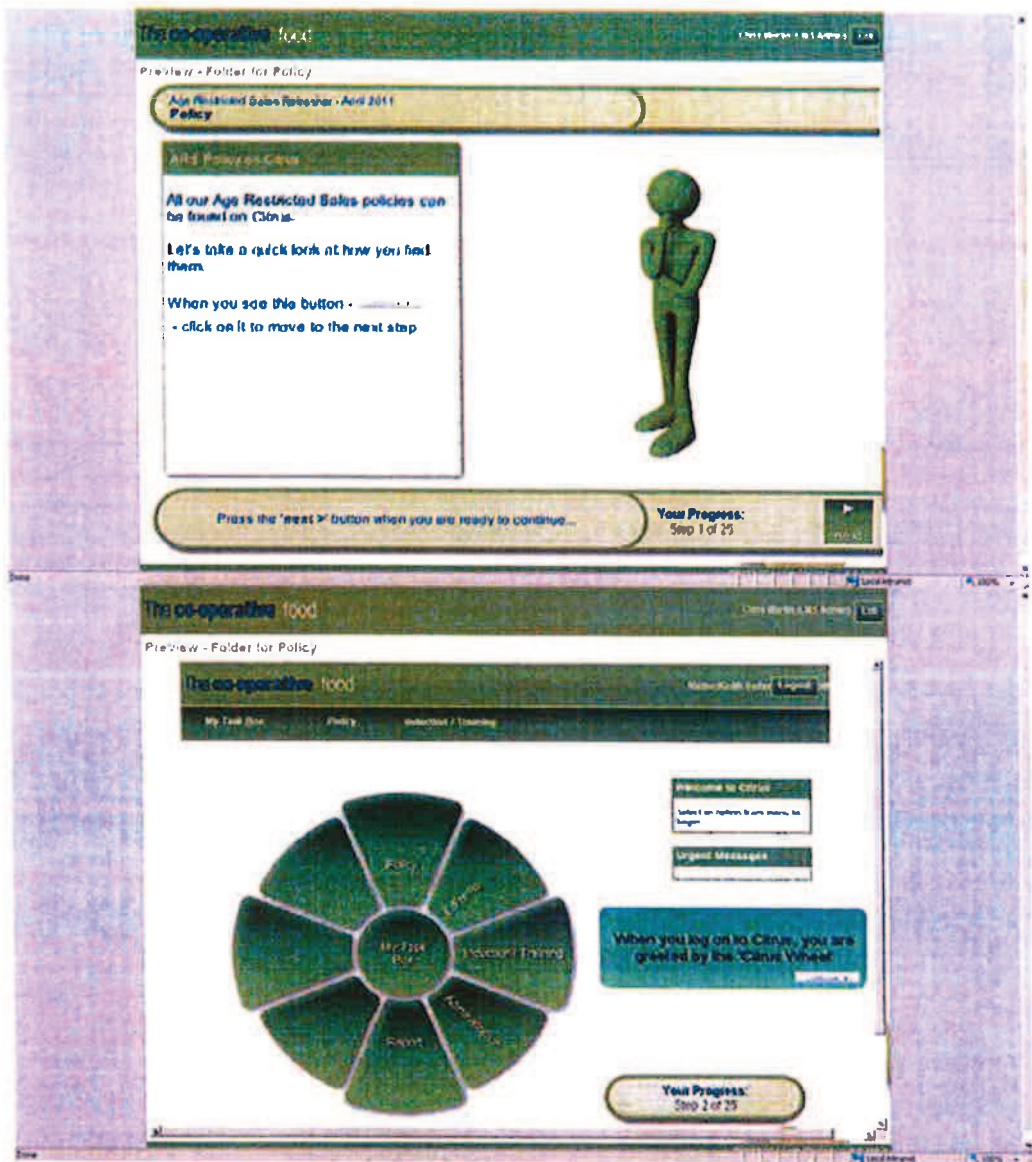
This is known as a 'proxy sale'.

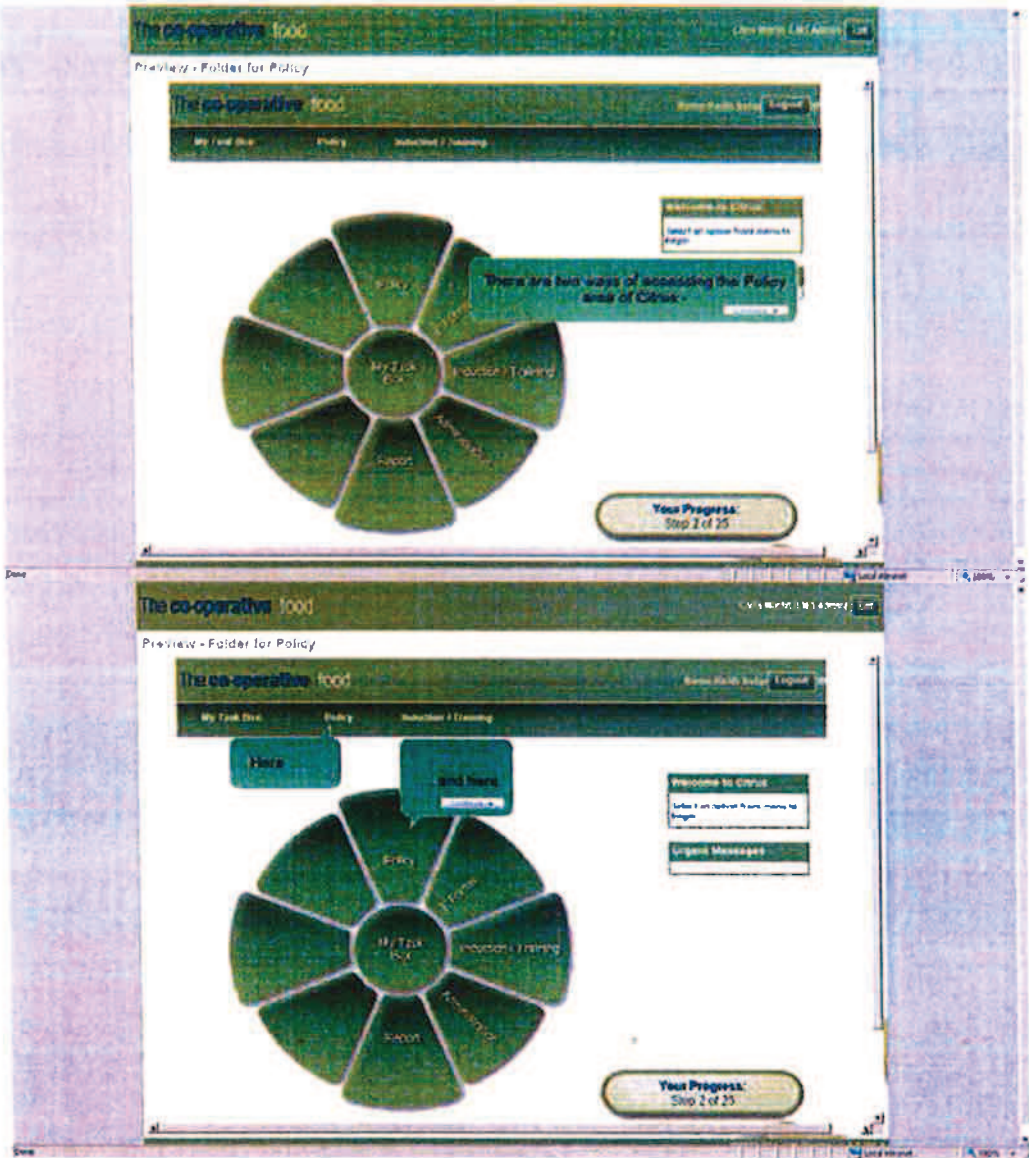


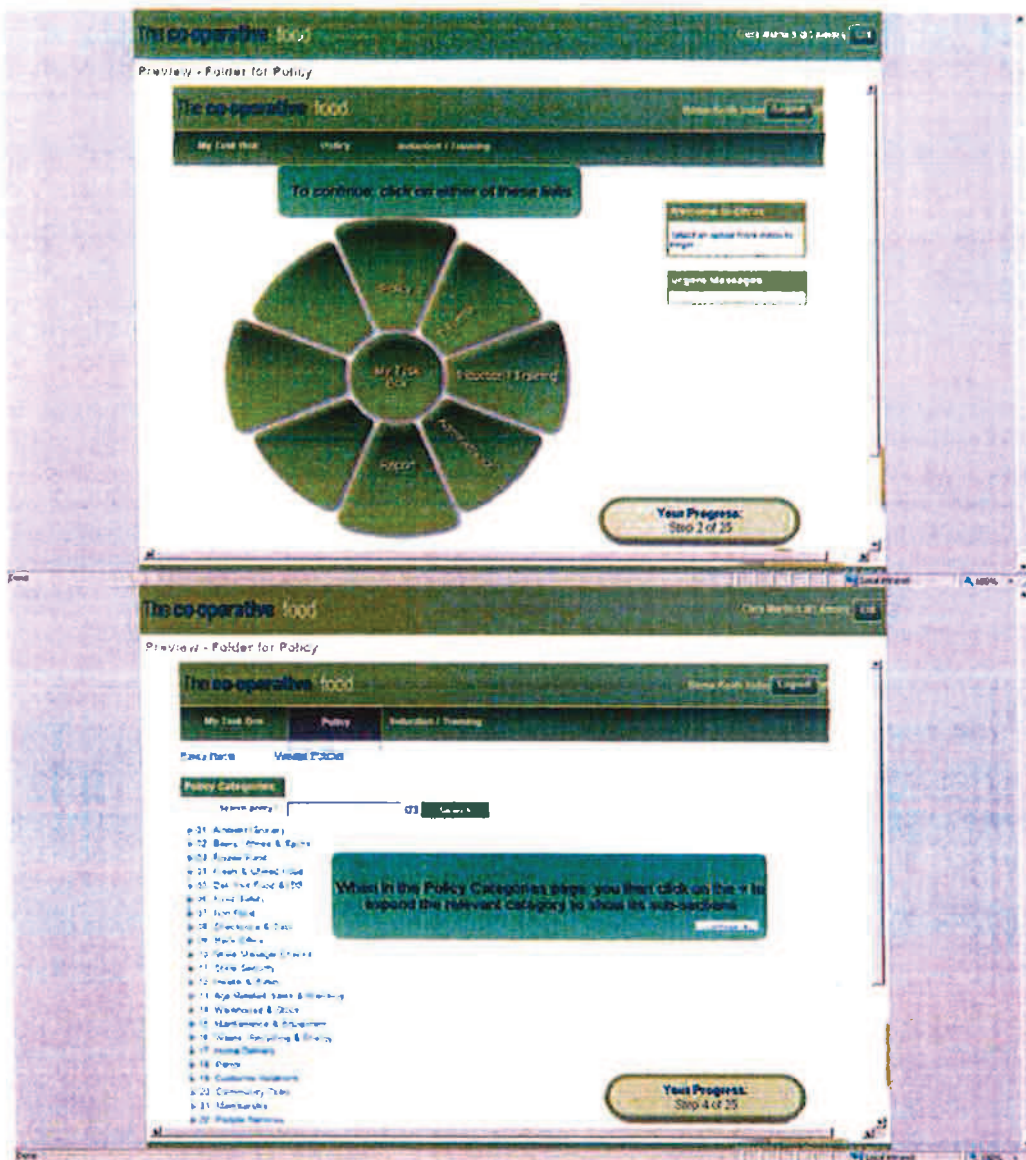
Press the 'next >' button when you are ready to continue...

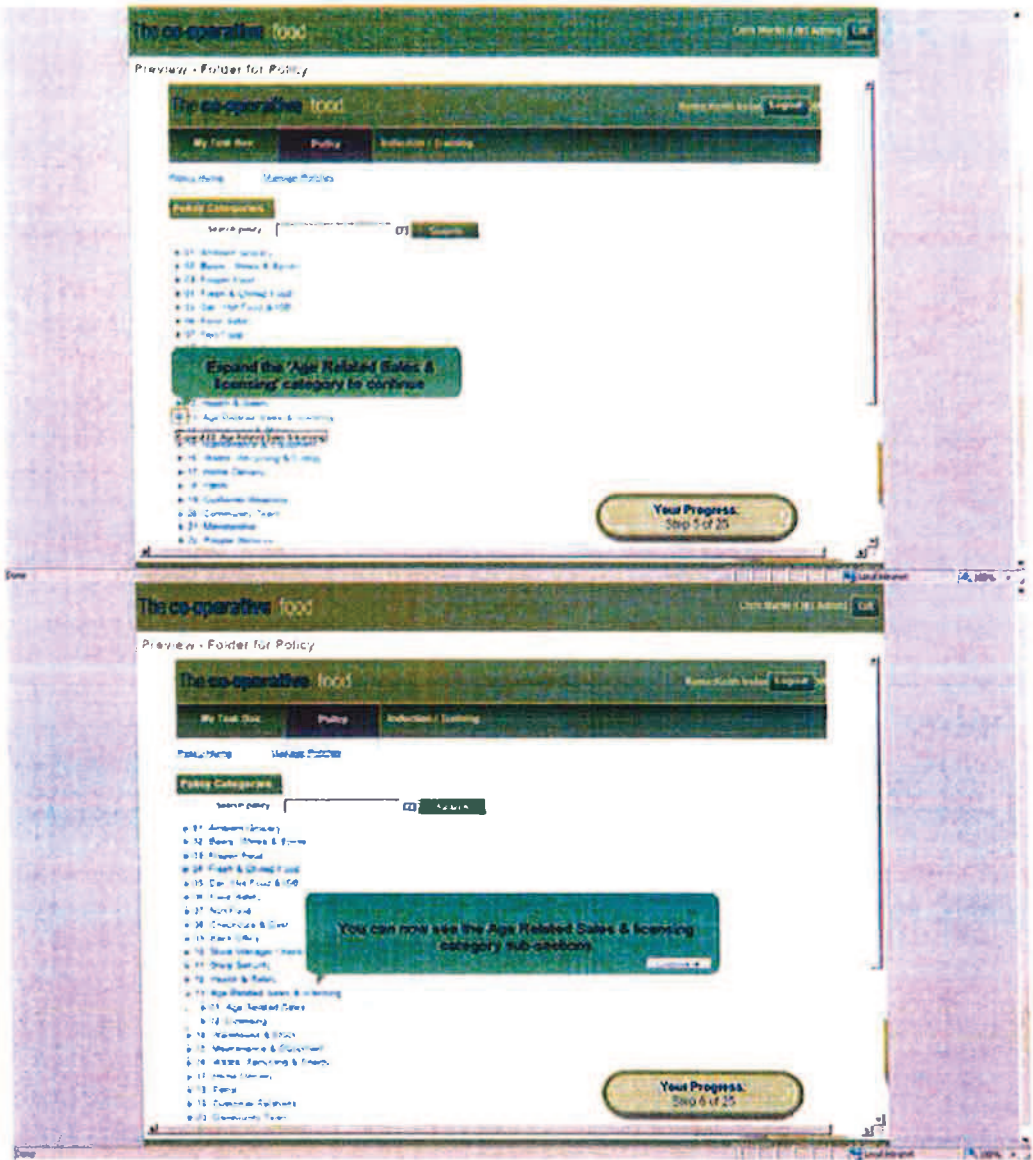
next >

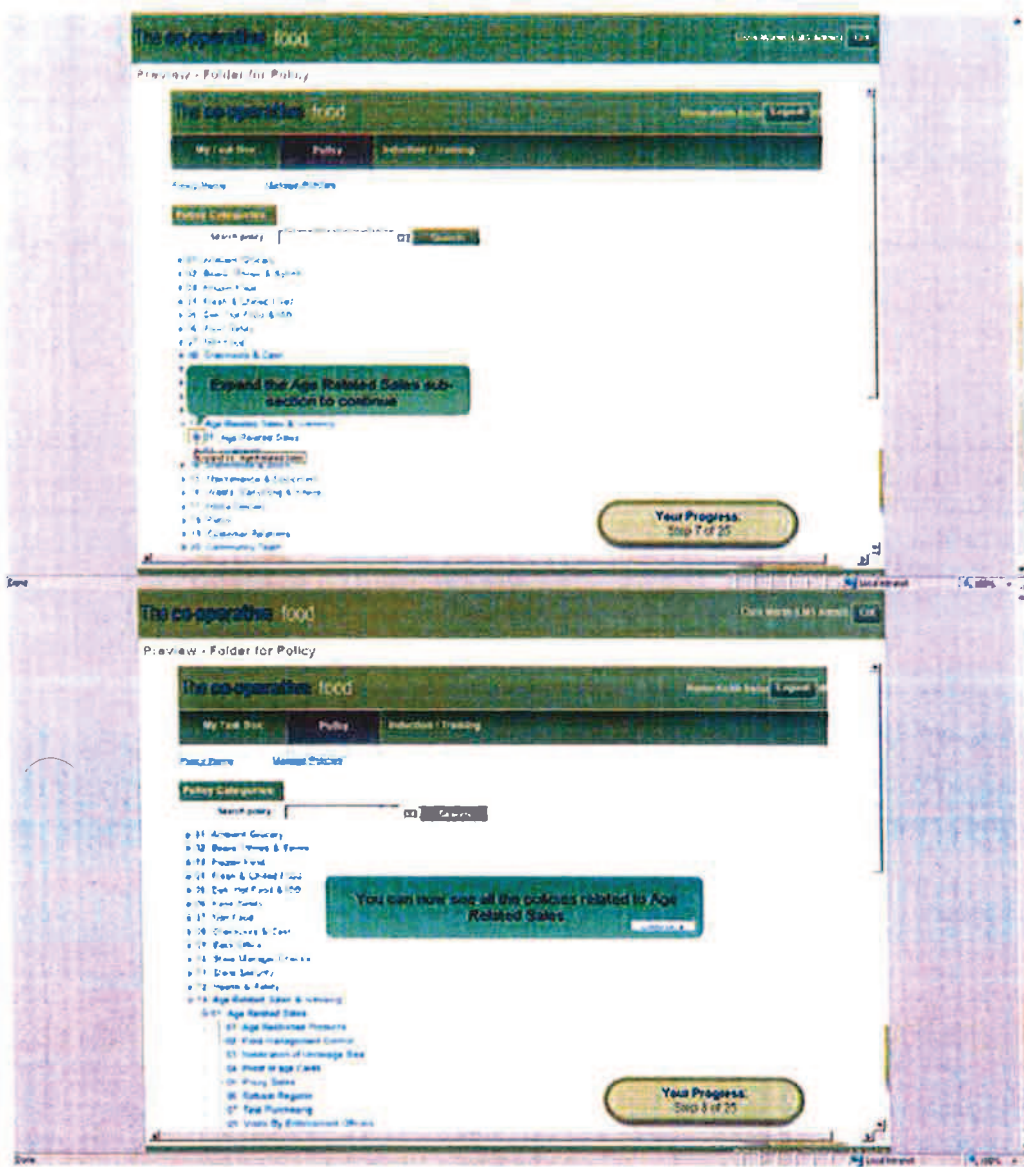


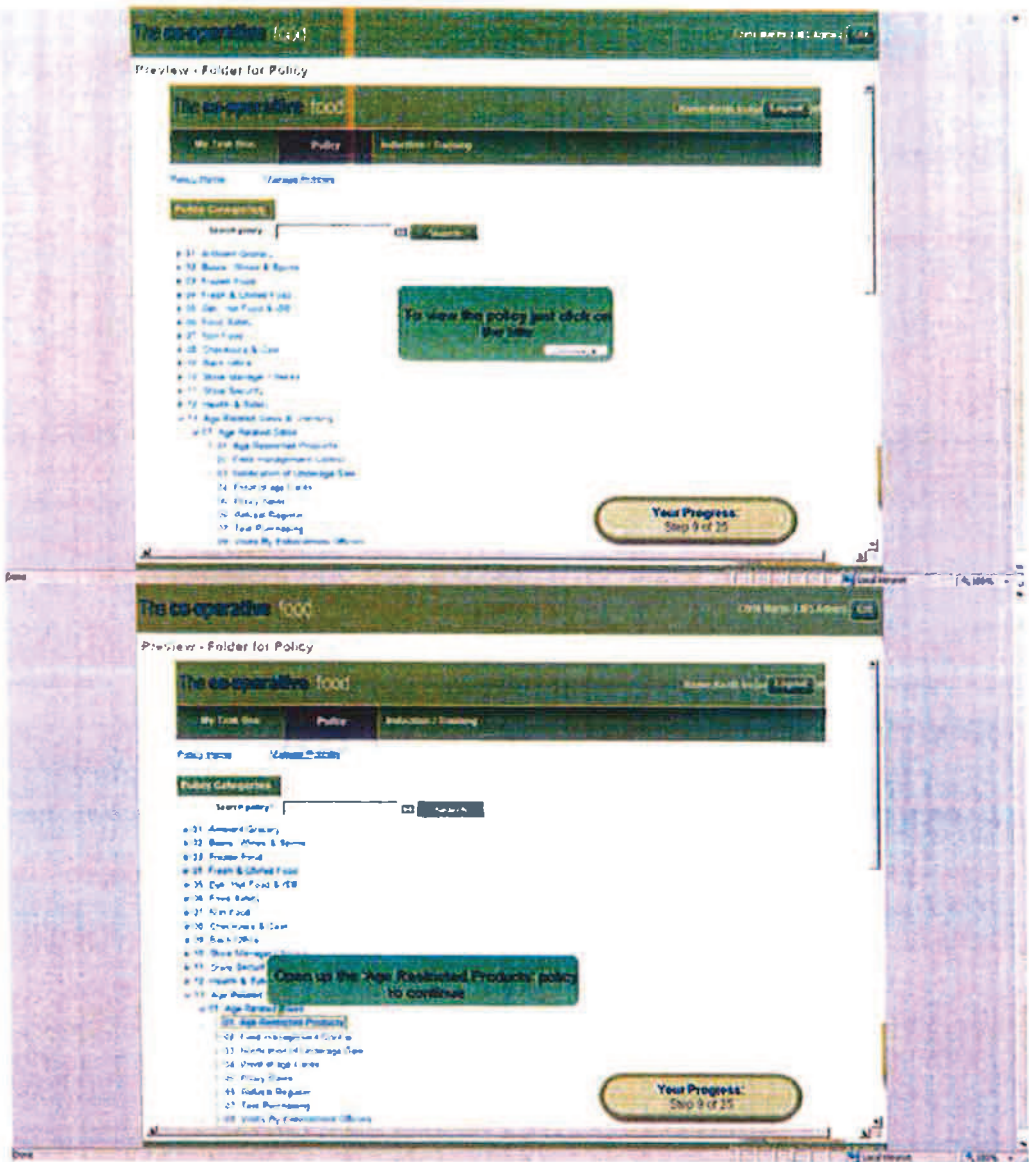


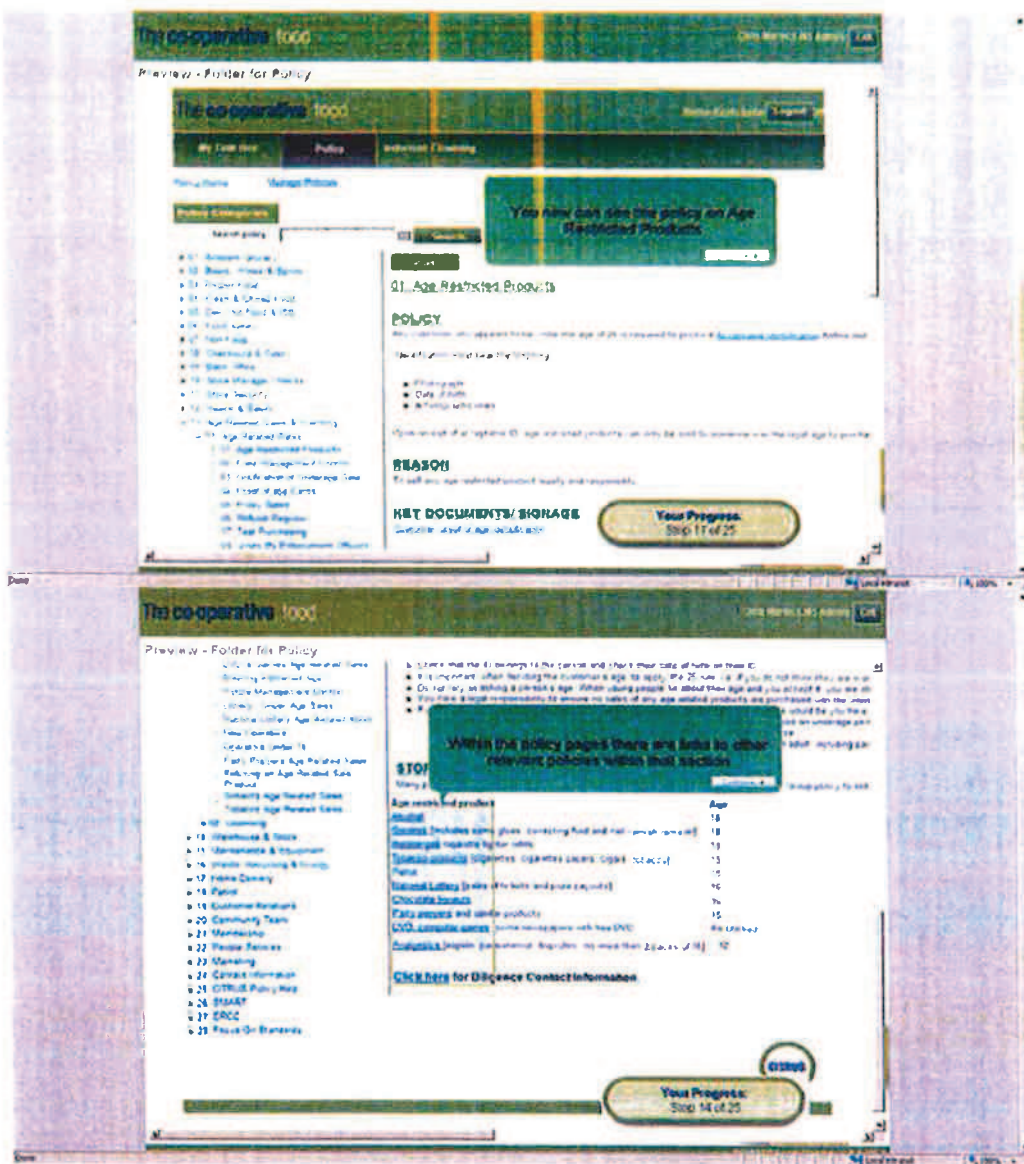




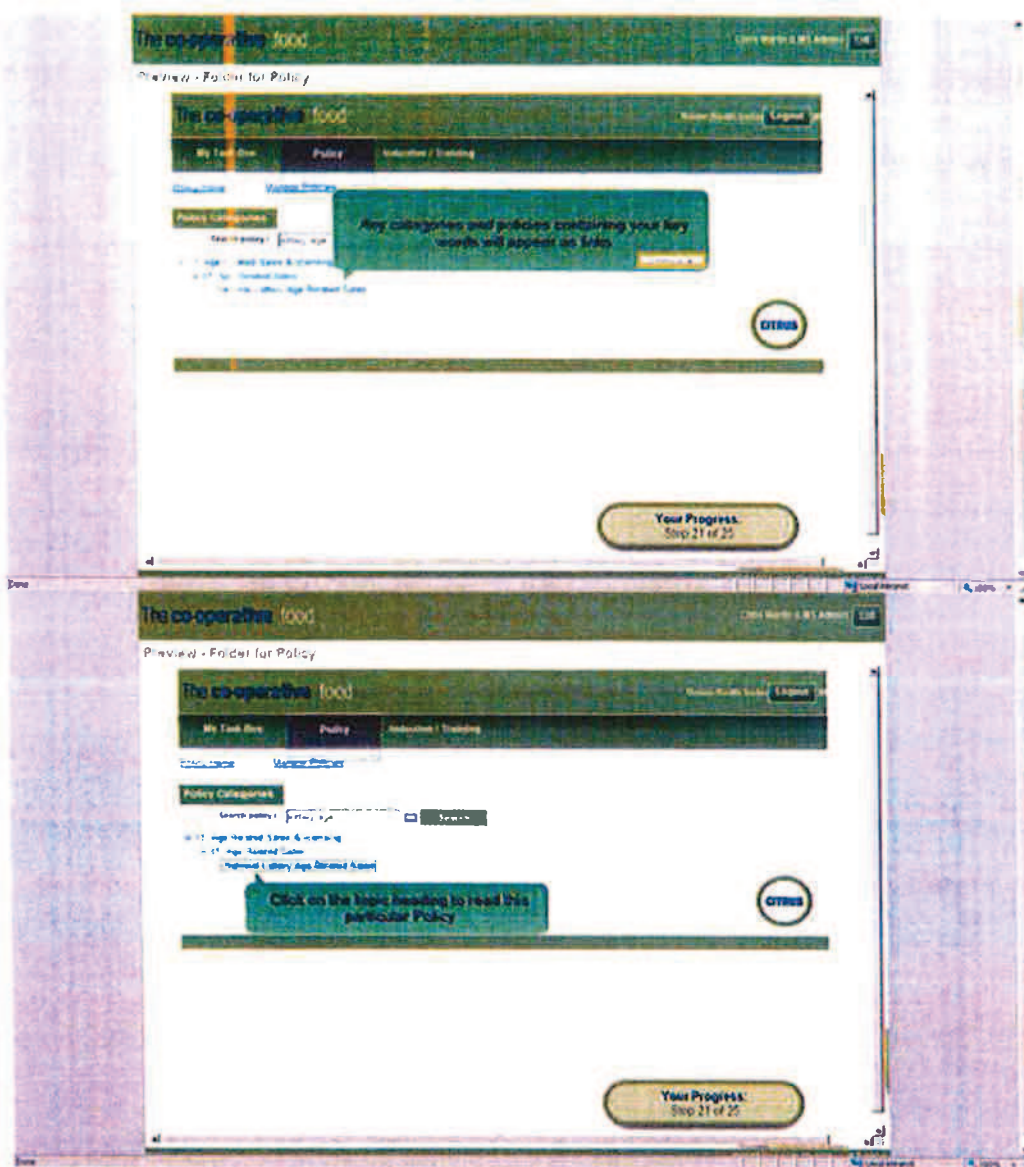


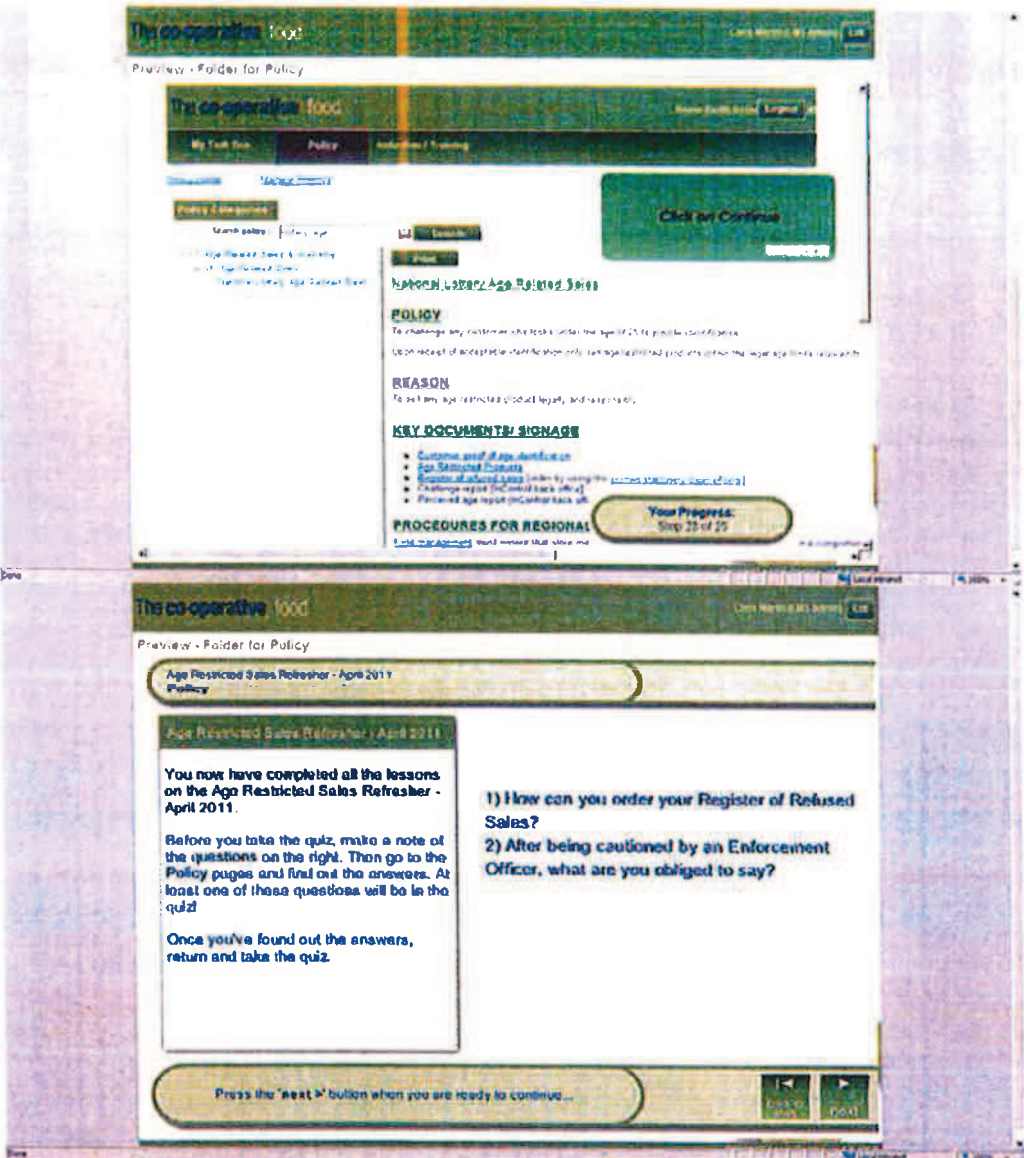












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