

# Blackpool Council

15 September 2015

To: Councillors Hunter, Singleton and L Taylor

The above members are requested to attend the:

## LICENSING PANEL

Wednesday, 23 September 2015 at 6.00 pm  
in Committee Room B, Town Hall, Blackpool

## A G E N D A

### 1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

### 2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

### 3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

**4 APPLICATION FOR A PREMISES LICENCE- BOLTON NEWS** (Pages 1 - 60)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR A PREMISES LICENCE- Bolton News
- c. ANNOUNCEMENT OF THE DECISION FOR A PREMISES LICENCE- Bolton News

**Venue information:**

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

**Other information:**

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail [lennox.beattie@blackpool.gov.uk](mailto:lennox.beattie@blackpool.gov.uk)

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at [www.blackpool.gov.uk](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	23 <sup>rd</sup> September 2015

## APPLICATION FOR A PREMISES LICENCE – Bolton News

### 1.0 Purpose of the report:

1.1 To consider an application for a premises licence at Bolton News, 90-92 Bolton Street.

### 2.0 Recommendation(s):

2.1 The panel is requested to consider the application and determine whether the granting of this licence would adversely impact on the licensing objectives.

### 3.0 Reasons for recommendation(s):

3.1 Representations have been received therefore there must be a hearing to determine the application.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, once representations have been received an application must be considered by the Licensing Panel.

### 4.0 Background Information

4.1 On 1<sup>st</sup> April 2015, the Licensing Service received an application from Puventhirarajan Nadarajah to issue a Premises Licence at Bolton News, 90-92 Bolton Street.

4.2 The application requests permission to sell alcohol for consumption off the premises 08.00 – 23.00 hours daily. A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from Lancashire Constabulary, Public Health, the Licensing Authority, Weights and Measures and Health and Safety. Copies of the representations are attached.

4.4 **Local policy considerations**

This premises is situated within Bloomfield Ward which is one for four wards that form part of the off-licence saturation policy. The effect of this policy is to create a rebuttable presumption that applications will be refused. To rebut this presumption, an applicant would be expected to show through the operating schedule, and where appropriate with supporting evidence, that the operation of the premises will not add to the cumulative impact already being experienced.

Applicants for licences within this area will be expected to cover the issues detailed below in their operating schedule. Failure to do so may result in the refusal of the application:

- Details of proof of age scheme to be implemented and proposals for staff training
- Percentage of premises to be used for the sale of alcohol, including details of other items to be sold
- The applicant's policy on the sale of low value/high alcohol products and any drinks discounting that would be adapted.

4.5 **National policy considerations**

9.12 – The police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that do so would not be proportionate for the promotion of the licensing objectives.

9.42 – The authority's decision should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

13.35 – After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case... if the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.



**4.6 Observations**

This premises had the benefit of a Premises Licence authorising the sale of alcohol for consumption off the premises 08.00 – 23.00(10.00 – 22.30 on Sunday) from November 2005 until October 2014 when the Magistrates’ Court upheld the Licensing Committee’s decision to revoke the premises licence due to failed test purchases and poor management. At the time of the review the licence was held by Chanthirasekaren Chanthrakumar. During the review proceedings the licence was transferred to Sithamparapillai Thevakanthan

4.7 Does the information submitted include any exempt information? No

**4.8 List of Appendices:**

- Appendix 4a: Application
- Appendix 4b: Representation from Lancashire Constabulary
- Appendix 4c: Representation from Public Health
- Appendix 4d: Representation from the Licensing Authority
- Appendix 4e: Representations from Weights and Measures
- Appendix 4f: Representations from Health and Safety

**5.0 Legal considerations:**

5.1 Please see local and national policy in the background information.

**6.0 Human Resources considerations:**

6.1 None

**7.0 Equalities considerations:**

7.1 None

**8.0 Financial considerations:**

8.1 None

This page is intentionally left blank

\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	IR	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
<p>Are you an agent acting on behalf of the applicant?</p> <p><input checked="" type="radio"/> Yes      <input type="radio"/> No</p>		<p>Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.</p>

**Applicant Details**

\* First name

\* Family name

**You must enter a valid e-mail address**

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text" value="ST HELENS"/>
County or administrative area	<input type="text" value="MERSEYSIDE"/>
* Postcode	<input type="text" value="WA10"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="IAN"/>
* Family name	<input type="text" value="RUSHTON"/>
* E-mail	<input type="text" value="ijrushy@hotmail.com"/>
Main telephone number	<input type="text" value="07909 511953"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="77"/>
* Street	<input type="text" value="WOMACK GARDENS"/>
District	<input type="text"/>
* City or town	<input type="text" value="ST HELENS"/>
County or administrative area	<input type="text" value="MERSEYSIDE"/>
* Postcode	<input type="text" value="WA9 5UY"/>
* Country	<input type="text" value="United Kingdom"/>

Section 2 of 19

PREMISES DETAILS

*Continued from previous page...*

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

### Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

### Postal Address Of Premises

Building number or name	<input type="text" value="BOLTON NEWS"/>
Street	<input type="text" value="90 - 92 BOLTON STREET"/>
District	<input type="text"/>
City or town	<input type="text" value="BLACKPOOL"/>
County or administrative area	<input type="text" value="LANCASHIRE"/>
Postcode	<input type="text" value="FY1 6AA"/>
Country	<input type="text" value="United Kingdom"/>

### Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="3,650"/>

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text" value="ST HELENS"/>
County or administrative area	<input type="text" value="MERSEYSIDE"/>
Postcode	<input type="text" value="WA10"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

**You must enter a valid email address**

E-mail	<input type="text" value="ijrushy@hotmail.com"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

## Section 5 of 19

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

A small general convenience store selling a range of goods including newspapers, magazines, bread, milk, sweets and confectionery, soft drinks and cigarettes. The proposed alcohol sales are ancillary and would not be a significant element of the business. Alcohol sales would allow the business to develop and remain competitive whilst also promoting the licensing objectives.

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No



Continued from previous page...

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 19**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

CCTV shall be provided in the form of a recordable system, capable of providing pictures of evidential quality in various lighting conditions. Cameras shall cover the entrance to the shop and where the sale of of alcohol occurs. The equipment shall be maintained in good working order and correctly timed and dated. Recordings will be kept for a period of 31 days and made available to the Police and other responsible authorities on request.

Work in partnership with the responsible authorities to promote the licensing objectives.

Be a 'good neighbour' and a responsible retailer.

The shop will be a member of the local 'shopwatch' scheme to help promote the licensing objectives;

A due diligence checklist will be kept and maintained as appropriate, and available for inspection by responsible authorities (a sample of the due diligence checklist is included within the attached supporting information).

b) The prevention of crime and disorder

The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not congregate.

*Continued from previous page...*

To participate in the 'crimestoppers' initiative - 'crimestoppers' literature to be on display;

Spirits to be kept behind the counter and not available for self-service by customers.

The shop is fully alarmed and roller shutters are used when the shop is closed.

Any incidents of crime/disorder, witnessed by staff, will be recorded in an incident book kept at the shop.

Ciders and beers over 6.5% ABV will not be sold.

c) Public safety

Fire extinguishers to be available.

The shop is fully alarmed and roller shutters are used when the shop is closed.

Compliance with other legislation as appropriate to ensure that the premises are safe and well maintained.

d) The prevention of public nuisance

Staff will be vigilant to discourage youths from congregating outside the premises.

All deliveries to the shop will be carried out at appropriate times to ensure no noise disturbance at 'noise sensitive' times (for example late in the evening).

A clear, legible and conspicuous notice asking customers to not cause noise, nuisance or disturbance to local residents shall be displayed at the exit.

e) The protection of children from harm

Adoption of the challenge 21 scheme (or another scheme such as challenge 25) as appropriate and as suggested by Trading Standards) to ensure that only persons over 18 years of age are sold alcohol.

Notices shall be clearly displayed at the point of access and at the point of sale area with regards to preventing under age sales.

All members of staff at the premises shall seek credible photographic proof of age evidence from any such person who appears to be under the age of 21 years and who is seeking to purchase alcohol. Such identification includes a passport, photographic driving licence or Proof of Age card carrying a Pass logo.

A refusals book (in respect of alcohol sales) will be kept and updated as appropriate recording details of all occasions when an alcohol sale has been refused.

Staff training on various appropriate issues including the importance of preventing underage sales will be carried out and training records kept and made available to the responsible authorities upon request. Regular refresher training (every 6 months) will be carried out (the attached supporting information to this application provide details of the type of training that would be carried out and samples of the records that would be kept).

Spirits to be kept behind the counter and not available for self-service by customers.

A written record of all staff authorised to sell alcohol will be kept in the shop and available for inspection by the responsible authorities (a sample of this is included within the supporting information).

Continued from previous page...

## Section 19 of 19

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

100.00

### DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

I understand that the information I have provided, will be held by the Council on both computerised and manual files.

\* This data may be made available on a public register if so required by relevant legislation. The data may also be disclosed to other departments within the Council and other organisations, but only in order to ensure compliance with relevant legislation, for identification purposes or to prevent or detect fraud or a crime.

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="IAN RUSHTON"/>
* Capacity	<input type="text" value="AGENT"/>
* Date	<input type="text" value="29"/> / <input type="text" value="03"/> / <input type="text" value="2015"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/blackpool/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="IR"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) Next >



The Licensing Act 2003

Consent of individual to being specified as premises supervisor

X I SIVAPAKIAM SIVAKARAN (full name of prospective premises supervisor) of

X 

(home address of prospective premises supervisor) hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for New Licence (type of application) by NARARAJAH PUVENTHUKARAN (name of applicant) relating to a premises licence n/a (number of existing licence, if any) for

BOLTON NEWS, 90 to 92 BOLTON ST, BLACKPOOL (name and address of premises to which the application relates) and any premises licence to be granted or varied in respect of this application made by

AS ABOVE (name of applicant) concerning the supply of alcohol at

BOLTON NEWS, BOLTON ST, BLACKPOOL (name and address of premises to which application relates)

I also confirm that I ~~am applying for, intend to apply for or~~ currently hold a personal licence, details of which I set below.

X Personal licence number D3809 (insert personal licence number, if any)

X Personal licence issuing authority  
EALING COUNCIL, LICENSING PERCEVAL HOUSE, 14-16 UXBIDGE RD, EALING, W5 2HL  
(insert name and address and telephone number of personal licence issuing authority, if any)

X S. Sivakaran Signed

X S. SIVAKARAN Name (please print)

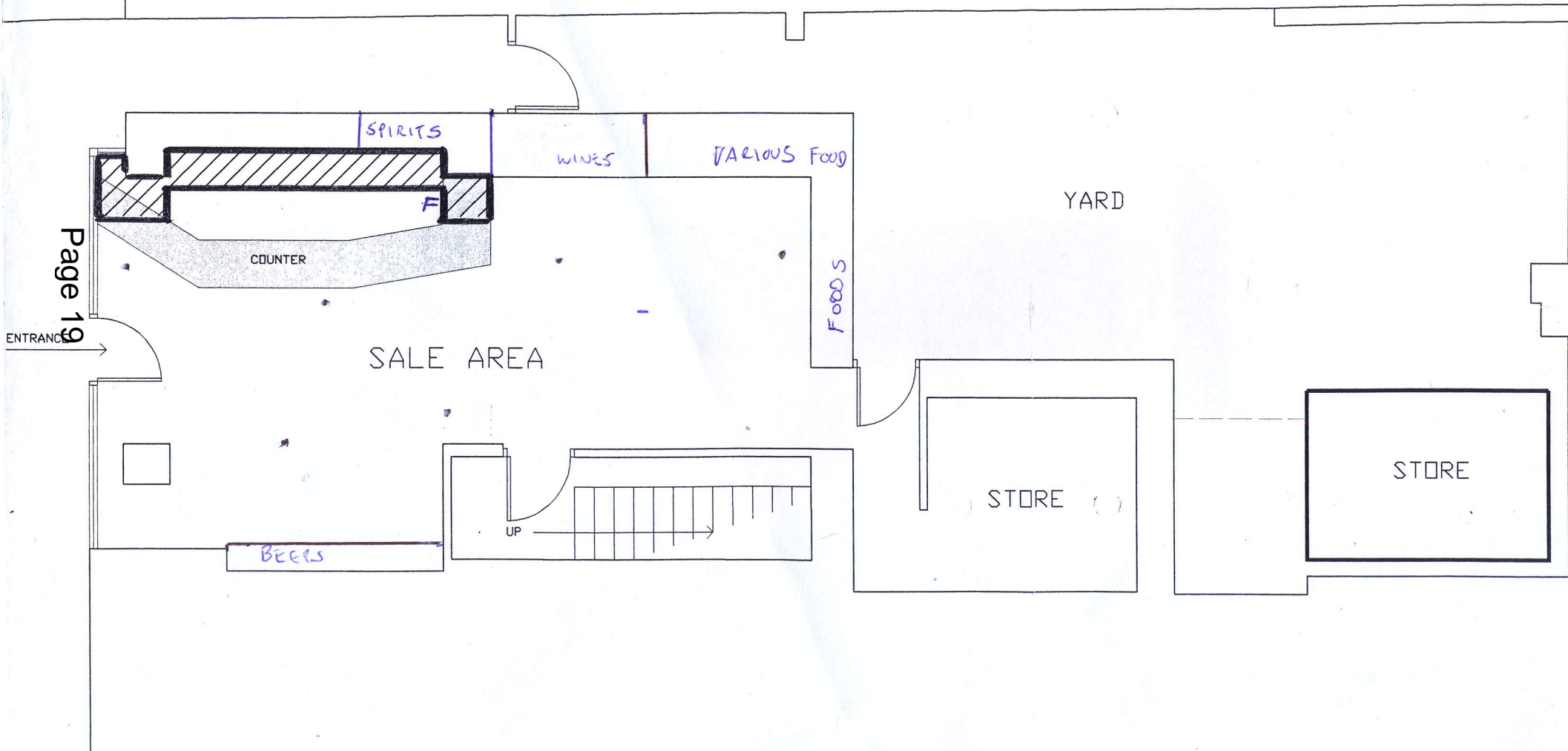
X \_\_\_\_\_ Dated



BOLTON STREET NEWS

F - Fire extinguisher

Scale 1-100



Page 19

ENTRANCE

GROUND FLOOR PLAN

PL1480/1/1

## Premises Age Verification Policy

This policy applies in relation to the sale or supply of alcohol on the following premises

Name of premises:

.....

Address of premises:

.....  
.....  
.....

Name of premises licence holder:

.....

Name of designated premises supervisor:

.....

1. The premises licence holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person to be under the age of 18 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark. This can include, for example:

- A photo card driving licence
- A passport
- A proof of age card bearing the PASS hologram

### 2. Responsible Persons

For the purposes of this policy the following are considered to be responsible persons:

- the holder of the premises licence;
- the designated premises supervisor;
- a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18; or
- a member or officer of a club present on the club premises in a capacity which enables him or her to prevent the supply in question.

## ANNEX A: Further guidance

- By selling alcohol to a person who is under 18 it is **YOU** that commits the offence as well as the customer.
  - Persistently selling of alcohol to children is defined as selling alcohol on the same premises to a person who is under 18 on two or more occasions within a single three month period. Currently there are three avenues by which action can be taken against those found to be persistently selling alcohol to children.
1. The licence holder, if prosecuted, can plead not guilty and go to court and if found guilty can be given a fine of up to £10,000 with up to 3 months suspension of the alcohol licence.
  2. As an alternative to prosecution, the police or trading standards officers can give the licence holder the option to voluntarily accept a 48 hour closure notice rather than face criminal liability.
  3. The police can make a representation to the relevant licensing authority to ask them to review the licence. This can also happen in addition to options 1 and 2.

The premises licence holder must ensure that staff (in particular staff who are involved in the supply of alcohol) are made aware of the existence and content of the age verification policy applied by the premises.

Signed.....  
**PREMISES LICENCE HOLDER**

Date.....



# Age Restricted Products

# Due Diligence Checklist

Please use this checklist to ensure you have the required due diligence procedures in place

You may use the column on the right to identify any areas which could be improved

	YES	NO	NOTES/CORRECTIVE ACTION REQUIRED
1. Is your Premises License on display? (ALCOHOL ONLY)			
2. Are STATUTORY Notice's displayed in a prominent position for the sale of Tobacco, Lottery and Fireworks?			
3. Do you have a Refusal and Challenge recording system in place and is it ALWAYS used by EVERYONE?			
4. What is your Age Restriction Challenge Policy threshold? (Age 21, 25, other)			
5. Do you have a WRITTEN Age Restriction Challenge Policy? (ALCOHOL ONLY)			
6. Can you provide staff training records, relating to age restricted products, on demand?			
7. How often is refresher training, relating to age restricted products, provided for your staff – is it every 12 weeks or more frequent?			
8. If you have a till prompt, does it prompt for the age contained within your challenge policy? E.G. Does the customer look 25?			
9. Do you have posters prominently displayed to support your challenge policy e.g. Check 21/25 posters?			

If you would like further help, advice or assistance please contact your local Trading Standards Service



## Responsibilities relating to the sale of alcohol in Licensed premises.

I.....employed at.....understand that :

- ❖ Any sale of alcohol I make must be authorised. It is an offence to sell without that authorisation.  
(This is a matter for your Manager to deal with. The authorisation can be done once a month, once a quarter or at whatever time limit your Manager thinks is appropriate).  
Each and every sale by a person under the age of 18 years must be supervised by someone over 18 years of age.
- ❖ It is an offence to serve alcohol to a person under the age of eighteen years.
- ❖ It is an offence for a person under the age of 18 years to buy or attempt to buy alcohol on licensed premises.
- ❖ It is an offence for another person to buy or attempt to buy alcohol on behalf of someone under the age of 18 years.  
(Eg: If you suspect another person is buying or attempting to buy alcohol for someone under 18 years they are committing an offence. You should point this out to them).
- ❖ It is an offence for a person under the age of 18 years to consume alcohol on licensed premises.

**(For restaurants please see additional information)**

- ❖ It is an offence to knowingly allow a person under 18 years to consume alcohol on licensed premises. **(For restaurants please see additional information).**

**In Off licences alcohol should not be consumed on the premises in any case by any person of any age.**

- ❖ It is an offence to knowingly allow the sale or delivery of alcohol to a person under the age of 18 years *(Eg: If you know a person to be under the age of 18 years and you allow another member of staff to serve them **you** commit an offence).*

**(For restaurants please see additional information).**

- ❖ It is an offence to serve alcohol to a person who is drunk.
- ❖ It is an offence to allow the sale of alcohol to a person who is drunk.  
*(Eg: You could be in a position to stop another person selling alcohol to a person who is drunk)*
- ❖ It is an offence for a person to buy or attempt to buy alcohol for a person who is drunk.
- ❖ It is an offence to serve alcohol outside of the hours permitted by the Premises Licence.
- ❖ I am aware of the hours operated on this site.



I understand the **Challenge 21 / 25 (delete which does not apply)** policy and I am aware that these premises operate this policy.

(If a person appears to be under the age of 21 / 25 they must prove that they are 18 years old).

I am aware of the acceptable forms of I.D. at these premises.

(Delete those not relevant to your premises).

**Citizen card      Validate card      Photo Driving Licence      Valid Passport**  
**H.M. Forces I.D. / Warrant card**

**I understand that I am responsible for any penalties incurred by me for breaches of Licensing Law.**

I have read and fully understood all of the above and I am aware that failure to comply with any of the contents may result in disciplinary action.

Signed.....(Employee).....Date

Signed.....(Designated Premises Supervisor).....Date

**Reviewed (approx. 3/6 months after initial signing)**

Signed.....(Employee).....Date

Signed.....(Designated Premises Supervisor).....Date

**Reviewed (approx. 6/12 months after initial signing)**

Signed.....(Employee).....Date

Signed.....(Designated Premises Supervisor).....Date



## Sales of alcohol

**This guide explains the law on sales of alcohol to under 18 year olds at licensed premises.**

Please keep it handy for reference by you and your staff.

**If you are a Designated Premises Supervisor or Premises Licence Holder you are responsible for ensuring your staff comply with laws designed to restrict the availability of alcohol to youngsters.**

### Selling alcohol from Licensed Premises

The Licensing Act 2003 (and amendments) strengthens the prohibition on selling alcohol to under 18s. Under-age drinking is increasing and there is a duty on the Trading Standards Service and Police to enforce the controls on alcohol sales.

**Licensees and staff commit offences by selling to youngsters under 18 years of age.** A fine of up to £5,000 can be imposed, (£20,000 for the premises licence holder) and the Licence may be reviewed.

It is a defence for you, if you are able to prove:

- a) that you **believed** that the person was over 18 years old **AND**
- b) either that *you* had taken **all reasonable steps** to establish the person's age or that nobody could reasonably have suspected from his/her appearance that the person was under 18.

**'All Reasonable Steps' means you and your staff are required to ask for evidence of the person's age i.e. an appropriate and valid proof of age document, such as:**

- A valid Passport
- A UK Photo Driving Licence
- A Citizencard - [www.citizencard.com](http://www.citizencard.com)
- A Validate Card - [www.validate.co.uk](http://www.validate.co.uk)
- A card with the PASS (Proof of Age Standards Scheme) hologram on it.
- H.M. Forces I.D. / Warrant card.

When you see the PASS hologram logo you can be confident that it is a valid photo-ID. **You must be careful to ensure that whatever evidence of proof of age is used, that it is genuine and reliable. It will not be a defence if no reasonable person would have been convinced by it.**

The best advice is always to ask for proof of age unless you are convinced the person looks **at least 21(or 25 depending on which your store operates)**. In this way you will always err on the safe side of the law. Genuine persons of the correct age will not mind being challenged in this way if approached sensibly. The message is clear - **No ID, No Sale.**

It is also a **criminal offence for any other person to knowingly allow the sale of alcohol to a person under 18 and for an adult to buy alcohol on behalf of a person under 18.**



## Test Purchasing

The law gives Local Authorities and the Police the power to make test purchases which means working with volunteers who are under 18 and asking them to go into licensed premises to purchase alcohol (or other age related products). A code of practice is followed. Volunteers will not normally be over sixteen and a half years old. They are not allowed to produce any form of I.D. that may lead you to believe they are over 18. This means you may be tested and, if you sell to a volunteer, you commit a criminal offence.

## What can you do?

This will depend on the size of your business, the volume of alcohol sales, the number of staff you have and how 'at risk' your business is of making illegal sales.

For an up-to-date **Support Pack** please contact Trading Standards on 01925 442093

The following are sensible precautions to take:

- Display appropriate posters, point of sale material and window stickers to dissuade youngsters from trying to purchase and to regularly remind your staff about selling to young people.
- **Train all your staff on the law**, how to question and refuse sales if necessary (keep records of the training and refresher training)
- Give advice to your staff about what Proof of age ID cards are acceptable
- Support staff if refusals are being made
- Keep a log of 'refused sales'
- Use CCTV cameras to spot potential problems early.

Other advice may be available through relevant trade associations.

This advice is designed to provide basic guidance to traders. It is **not** a complete or authoritative statement of the law. For further assistance on this or any other Trading Standards legislation, please contact your nearest office.

## Tobacco.

From 1<sup>st</sup> October 2007 it has been illegal to sell cigarettes to a person under the age of 18 years. The same procedures for checking ages should be used.

Other age related products	
Aerosol Paint	16 years
Knives	18 years
Alcohol	18 years
Lighter refills	18 years
Fireworks	18 years
Liqueur Chocolates	16 years
Lottery tickets	16 years
Tobacco	18 years
Videos	12,15 or 18 years


## Proxy Purchasing & Sales

Proxy purchasing occurs when a person over the age 18 buys alcohol on behalf of someone underage.

Young people will approach strangers outside a shop or get friends, neighbours or in some cases parents to buy it for them. Proxy purchasing is also common in pubs and bars.

The Licensing Act 2003 makes it an offence for a person to buy alcohol on behalf of a young person under the age of 18 years. A person found to be committing this offence can face a fine of up to £5,000 if convicted.

Sellers could also be held responsible if they were aware that the alcohol was going to be handed to a young person.

However, it would be good practice not to sell if you SUSPECT the alcohol may be given to a young person.

In order to prevent proxy sales taking place there are a number of steps that you can take.

- Make sure you have a clear view of the area immediately outside your premises. This may mean that posters and signs have to be removed from windows and merchandise displays moved to another part of the store.
- In larger supermarkets keep a lookout for young people hanging around at checkouts or in the entrance area.
- In pubs and bars make sure that dark out of the way seating areas are regularly checked.
- If a sale has been refused be aware of an adult coming in to a shop or to the bar soon afterwards, asking to purchase the same item.
- Be aware of adults wanting to pay for separate transactions.
- If a sale has started to proceed and you are then unsure, you would be right to stop the sale irrespective of money having been handed over or not.
- Be aware of young people in the shop (with adults), who appear to be selecting alcohol but then leave the shop leaving the adult to pay. If you suspect they may hand it over once outside you should refuse the sale.
- If a group of young people are together and only one is purchasing alcohol you would be within your rights to refuse the sale if you thought that the alcohol would then be given to the other young people once outside the shop. Even if the person buying produces acceptable I.D. it does not mean that the sale has to take place.



# PASS Card Recognition Guide

## 5-Step Checking Process

### STEP 1 – Check the PASS Hologram

Look for the 3D effect in the background of the hologram

Look for the small PASS text in the background

The PASS hologram must be flush with the plastic of the card – **NOT** stuck on top of plastic

If in doubt, compare it with the sample card provided with this pack



### STEP 2 – Check the Photograph

Ensure that the photograph is of the person presenting the card – if necessary, politely ask the person to remove their hood, hat or sunglasses to be sure

The photograph must be printed directly on to the plastic of the card – **NOT** stuck on top of the plastic

### STEP 3 – Check the Date of Birth

Calculate the age of the person from the date of birth – use the “ready reckoner” on the other side of this sheet  
Make sure they are old enough to buy the goods or services requested – if in doubt, check the list on the other side of this sheet

The date of birth must be printed on to the plastic – **NOT** handwritten or stuck on top of the plastic

### STEP 4 – Check the Card

Ensure the card has not been tampered with or altered  
Feel the card – it should be completely smooth – **NO** ridges or anything stuck on to the card

### STEP 5 – Check the Person

If you are still unsure about a person’s age, your legal responsibility is to refuse to sell

**YOUR PERSONAL SAFETY IS THE MOST IMPORTANT THING**

If you feel threatened, call your supervisor or manager for assistance

other valid PASS Cards include:



### If you refuse to sell...

If you refuse to sell items because you believe the person is too young, once the person has left report the incident to your supervisor or manager, and record the details in the “Refusal Record Book”.

It is recommended that the only other acceptable forms of proof of age are:

Photo driving license

Passport



# CAPS

CAMPAIGN AGAINST ALCOHOL PROXY SALES

Together we will put  
a cap on the situation...

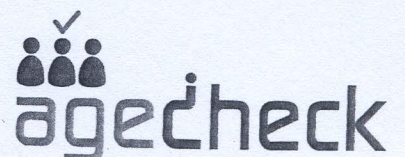
Would you buy  
alcohol for a child?

BOOZE & WI

Did you know  
Buying alcohol  
for someone under  
the age of eighteen,  
is against the law

You could end up with an **£80 fixed penalty** or taken to court to face a maximum **£5,000 fine**

Page 30

  
agecheck



DATE AS POSTMARK



**Dear Retailer**

**"It's not personal, it's the law"**

This new 'No ID, No Sale!' Retail Toolkit might just save your livelihood. Use the materials to help you and your staff to comply with the legislation on underage sales. Doing so will help prevent you from being prosecuted, fined or losing the right to sell alcohol, tobacco or lottery products.

If your shop has been caught selling tobacco to under-18s twice within 2 years, a conviction on a 3rd illegal sale can result in a Restricted Sale Order (banning the staff member from selling tobacco for up to 12 months) or a Restricted Premises Order (banning the shop from selling tobacco for up to 12 months). Failure to comply with the terms of an RSO or RPO is a fine of up to £20,000.

**Your Retail Toolkit contains:**

- (01) Managers Guide which explains how to train your staff. All managers should read it and sign it.
- (02) A3 Statutory Tobacco Notice. The maximum fine for not displaying it is £1,000.
- (03) Window Sticker which reminds customers that the legal age for alcohol, tobacco, knives & solvents is 18.
- (04) Poster (reverse of this letter) which tells customers that "It's not personal, it's the law".
- (05) Refusals Register which should be used by all staff and signed off by a manager. Kept close to the counter but out of sight, the Register is proof of due diligence – and in some cases the existence of a well-maintained Register has prevented staff from being prosecuted.
- (06) 50 CitizenCard application forms. These allow staff to offer customers without ID the means to get one, so just handing the form out can diffuse a difficult encounter.
- (07) A leaflet dispenser to display the forms in.
- (08) A No ID, No Sale! pin badge.

To order further copies of any materials, register with the No ID, No Sale! Campaign by emailing [register@noidnosale.com](mailto:register@noidnosale.com) or download them from [www.noidnosale.com](http://www.noidnosale.com)

Whether you sell tobacco, alcohol, lottery or knives I hope that these materials are of use, and if you have any comments please email [contact@noidnosale.com](mailto:contact@noidnosale.com)

**Yours sincerely,**

A handwritten signature in black ink, appearing to read "Andrew Chevis".


**Andrew Chevis**

This page is intentionally left blank

**Blackpool Council Licensing Service**

**Representation made by a Responsible Authority  
to an application for the grant / variation of a Premises  
Licence / Club Premises Certificate**

**Responsible Authority**

Name of Responsible Authority	<b>LANCASHIRE CONSTABULARY</b>		
Name of Officer <i>(please print)</i>	PC 3842 Lisa Evans		
Signature of Officer			
Contact telephone number	<b>01253 604005</b>		
Date representation made	<b>27</b>	<b>04</b>	<b>15</b>
Do you consider mediation to be appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> NO

**Premises Details**

Premises Name	<b>Bolton News</b>
Address	90-92 Bolton Street
	Blackpool
Post Code	FY1 6AA

**Reasons for making representations**

I am in receipt of an application for a New Premises Licence for the above address.

On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:

The Police base this objection on the existing Premises Licence being within the Off Licence Saturation Policy Area. The purpose of this Policy is to limit the number of Off Licensed Premises within a given geographic area, in order to reduce crime and disorder and promote the licensing objectives. The Policy sets out the following;

- The number, type and density of the premises selling alcohol in a particular area can lead to serious problems of nuisance and disorder. In these circumstances the impact of the premises taken as a whole can be far greater than that arising from individual premises. In most cases it would be impossible to identify an

individual premise as being the sole cause or major contributing factor.

- The potential impact on the promotion of the licensing objections by a significant number of licensed premises concentrated in one area is called cumulative impact. The cumulative impact of all the premises in an area upon the promotion of the licensing objectives is a proper matter for the Licensing Committee to consider.
- This application is within the saturation zone. The location of the proposed premises is on the outskirts of the town, servicing both the day time and night time economy. These premises will only add to the availability of alcohol and increase crime and disorder.

The proposed new premises falls within the Bloomfield area of Blackpool, which is surrounded by HMO, Hotels, Holiday Flats, Residential houses and numerous business premises most of these with an alcohol licence.

The Bloomfield Ward already consists of 21 premises that are Off Licences this is not including the other premises with an alcohol licence.

I also have concerns that the proposed Designated Premises Supervisor is already the Dps at another Off Licence also within the Saturation area, we would expect for a high risk premises that the Dps has the day to day control of the premises.

Concerns have also been raised by the Local Community Beat Manager for the area, statement attached.

A hearing would allow the Licensing Committee to examine the prospective operators' intentions and rebut the presumption that the operation of the premises will not add to the cumulative impact and therefore crime and disorder.

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**

- N/A



Witness Statement

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

Statement of **Natali Harper**

URN

Four empty boxes for URN

Age if under 18 over 18 (if over 18 insert "over 18"). Occupation **Police Officer**

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Dated the 25 day of 04 2015

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

Signature *N Harper 133*

I am PC 133 HARPER of Lancashire Constabulary currently based at Blackpool South Police Station.

I am a Community Beat Manager for the Bloomfield 2 and 3 areas of Blackpool and I have held this post since January 2008. I make this statement in relation to Bolton St News, Bolton St, Blackpool making an application to sell alcohol; this is an application I would object to.

I will begin by giving a brief overview of the Bloomfield area, specifically between Lytham Rd and the Promenade which includes Bolton St and is an extremely deprived part of the country. Blackpool itself is split down into 21 wards and recent data shows that the Bloomfield ward accounted for 15% of all Violent Crime and 11% of Criminal Damage which are the second highest levels out of the 21 wards. Anti Social Behaviour also places Bloomfield third out of the 21 wards taking on 12%. Bloomfield has a severe level of deprivation, within the worst 1.0% deprived wards in England.

The area of Bolton St, Waterloo Rd and Lytham Rd suffer from a high amount of alcohol fuelled crime and disorder and anti-social behaviour. This can be at all times of the year and is often led by the local people who live here. There are a high number of alcoholics on the area who rely on buying cheap alcohol and Bolton St news is an establishment which they frequent.

Signature *N Harper 133*

Signature witnessed by

This leads to drinking on the street which leads to the local businesses in the area complaining to police and it becomes a very time resourceful issue for the neighbourhood policing team.

There have also been past issues with underage drinking on Bolton St and the surrounding areas and kids either attempting to get served or hanging around outside the off licence waiting for someone else to buy alcohol for them.

The NHP team oppose this application as there are still licenced premises in the area and it is unnecessary to give the local people so many opportunities to buy drink which leads to a vast amount of problems.

*Natali Harper 133*

Signature *Natali Harper 133*

Signature witnessed by

**Blackpool Council Licensing Service**

**Representation made by a Responsible Authority  
to an application for the grant / variation of a Premises Licence /  
Club Premises Certificate**

**Responsible Authority**

Name of Responsible Authority	Blackpool Council, Public Health			
Name of Officer <i>(please print)</i>	R. Swindells and C.Dobson			
Signature of Officer	R.Swindells			
Contact telephone number	07788353570/07990084572			
Date representation made	23	04	2015	
Do you consider mediation to be appropriate				NO

**Premises Details**

Premises Name	<b>Bolton News</b>
Address	90-02 Bolton Street
	Blackpool
Post Code	FY1 6AA

**Reasons for making representations**

The Public Health Department, Blackpool Council, write in reference to the new Premises Licence application for Bolton News, Blackpool.

The applicant brings this application in full knowledge that this store is located within Bloomfield ward which has been subject to the Cumulative Impact Policy (CIP) since 2009.

As stated in Blackpool Council's Statement of Licensing Policy –

The effect of the policy is to create a rebuttable presumption that applications listed above will be refused. To rebut this presumption, an applicant would be expected to show through the operating schedule, and where appropriate, with supporting evidence, that the operation of the premises will not add to the cumulative impact already being experienced.

Applicants for licenses within the off-licence saturation area will be expected to cover the issues detailed in their operating schedule. Failure to do so may result in the refusal of the application.

Following review of this application, Public Health, Blackpool Council, make a formal objection due to the following concerns:

Public Health has concerns that this new premises is situated in an area where there are also a number of premises that sell alcohol. In total Bloomfield ward has approx. 25 other premises where off sale alcohol can be purchased and there are also a total of approx. 337 establishments where alcohol can be consumed on the premises within the ward.

Under Section 182 of the Licensing Act 2003, applicants are expected to demonstrate their knowledge of local issues and what they will do to adopt strategies to avoid the exasperation of such issues. The application is completely void of this important information. The applicant demonstrates an inadequate understanding of the area and had failed to demonstrate in their application that their operation would not add to the existing issues already impacting on this area. Paragraph 8.37 of the Section 182 rightly suggests that information to applicants should be readily available; both Blackpool Health Profile 2014 and the Blackpool Drug and Alcohol Health Needs Assessment are public documents which are available yet have not been considered by the applicant.

Applicants are expected to include positive proposals in their application on how they will manage any potential risks. The application fails to provide any positive proposals, except for the P.O.A policy which is a mandatory condition in any case, and only presents offers which are meaningless and non-workable, for example the applicant states 'be a good neighbour and a responsible retailer.' Public Health expects to see, through the application, how this will work in practice with examples of how this will be implemented. The applicant also refers to a local 'shop watch scheme' however there are no such schemes, to our knowledge, in this area. This demonstrates, again, the applicant's lack of knowledge of this area.

### Bloomfield Ward information

#### Deprivation -

Blackpool experiences considerable levels of disadvantage, and in 2010 ranked as the 6th most deprived of 354 local authorities in England (Blackpool Drug and Alcohol Needs Assessment, 2014).

This premise is within Bloomfield. Specific areas in the central wards, including Bloomfield Ward, have the highest ranked levels of deprivation in Blackpool (About Blackpool: Short Profile Summary, 2013)

There is a statistical correlation between Blackpool's areas of deprivation and hotspots for violent crime, domestic abuse, and criminal damage, all associated with alcohol abuse to some degree. (JSNA Blackpool, Social and Community Environment in Blackpool, Core Document, Chapter 4, page 100, October 2012).

#### Domestic Violence -

Alcohol is associated with an increased risk of domestic violence. In the UK, 1 in 4 women and 1 in 7 men have experienced domestic abuse. The Blackpool Domestic Abuse Service estimates that alcohol was a contributing factor in 76% of incidents in 2011 (Blackpool Drug and Alcohol Needs Assessment, 2014).

Information from the Blackpool Drug and Alcohol Needs Assessment (2014), reports Bloomfield Ward has the highest number of calls to the police for Domestic Abuse in Blackpool and across Lancashire.

**Blackpool Drug and Alcohol Needs Assessment (2014)** Page 61 of 84,  
Table 5: Calls to police per 1000 households from May 2013 to Apr 2014.

Area	Rate of calls per 1000 households	
Wards with Highest rates	Bloomfield	112
	Claremont	109.1
Wards with lowest rates	Squires Gate	19.3
	Norbreck	17.9
Blackpool District Average		46
Lancashire County Average		24.3

(Source: Safer Lancashire)

#### Health related information -

Further evidence relates to paragraph 13.23 of the Section 182, Evidence of

Cumulative Impact, a list of categories of information are suggested as good evidence to support a CIP, the 3<sup>rd</sup> on the list states –

*'Health-related statistics such as alcohol related emergency attendances and hospital admissions'.*

Recent health statistics show Bloomfield has significantly higher numbers of hospital stays for alcohol related harm than the National average (England). (Public Health England, 2014 – Local Health Profile).

As stated in the Statement of Licensing Policy the burden of proof rests with the applicant in this case, the Public Health Department have sought to summarise the challenges in Bloomfield ward;

- High levels of alcohol harm.
- High levels of Domestic Abuse.
- High levels of alcohol related admissions.
- Increased accessibility of alcohol.

Paragraph 9.30 of the Section 182 suggests that it is good practice for applicants to contact the Responsible Authorities before formulating their application. No contact from the applicant has been received.

Public Health would ask the Licensing Committee to consider the potential risks associated with the increase in the availability of alcohol within this Saturation Area in their deliberations as to whether to grant this application.

**For New / Variation Applications only.**

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**

N/A

**Blackpool Council Licensing Service**  
**Representation made by a Responsible Authority**

**Responsible Authority**

Name of Responsible Authority	<b>Licensing Authority</b>		
Name of Officer <i>(please print)</i>	Mark Marshall		
Signature of Officer			
Contact telephone number	<b>01253-478493</b>		
Date representation made	<b>27</b>	<b>04</b>	<b>2015</b>
Do you consider mediation to be appropriate			NO

**Premises Details**

Premises Name	
Address	90-92 Bolton Street
	Blackpool
Post Code	FY1 6AA

**Details of your representation (Please refer and attach any supporting documentation)**

A short summary of the issues within Bloomfield Ward are highlighted with the Blackpool Drug and Alcohol Health Needs assessment Document published in April 2014.

It is necessary for this Authority to draw the Committees attention that Bloomfield Ward has the highest rate of calls to police at 112 per 1000 households. It is not possible to make a causal link between Tesco's retailing practice and the crime data above but alcohol provision and availability will have a bearing on statistics and controlling the cumulative effect of multiple retailers in an area can assist in reducing the impact or harm on the Licensing Objectives, for this reason Bloomfield Ward is subject to Saturation Policy in connection with Off Licences.

This Policy shifts the burden to the applicant that they will not harm the Licensing Objectives should the application be granted.

This premises in particular has been subject to regulatory action in 2 arenas, namely the Magistrates following a disclosure of a breach of Section 136 of the Licensing Act 2003 and also within the

Licensing Authorities remit sitting as a subcommittee who heard evidence of poor practise, breaches of Licensing Condition and an underage sale evidenced through a failed test purchase. The decision to revoke the Premises Licence was upheld up at appeal in October 2014 In addition to the matters that have been decided there is also a pending Sec138 Licensing Act 2003.

It is my understanding that the premises is under new management, as such I visited the premises on the 24<sup>th</sup> April 2015 at 11.20hrs.

Having dealt with the premises previously when there were issues I can say that from the general appearance of the store there are no material changes, the store is tired, in disrepair, disorganised and the staff whilst very helpful with me personally I feel there competence in particular language skills will present problem with the very challenging custom base that frequent the store.

Whilst at the premises there were two sets of customers, a group of three young girls attempting to buy 1 day travel passes and a Scottish male looking for head ache tablets.

I had to interoperate both requests to the staff member, using simplified terminology and hand signals in order to be understood. This male was able to converse with me quite well but it is the challenging individuals where I would have concern that he could be properly understood or effectively challenge customers on the basis of intoxication or age profile.

Neither licence holder or DPS were available and I dealt with the manager who provided his details as C. CHANDRA KUMAR, I was happy with this man's technical expertise with the CCTV but the internal conditions of the store were scruffy, items of equipment such as fridges were in disrepair and the outside area which should have provided a means of escape for fire was in a poor state.

In addition, the old shop signage which displays a false description that the premises are Licensed is still very much in place.

The whole operation points towards the fact that little has changed other than the names behind the store and I would have concern that this operation will very much impact on the Licensing Objectives in what is clearly a stress area with a multitude of social economic problems.

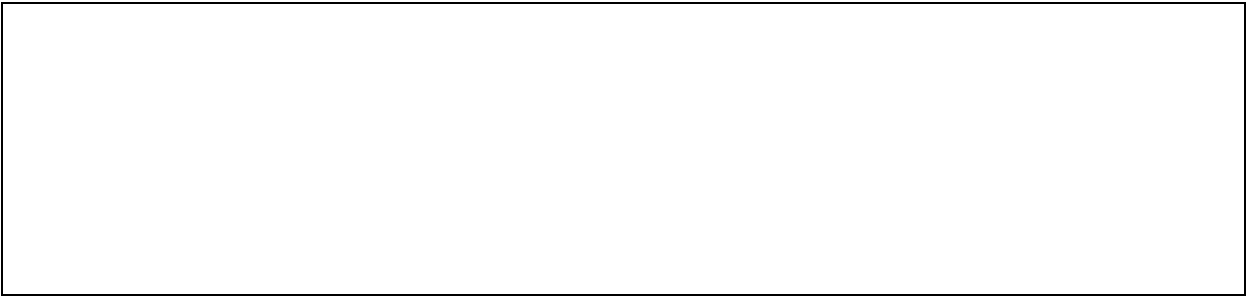








**For New / Variation Applications only.  
It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**



This page is intentionally left blank



## **REVIEW OF PREMISES LICENCE**

Mr Colebourne  
Colebourne's Solicitors  
77 Adelaide Street  
Blackpool  
FY1 4LP

The Blackpool Council being the licensing authority on the 9<sup>th</sup> April 2014 received an application from weights and measures to review the premises licence issued in respect of Bolton News, 90-92 Bolton Street Blackpool.

The Council have determined to deal with the review by revoking the licence.

### **Decision**

This review has been submitted following a failed test purchase operation, a number of seizures of non-duty paid alcohol and concerns about staff training records being requested on a number of occasions but not being produced. The history of the visits and issues found are well documented in the papers.

At the time of the review Mr Chanthrakumar was the premises licence holder and designated premises supervisor. When he was interviewed in March 2014 about the underage sale, he denied being involved in the running of the business, saying that was Mr Thevakanthan. Mr Thevakanthan finally applied for the transfer of the licence in May 2014.

At the hearing today, Mr Thevakanthan stated that Mr Chanthrakumar as in day to day control of the premises and he had thought that Mr Chanthrakumar was completing the staff training records. We do not accept that Mr Chanthrakumar had full day to day control of the premises as Mr Thevakanthan appeared to purchase the alcohol, was present at the shop most days when the authorities visited and employed the person who failed the test purchase. On Mr Thevakanthan's own admission, he only gave this person verbal training – this does not tie in with his previous claim that Mr Chanthrakumar was responsible for training. It is also worthwhile pointing out that when questioned on the evening of the test purchase, Mr Thevakanthan said that the seller hadn't received training as he had only worked there two weeks and they were waiting for forms from the Council.

Taking all we have heard today into account, we are satisfied that for the last 12 months at least, Mr Thevakanthan has had significant involvement in the day to day running of these premises and that he is the cause of the issues that have brought this licence to review.

In reaching our decision we have taken into account the Secretary of State's guidance. We have considered the cause of the concerns and looked at appropriate LS/D/005/19/1

and proportionate actions. We have considered the conditions put before us today, however, we have no faith that the management of the premises will abide by any conditions. We believe that the concerns are so serious that only revoking the licence is an appropriate and proportionate response to remedy them.

This decision will come into effect in 21 days unless notice of appeal is served within that time.

Date: 5<sup>th</sup> June 2014

Signed.....

Designation Principal Solicitor (Licensing)

the officer appointed for this purpose

Please address any communications to:

Licensing Service  
Municipal Buildings  
PO Box 4  
Blackpool  
FY1 1NA

**Note: An appeal against this decision may be made by the applicant/the Chief Officer of Police as applicable (See Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the licensing authority's area or part of it is situated within 21 days from the date of receipt of the notification of the decision.**

**Blackpool Council Licensing Service**  
**Representation made by a Responsible Authority**

**Responsible Authority**

Name of Responsible Authority	<b>Blackpool Council (Weights &amp; Measures)</b>		
Name of Officer <i>(please print)</i>	P.P.O Shaun McKinney		
Signature of Officer			
Contact telephone number	<b>01253 478391</b>		
Date representation made	<b>28</b>	<b>04</b>	<b>2015</b>
Do you consider mediation to be appropriate	<input type="checkbox"/>	YES	NO

**Premises Details**

Premises Name	<b>Bolton Street News</b>
Address	90 -92 Bolton Street
	Blackpool
Post Code	FY1 6AA

**Details of your representation (Please refer and attach any supporting documentation)**

Following a review of the Application for a Premise Licence for the above premise, of particular interest to Trading Standards (Weights & Measures) relates to the licensing objectives section e) The Protection of Children from Harm, on that basis this service recommend that the following are incorporated into the submission.

- A Challenge 25 policy must be adopted and enforced
- That the frequency of refresher training in relation to the supply of age restricted products follows the original document submission (Age Check Due Diligence Checklist) every 12 weeks and is documented and available for inspection upon request.
- A personal Licence holder will be available to attend the premises within 30 minutes while the sale of alcohol takes place.
- All members of staff have attended an accredited ARAR Course (Award for Responsible Alcohol Retailing Award) level 1, within 28 days of commencing employment.

**For New / Variation Applications only.**

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**



**Blackpool Council Licensing Service**  
**Representation made by a Responsible Authority**

**Responsible Authority**

Name of Responsible Authority	<b>Health and Safety</b>			
Name of Officer <i>(please print)</i>	Gareth Shaw			
Signature of Officer				
Contact telephone number	<b>01253-478315</b>			
Date representation made	<b>28</b>	<b>04</b>	<b>2015</b>	
Do you consider mediation to be appropriate				NO

**Premises Details**

Premises Name	
Address	90-92 Bolton Street
	Blackpool
Post Code	FY1 6AA

**Details of your representation (Please refer and attach any supporting documentation)**

The health and safety section would like to make representation that the management of health and safety at these premises is very poor and that a visit to the premise was carried out on the 27<sup>th</sup> of April 2015 where Mr Srikantharaja and Mr Chandrakumar were present in the shop area.

It is worth noting at the time that Mr Chandrakumar's family live above the shop in a flat accessed directly from the shop floor area occupants to this flat included his wife and 2 children, a daughter of 2 years old and son who is 3 months old. I was so concerned about the fire safety aspects and the lack of concern shown from Mr Chandrakumar that I went to south shore fire station and reported them immediately after my visit.

1) Poorly maintained flooring at the entrance of the shop.



2) Leaking internal ceiling at the front of the shop directly above electrical installations.

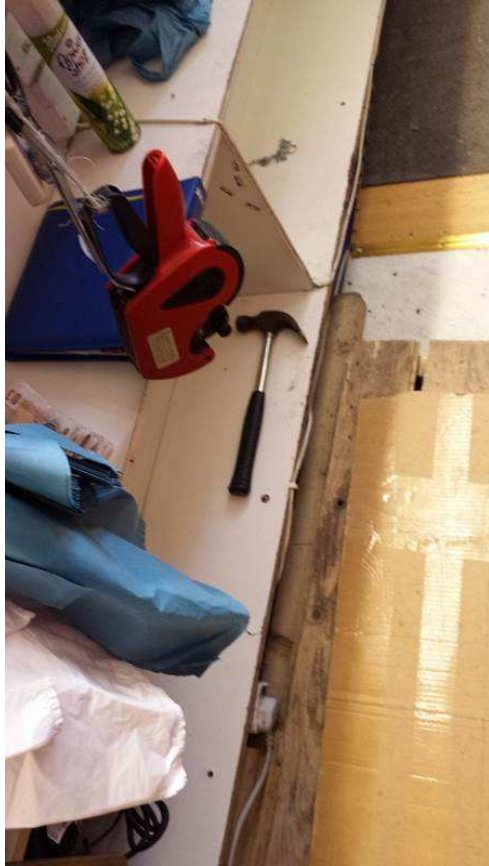


- 3) Cabling in traffic routes and also permanent use of domestic extension leads without any signs of testing and maintenance. In addition to there was an axe handle kept behind the counter.





- 4) Hammer kept behind the counter and also very poor cleanliness of equipment, fixtures and fittings.



5) Fire detector hanging from its fixings.



6) Missing fire separation and poorly fitted door leading to upstairs flat.



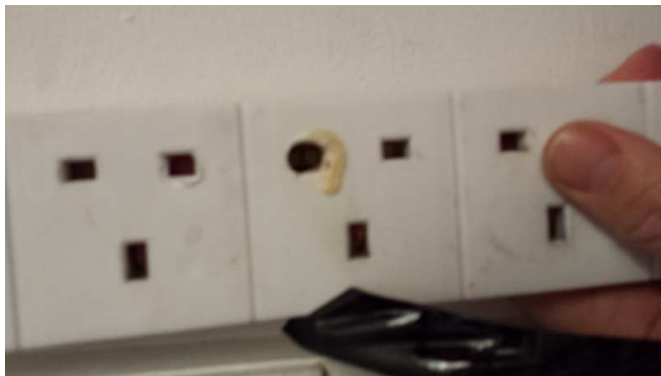
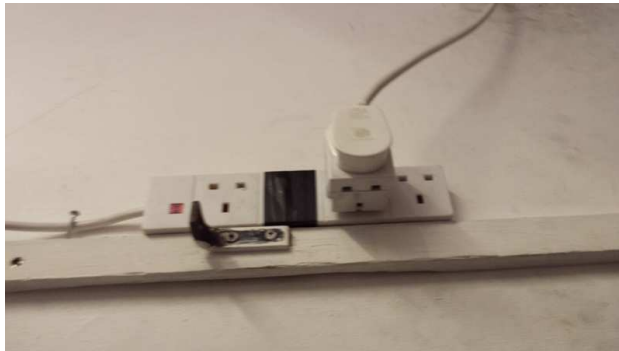
7) Further damaged flooring in shop area.



8) Filth under shelving units

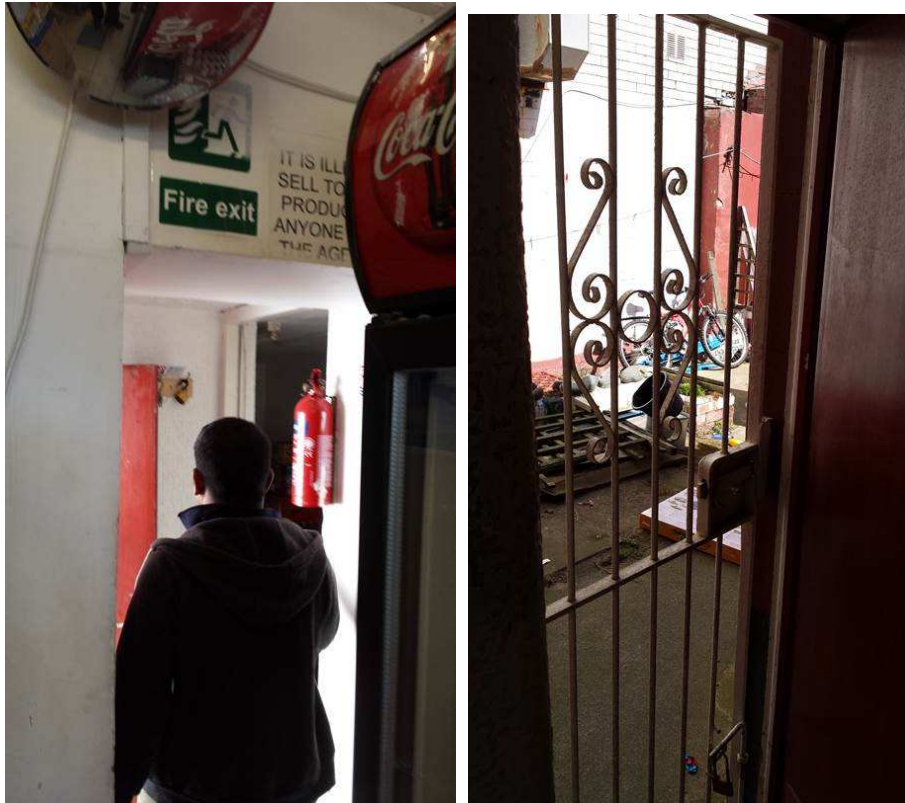


9) Extension lead in use that has previously melted at one point and primary insulation exposed to a plug top.





10) Fire exit relating to shop and flat above gated with no quick method of exit available.



11) Gas boiler with no evidence of safety checks, poorly maintained washing machine and chemicals stored with food items which are also stored on the floor.



12) Overflowing waste bin and a very poorly maintained yard area. Note that this area is also used for the children to play in.

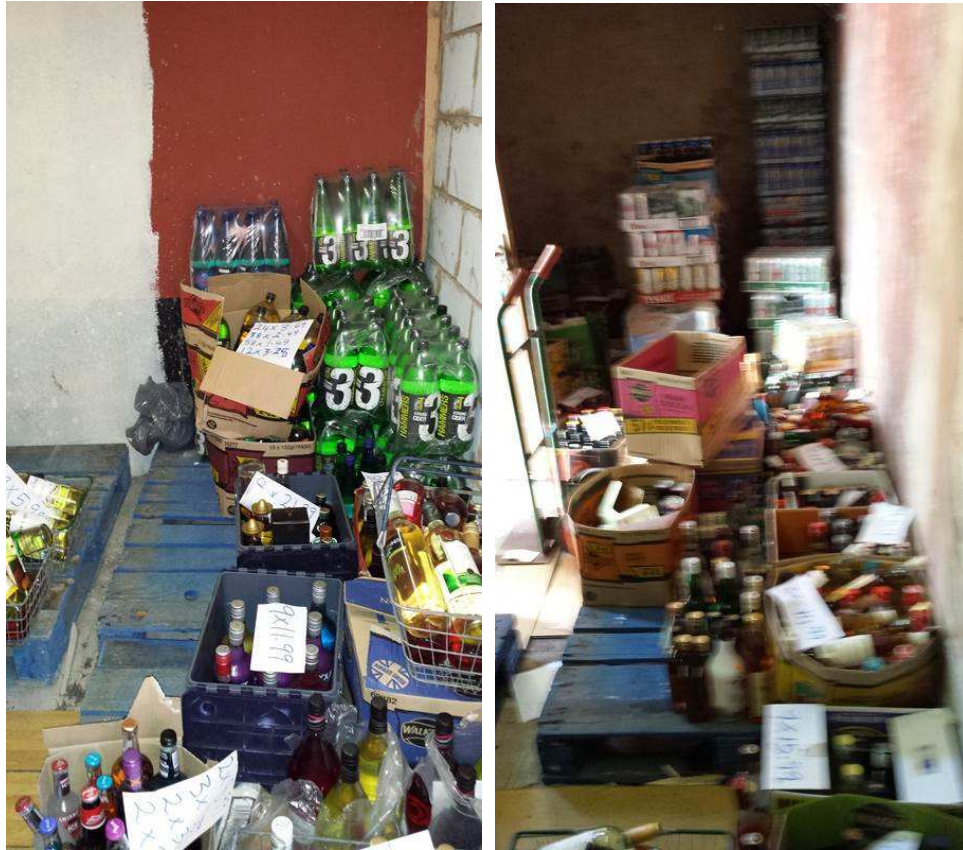


13) Electrical cabling requiring further investigation hanging down in yard area.

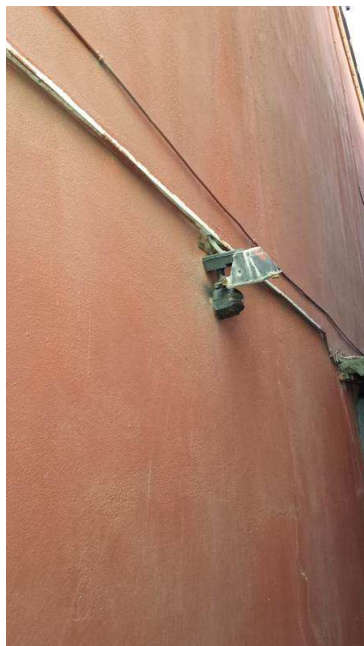




14) Large stock of alcohol in garage to the rear of the property.



15) External electrical lighting hanging from it fixings.



**For New / Variation Applications only.**

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**