



**Licensing Department
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Our Ref: 2005

Dear Madam

**Application for a Premises Licence
Lidl Great Britain Limited, Low Lane, Middlesbrough, TS5 8EF**

I am in receipt of your email in relation to the new premises licence application that we submitted in respect of Low Lane, Middlesbrough requesting additional conditions. Within this letter, and in order to address any concerns that you may have, I propose to explain how Lidl operate and how our policies and procedures successfully address the licensing objectives.

At the outset, I would like to confirm that as a national operator we take our responsibilities regarding the sale of all age restricted products, and particularly the sale of alcohol, very seriously. We are experienced at operating stores in a variety of locations including city centres, shopping centres and retail developments, and including premises operating in areas with problem street drinkers, thefts and antisocial behaviour. We have been praised by many police forces for the way that we operate and the good relationships that we build with them and other enforcement agencies.

We have introduced robust policies and procedures to ensure that any concerns relating to the sale of alcohol are addressed at the outset. These policies and procedures are in place across all stores throughout the country. This of course ensures that all staff are aware of the appropriate procedures and policies even if they are working in a store that they have not worked in previously. You will appreciate that this may occur when cover for sickness or annual leave is necessary.

In that regard, an important policy at all Lidl stores relates to the control of the sale of alcohol. All staff are trained prior to making sales of alcohol. The training includes the prevention of underage sales, proxy purchasing, sales to street drinkers, sales to persons under the influence of alcohol, conflict resolution, the Challenge 25 policy and acceptable forms of identification. This training is provided on a national basis

and is followed up by assessments and ongoing refresher training every 6 months. All staff must sign an Alcohol Policy Register confirming that they have understood the training and that they will comply with the procedures. They are made aware that any breach of procedure is considered to amount to misconduct which may, in some cases, lead to dismissal for gross misconduct. Training records are maintained and can be made available for inspection.

In order to ensure compliance with our policy relating to the sale of alcohol, we operate an extremely effective refusal/ monitoring procedure. Till prompts are installed at the check outs reminding staff that they need to be certain that the customer is over the age of 25 to allow the sale.

In the event that a person operating a check-out believes that the customer is under 25, is attempting a proxy purchase, is a street drinker or is under the influence of alcohol they are not required to challenge the customers themselves. Instead, they are required to alert the Shift Manager. The Shift Manager will then approach the customer and will make further enquiries to ascertain whether the sale should be refused. Clearly if the person is suspected to be under 25 then these enquiries will involve requesting identification with proof of age. In other cases, the Shift Manager will be fully aware of the restrictions relating to the sale of alcohol and will refuse the sale if appropriate. It is therefore the Shift Manager that makes the decision to refuse the sale and not the check-out operator. We have found this procedure to be particularly effective in controlling the sale of alcohol. It sends a clear message to all customers that Lidl have a zero-tolerance approach.

I can confirm that we have previously trailed a refusal book in several of our stores. As a Company we did not find any improvements whilst the Refusal Books were in operation. In fact, during trials, Store Managers worryingly reported a reduction in the number of identification challenges made by cashiers.

Whilst we are aware that Refusal Books are used by some large multiples and independent retailers as a means of monitoring whether staff are complying with procedures in relation age-restricted sales, it has not found to be so effective in Lidl stores. We suspect that this is due to the fact that many of the larger multiples or independent stores have people working with job specific roles for a set period of time. In contrast, our staff undertake numerous roles during a typical working day and therefore, the information provided by a Refusal Book could be misleading. Sales of alcohol and any refusals are monitored by the Shift Managers through the effective refusals procedure set out above.

In addition, our experience is that Shift Managers are able to and do effectively supervise and monitor staff and promote awareness of age restrictive sales through personal instructions and on-going training.

We feel that comprehensive training, awareness and systems of instructions, supervision and monitoring of all members of staff is the most effective way of preventing an under age sale and more beneficial than the recording of a non-event. As we are sure you are aware, the Refusal Book cannot in itself prevent a sale and

can also be open to abuse. For that reason, we are reluctant to agree to operating a Refusal Book at this, or any other store.

The CCTV system installed at our Stores is a very high quality system that has been praised by Police Forces throughout the Country.

The system provides for multiple cameras covering the entrance and exit of the store and high risk areas. Under normal usage the system provides for 28 days storage of high quality images from each camera. The image quality is extremely high and the search and index function very comprehensive.

For your reference, please allow me to provide an overview of the procedures we have in place regarding CCTV and the high specification system we have installed in our stores.

As the images collected by means of our CCTV systems constitute personal data we are under a duty to manage the proper handling of equipment and to have adequate systems in place to prevent unauthorised access to the equipment in which data is stored.

In order that no misuse occurs, it is our policy that access to the system is only granted upon a direct request from authorities such as the Police, and that any downloading of images (personal data) must always be undertaken by way of a four eye principle, i.e. no one person may access and download the saved images by themselves, and without authorisation.

Access is therefore granted centrally upon request from appropriate levels of management, who are fully trained on the use of the CCTV systems, and who are aware of their responsibilities to comply with data protection legislation. Therefore, when a CCTV request is received from the Police, trained personnel contact our central office to obtain an authorisation code to enable viewing and downloading of the requested CCTV. In normal circumstances, our systems are set up in such a way that the download can be undertaken promptly.

In line with the GDPR and Data Protection Act 2018, a Section 29 Disclosure Request Form should be completed by the Police for any footage that they require for any incident of which the store itself is not aware. Section 29 allows local authorities with regulatory powers, such as the Police, to request data without the subjects consent but it does not negate the requirement for the Section 29 Disclosure Form to be completed. It is our policy therefore that a Section 29 Form must be provided to the Lidl store for any CCTV requests that meet this criteria.

Management of crime and disorder is important to Lidl. Not only is the prevention of crime and disorder a licensing objective, but Lidl want to operate well managed premises. The policies and procedure in place are aimed at reducing the risk of crime and disorder.

You have asked for an incident book to be maintained at the premises. Lidl are reluctant to agree to maintaining an incident book as it is not within our standard

policies and procedures. All incidents are discussed with the management. Where appropriate, a report is made to the police or police are called for assistance. Records will therefore be within the police system. Lidl policies and procedures focus on the prevention of crime and disorder, rather than recording crime and disorder.

Finally, you have asked for additional notices to be displayed in the store. Lidl are reluctant to agree to this as it is not within our standard posters that are displayed at the store.

Whilst we acknowledge that the Licensing Act does not encourage standard conditions, we volunteer conditions that reflect the policies and procedures followed at all Lidl stores. As you will appreciate, this approach ensures compliance, as all stores are required to follow the same internal policies and procedures.

On that basis, I can confirm we would be happy to agree to the following conditions, in addition to those set out in the operating schedule of the application;

1. The DPS and all other members of staff will ensure that no open vessels are taken off the premises by customers.
2. All staff will be fully trained, and refresher training provided every 6 months in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Staff training records will be made available to the Licensing Authority and/or Responsible Authorities within 7 days of a request.
3. A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with the Data Protection legislation. CCTV will be capable of providing pictures of evidential quality, particularly facial recognition. Cameras will encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs. There will be a minimum of 28 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.
4. Lidl store management to be trained to view and download CCTV footage on receipt of an internal authorisation code. For urgent matters, at all times officers will be able to view CCTV footage to verify if a reported offence is covered and, whenever required, CCTV will be downloaded and made available to the officer as soon as reasonably practicable. For non-urgent matters, CCTV will be available to view and download at all times during normal office hours on receipt of an internal authorisation code or in any event within 48 hours. (Please note: A

Section 29 Disclosure Request Form or equivalent maybe required in order for CCTV to be released)

5. A "Challenge 25" policy will be implemented with the shift manager being called to check evidence of age from any person appearing to be under 25 years of age and who is attempting to buy alcohol. There shall be notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy. Only valid passports, UK "photo card style" driving licence, PASS approved proof-of-age cards or Ministry of Defence "Form 90" identification cards shall be accepted as proof of age.

6. No beer, lager, perry or cider of over 6.5 abv (alcohol by volume) shall be displayed or sold at any time at the premises. This restriction shall not apply in respect of specialist branded premium products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory / commemorative beer, lager or cider.

I hope that above additional information and additional conditions address your concerns and allow you to withdraw your representation.

Please do not hesitate to contact me.

Yours sincerely



Beckie Bough
Lidl Great Britain Limited
Licensing Department