

Blackpool Council

6 June 2017

To: Councillors G Coleman, Humphreys and Roberts

The above members are requested to attend the:

LICENSING PANEL

Wednesday, 14 June 2017 at 6.00 pm
in Committee Room A, 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 THE REVIEW OF A PREMISES LICENCE- BISPHAM LOCAL STORE

(Pages 1 - 34)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- BISPHAM LOCAL STORE, 101 BISPHAM ROAD
- c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- BISPHAM LOCAL STORE, 101 BISPHAM ROAD

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

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	14 June 2017

APPLICATION TO REVIEW A LICENCE – Bispham Local Store

1.0 Purpose of the report:

1.1 To consider an application from the Weights and Measures authority to review the Premises Licence issued in respect of the Bispham Local Store, 101 Bispham Road.

2.0 Recommendation(s):

2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 This application must be determined by a panel.

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 a review application is submitted it must be considered by the Licensing Panel.

4.0 Background Information

4.1 Bispham Local Store, 101 Bispham Road has the benefit of a Premises Licence authorising the sale of alcohol for consumption off the premises:
Weekdays 08.00 – 23.00
Sundays 10.00 – 22.30
Christmas Day 12.00 – 15.00 and 19.00 – 22.30
Good Friday 08.00 – 22.30

4.2 On 24 April 2017, the Licensing Service received an application from Weights and Measures to review this licence on the grounds of protection of children from harm. A copy of the application is attached at Appendix 4a.

4.3 Representations in support of the application have been received from:

Lancashire Constabulary (Appendix 4b)
Health and Safety (Appendix 4c)
Child Protection Licensing Officer (Appendix 4d)

Copies of the representations are attached

4.4 At the time the review was submitted the Licence Holder and Designated Premises Supervisor was Amalan Arumugam. On the same day the Licensing Service received the review application they received an application to transfer the licence and vary the Designated Premises Supervisor. These applications were granted as no objections were received from the police. The licence holders are now Kajanthan Arumugam and Nirosha Kajanthan. Kajanthan Arumugam is now the designated premises supervisor.

4.5 **Local policy considerations**

None

4.6 **National policy considerations**

Section 11 reviews is relevant in particular:

11.20 – In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

If a suspension or revocation is being considered 11.23 should be taken into account “it will always be important that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.”

The panel have the following powers:

1. Take no action

2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

4.7 Observations

This licence has the following conditions endorsed upon it:

Annex 1 - Mandatory conditions

- 1 Alcohol shall not be sold or supplied except during permitted hours as stated.

The restrictions on permitted hours do not prohibit:
 - a) During the first twenty minutes after the permitted 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 force;
- 2 Alcohol shall not be sold in an open container or be consumed in the licensed premises.
- 3 No supply of alcohol may be made under the premises licence -
 - a) At a time when 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.
- 4 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.
- 5 (1) The premises licence holder or club premises certificate holder must

ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark or an ultraviolet feature.

6 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:

- a. "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- b. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

There are only the mandatory conditions on this licence as it has never been varied since it was converted from a Justices’ licence in 2005.

4.8 Does the information submitted include any exempt information? No

4.9 **List of Appendices:**

Appendix 4a: Review Application from Weights and Measures

Appendix 4b: Representation from Lancashire Constabulary

Appendix 4c: Representation from Health and Safety

Appendix 4d: Representation from Child Protection Licensing Officer

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.

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Blackpool Council

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE**

LICENSING ACT 2003

***Review
requested by:***

Weights & Measures Authority



Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572 / 8589
F: (01253) 47 8372

www.blackpool.gov.uk

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

I	Lois Peers
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[insert name of person requesting review]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
Premises Name and Address	Bispham Local Store (Booze 101)								
	101 Bispham Road								
	Blackpool	Post Code	F	Y	2		0	N	R
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Amalan Arumugam									
Premises Licence or Club Premises Certificate Reference Number (if known)								PL0108	

Part 2 – Applicant details

I am:

1) an individual, body or business which is not a responsible authority	Please tick
2) a responsible authority (please also complete 2C below)	√
3) a member of a club to which this application relates (also complete section 2A below)	

(2A) Individual Applicants (fill in as applicable)

Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over	Please tick				
							Yes	No			
Forenames						Surname					
Home address											
						Post Code					
						Post Code					
Telephone Number						Mobile Number					
E-Mail Address											

(2B) Other Applicant or Representing Body

Name											
Address											
						Post Code					
						Post Code					
Telephone No.											
Email Address											

(2C) Responsible Authority applicant

Name	Lois Peers											
Address	Bickerstaffe House											
	Number One Bickerstaffe Square											
	Blackpool					Post Code	F	Y	1		3	A
Telephone Number	01253 478389											
Email Address	lois.peers@blackpool.gov.uk											

Part 3 – Reason for Review

This application to review relates to the following licensing objective(s):

	Please tick
1) the prevention of crime and disorder	<input type="checkbox"/>
2) public safety	<input type="checkbox"/>
3) the prevention of public nuisance	<input type="checkbox"/>
4) the protection of children from harm	<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2 before completing)
<p>This review is brought by the Weights and Measures department following the premises selling alcohol to a 15 year old male volunteer during a test purchase exercise and an intervention meeting regarding the premises.</p> <p>Bispham Local Store (Booze 101) is located on Bispham road near to the Plymouth road traffic light junction and nearby is the secondary school Unity Academy.</p> <p>On the 20th March 2017 the weights and measures service was carrying out an operation in relation to using statutory powers to attempt to test purchase alcohol from premises to ensure that alcohol was not being sold to minors (contrary to S.146 Licensing Act 2003). Further checks are made to ensure that stated systems and procedures are robustly and effectively adhered to in order to reduce the likelihood of alcohol being supplied directly or to persons under the age of 18.</p> <p><u>Chronology of Issues</u></p> <p>On the 20th March 2017 at 18:01 hours a 15 year old male volunteer (shown below) entered Bispham Local Store (Booze 101), 101 Bispham Road, Blackpool under the instruction of a Police Constable and Weights and Measures Officer. The 15 year old volunteer was sold 2 bottles of Koppaberg Cider for £4.98. The seller on this occasion was Kajanthan Arumugan. On entering the premises to deal with the sale the office was advised that the seller had not received any training in respect of underage sales, there was no challenge policy in place and no refusals register was kept.</p> <p>I have enclosed a copy of the statement from PPO Lee Petrak whom dealt with the sale on the evening (Document 1).</p> <div style="border: 1px solid black; height: 150px; width: 100%; margin-top: 10px;"></div>

As a result of this sale an invitation was sent out to the Premises Licence Holder and Designated Premises Supervisor Amalan Arumugan (PLH/DPS) to attend an intervention meeting at our offices on the 19th April 2017 with Lancashire Constabulary and Lois Peers (Weights & Measures Service) (**Document 2**).

On the 19th April 2017 a Kajanthan Arumugan (seller) attended this meeting and advised that Amalan Arumugan (PLH/DPS) would not be attending the meeting. Kajanthan Arumugan was not written to and requested to attend as he has no recorded formal position with this business on the premises licence. I advised him that it was Amalan Arumugan that needed to attend and not himself however he claimed that he would be immediately taking over as Designated Premises Supervisor and Premises Licence Holder. He advised us that there is no training in place regarding Underage Sales;

- No documented training
- No Till prompts
- No Refusals Register
- No Challenge Policy

Kajanthun Arumugan advised our office that his wife Nirosha Arumugan was the owner of the business since July 2015 and that Amalan Arumugan was barely at the shop anymore maybe once a week. Kajanthun Arumugan advised that his experience in the alcohol retail industry only commenced when he started working in Bispham Local Store approximately 12 months ago. He has a personal alcohol licence and has attended a course. He brought along an Underage training book he had ordered from Amazon (this isn't the most up to date book and needs amendments) that he wished to start implementing and a refusals register.

Kajanthun Arumugan assured our office an application would be submitted to change both the Designated Premises Supervisor and Premises Licence Holder before Monday 24th April 2017.

Amalan Arumugan has never been registered for Council Tax at the first floor flat 101 Bispham Road, Blackpool although Kajanthun and Nirosha Arumugan have been listed there since December 2014.

In respect of Business Rates neither Amalan Aruguman, Kajanthan Aruguman or Nirosha Arumugan are listed as being responsible for the premises.

We feel it is a necessary and proportionate to request a suspension of the licence and further conditions to be added to the licence.

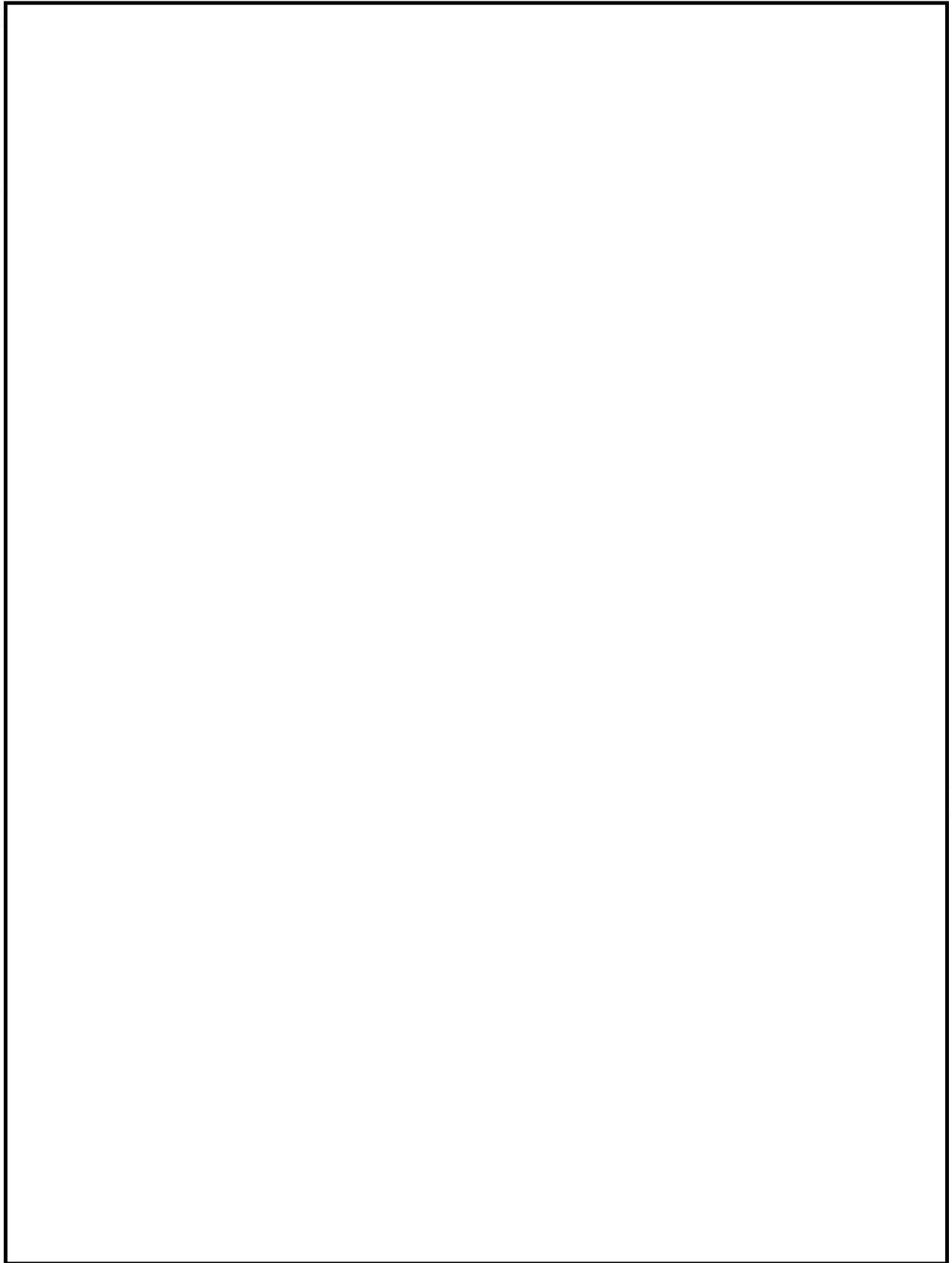
1. The licence holder shall erect and maintain a sufficient number of signs at and in the vicinity of alcohol sales points informing customers that sales will not be made to persons under 18 years of age.
2. The licensee will implement Challenge 25 and the only forms of identification acceptable will be:

UK Photo driving licence
Passport
Proof of Age Standards Scheme Card.
3. A refusal register to be kept and maintained which is readily available for inspection by a police constable or authorised officer and this register will be reviewed weekly by the licence holder or Designated Premises Supervisor.
4. Refresher training re Underage Sales to be provided to all staff every three months, and documented evidence.
5. All staff must be over the age of 18 to sell alcohol.
6. A record shall be kept on the premises of every person employed at the premises.

The record is to contain the following details:

- (i) Name and address.
- (ii) Date of birth.
- (iii) Time duty commenced and time duty terminated.

Said records are to be made available for inspection upon demand by a Police officer or any authorised officer.



Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 3 before completing)

Part 4 – Other relevant information

Have you made an application for review relating to this premises before?	Please tick		
	Yes	No	
		X	
If yes, please state the date of that application	Day	Month	Year


If you have made representations before relating to this premises, please state what they where and when you made them.

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	Yes	No
		X
I understand that if I do not comply with the above requirements my application will be rejected	Yes	No
		X

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

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5) If signing on the behalf of the applicant please state in what capacity.

Signed	
Print Name	Lois Peers
Capacity	Public Protection Officer – Weights & Measures
Date	24 th April 2017

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)

Title:	Mr	Mrs	Miss	Ms	Other	

Forenames		Surname										
Address for Correspondence associated with this application												
		Post Code	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>									
Telephone Number		Mobile Number										
E-Mail Address												

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
6. This is the address that we shall use to correspond with you about this application.

Blackpool Council Licensing Service				
Representation made by a Responsible Authority In support of an application for the Review of an existing Premises Licence or Club Premises Certificate				
Responsible Authority making representation				
Name of Responsible Authority	Lancashire Constabulary			
Name of Officer <i>(please print)</i>	PC 4107 Emma Pritchard			
Contact telephone number	01253 604007			
Date representation made	18	05	2017	
Do you consider mediation appropriate			YES	NO
Name of Responsible Authority / Applicant who requested a review of this Licence				
Premises Details				
Premises Name	Bispham Local Store (was Booze 101)			
Address	101 Bispham Road			
	Blackpool			
Post Code	FY2 0NR			
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>Lancashire Constabulary support the Review application by The Weights and Measures Authority submitted by Lois Peers on the grounds of the protection of children from harm.</p> <p>On 20th March 2017 a joint Alcohol Test Purchasing Operation was conducted by Blackpool Council Trading Standards and Lancashire Constabulary. A 15 year old male volunteer entered Booze 101, 101 Bispham Road, Blackpool at 18:01hrs and was sold alcohol (2 bottles of Koppaberg cider) and was not asked to provide any identification. Arumugam KAJANTHAN (dob 01/07/1980) was spoken to by PC 4107 Emma Pritchard shortly after this and informed he had committed the offence of selling alcohol to a person under 18 contrary to section 146 of The Licensing Act 2003. PC Pritchard saw that Mr KAJANTHAN had a personal alcohol licence however he said that he had not undergone any written training whilst working at the premises. MR KAJANTHAN gave his address as the flat above the premises with his wife who was also working in the shop at the time. When asked where the DPS and PLH Amalan ARUMUGAM was he said he was in Liverpool. It was explained to Mr KAJANTHAN that a meeting regarding this failed test purchase would be set up with</p>				

Amalan ARUMUGAM. Due to technical difficulties Mr KAJANTHAN was not issued with a fixed penalty notice on the evening and PC Pritchard arranged to attend the premises the following day.

On 21st March PC Pritchard attended Booze 101 and issued a £90 penalty notice to Arumugam KAJANTHAN, with an option of attending a BIIAB accredited course ran by Blackpool Council as an alternative. At the time of this visit the DPS/ PLH was not present.

Lois PEERS of Blackpool Council Trading Standards advised me that she had written to the DPS/PLH Amalan ARUMUGAM to attend an intervention meeting arranged for 19th April in order to offer assistance to prevent future underage sales. I attended this meeting on 19th April, however it was Arumugam KAJANTHAN who attended the meeting not Amalan ARUMUGAM. It was explained it was the DPS/PLH we needed to speak to and Mr KAJANTHAN said his brother had just taken his wife to hospital so he couldn't attend the meeting. He was asked if his brother (the DPS/PLH) was ever present at the shop and he said the DPS went to Liverpool 3 days a week but he was at the shop the rest of the time. Mr KAJANTHAN said his wife Nirasha KAJANTHAN had bought the shop in July 2015 and that he and his wife had been there since but he didn't have a personal alcohol licence at the time so couldn't go on the licence. Mr KAJANTHAN said he would apply to put the premises licence in his name. He said there was no staff training in place and that it was only himself and his wife working there at that time. He said there was no refusals registrar or till prompts and was not aware of the challenge 25 policy. PC PRITCHARD advised Mr KAJANTHAN to train his wife and get her to sign and date training. PC PRITCHARD emailed examples of training as well as challenge 25 posters on 20th April. Mr KAJANTHAN was advised that the premises will be re-tested and if alcohol is sold to a person under 18 it would be a persistent sales of alcohol offence which could lead to a closure order, prosecution and/ or review and this would be viewed extremely seriously given the lack of training and lack of action from the current DPS/PLH.

On 24th April Lois PEERS submitted a Review for the Premises Licence Booze 101. Bispham Road.

On 25th April a transfer and vary DPS for this premises licence was submitted by Arumugam KAJANTHAN and Nirosha KAJANTHAN.

At the time of my representation no further test purchasing has been attempted at the premises and I have not re-visited the premises or spoken to Arumugam KAJANTHAN.

Although the Police have no reported incidents of crime occurring at the premises, they are concerned with the lack of presence by the previous PLH/DPS and the lack of policies or training in place to prevent underage sales of alcohol which is a crime which often goes unreported.

There are currently no conditions attached to this Premises Licence. Therefore The Police would ask that the committee consider the addition of the following conditions to the operating schedule:

1.The Licence holder is to support and rigorously enforce the Challenge 25 proof of age policy.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. UK photo driving licence
- ii. Passport
- iii. Proof of Age Standards Scheme Card
- iiii. Armed Forces ID card

Signs promoting this policy will be prominently displayed at public entrances and alcohol sales areas

2.All staff to have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request. Refresher training shall be conducted every 3 months as a minimum.

3.CCTV will be installed internally and externally at the premises and will comply with the following:

The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system. The system will incorporate a camera covering each of the entrance doors and will be capable of providing an image which is regarded as identification standard.

The system will display on any recording the correct time and date of the recording. The system will make recordings during all hours the premises are open to the public. Digital recordings shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.

The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.

4.A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.

5.The Licence Holder or Designated Premises Supervisor shall notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have


been taken to satisfy the licence conditions.

6. An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.

7. A Personal Licence holder will be available to attend the premises within 30 minutes while the sale and supply of alcohol takes place.

8. A refusals register to be kept and maintained which is readily available for inspection by a Police Constable or authorised officer and this register will be reviewed weekly by the licence holder or Designated Premises Supervisor.

Appendix 4c

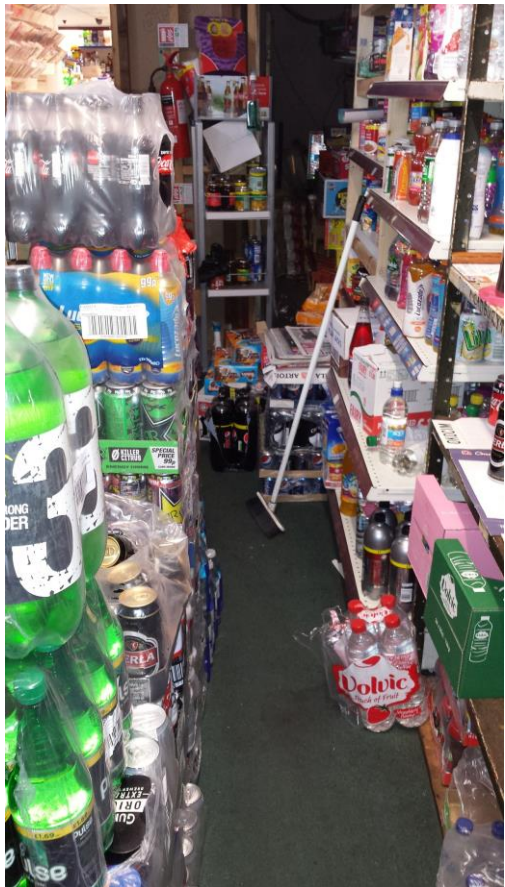
Blackpool Council Licensing Service				
Representation made by a Responsible Authority in support of an application for the Review of a Premises Licence				
Responsible Authority making representation				
Name of Responsible Authority	Health and Safety			
Name of Officer <i>(please print)</i>	Marcus Maddock			
Signature of Officer				
Contact telephone number	01253 478341			
Date representation made	28	04	17	
Do you consider mediation to be appropriate			<u>YES</u>	NO
Premises Details				
Premises Name	Booze 101			
Address	101 Bispham Road			
	Blackpool			
	Lancashire			
Post Code	FY2 ONR			
Reasons for making representations				
<p>The health and safety section wish to make representation as part of the ongoing licencing review of 'Booze 101'. The inspection revealed several health and safety concerns which undermine the Public Safety objective of the Licensing Act.</p> <p>My colleague Jacqui Harrison and I visited the premises on 20th April 2017. During our inspection we found poor welfare facilities, in particular limited access to the hand washing stations, no hand soap and no means of hand drying. There was also an inadequate provision of hot water (a kettle type device to heat up the cold water). The sanitary facilities were in a poor condition of cleanliness in general.</p> <p>The access and egress at the back of house was extremely poor, and presented many hazards. The traffic routes in the public areas weren't much better with an excess of stock lining the walkways. Shown on pages 2 and 3.</p> <p>There were some minor electrical concerns as well, shown on page 4, that require making good. A valid electrical certificate could not be provided at the time of our visit.</p>				



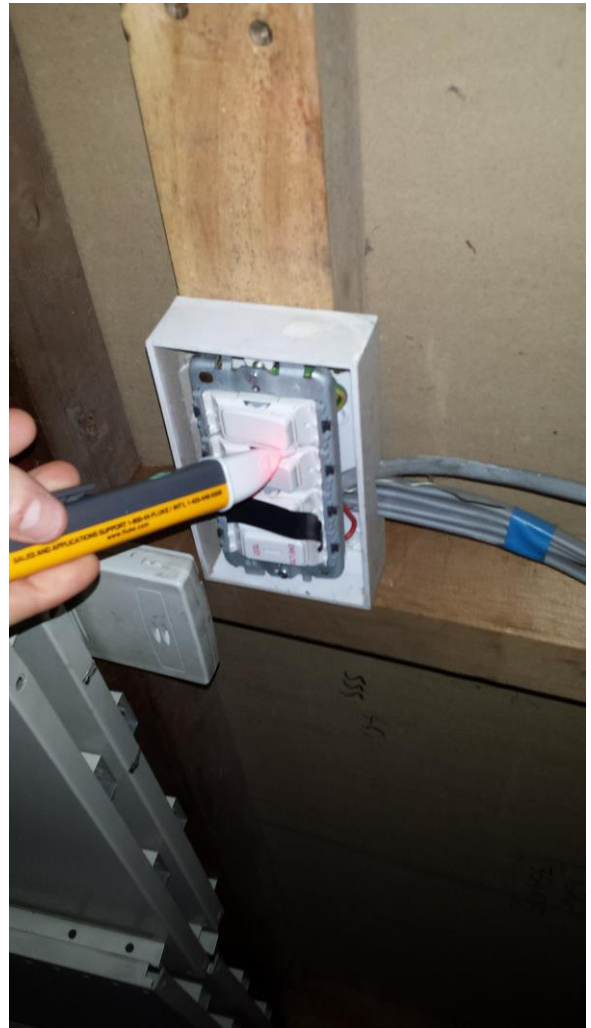
Obstructed traffic routes (front of house), predominantly due to excessive stock levels.



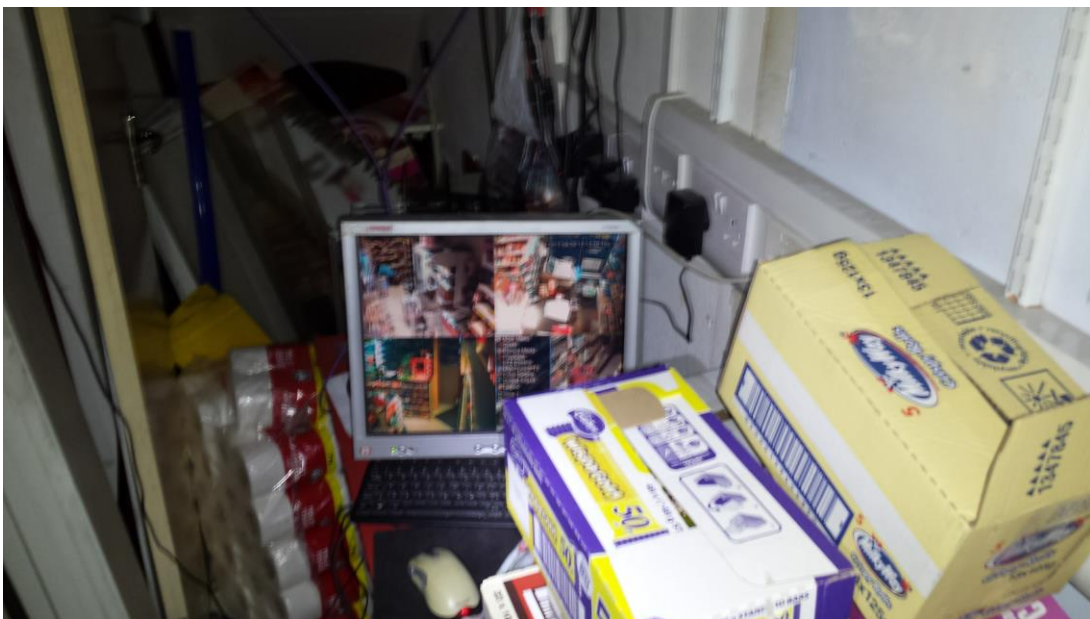
Picture showing 1 socket feeding 3 drinks fridges - under resourced in regards to electrical sockets. Overloaded electricity is a major cause of fire and this extension lead is next items that would easily combust if the socket or wires overheated.



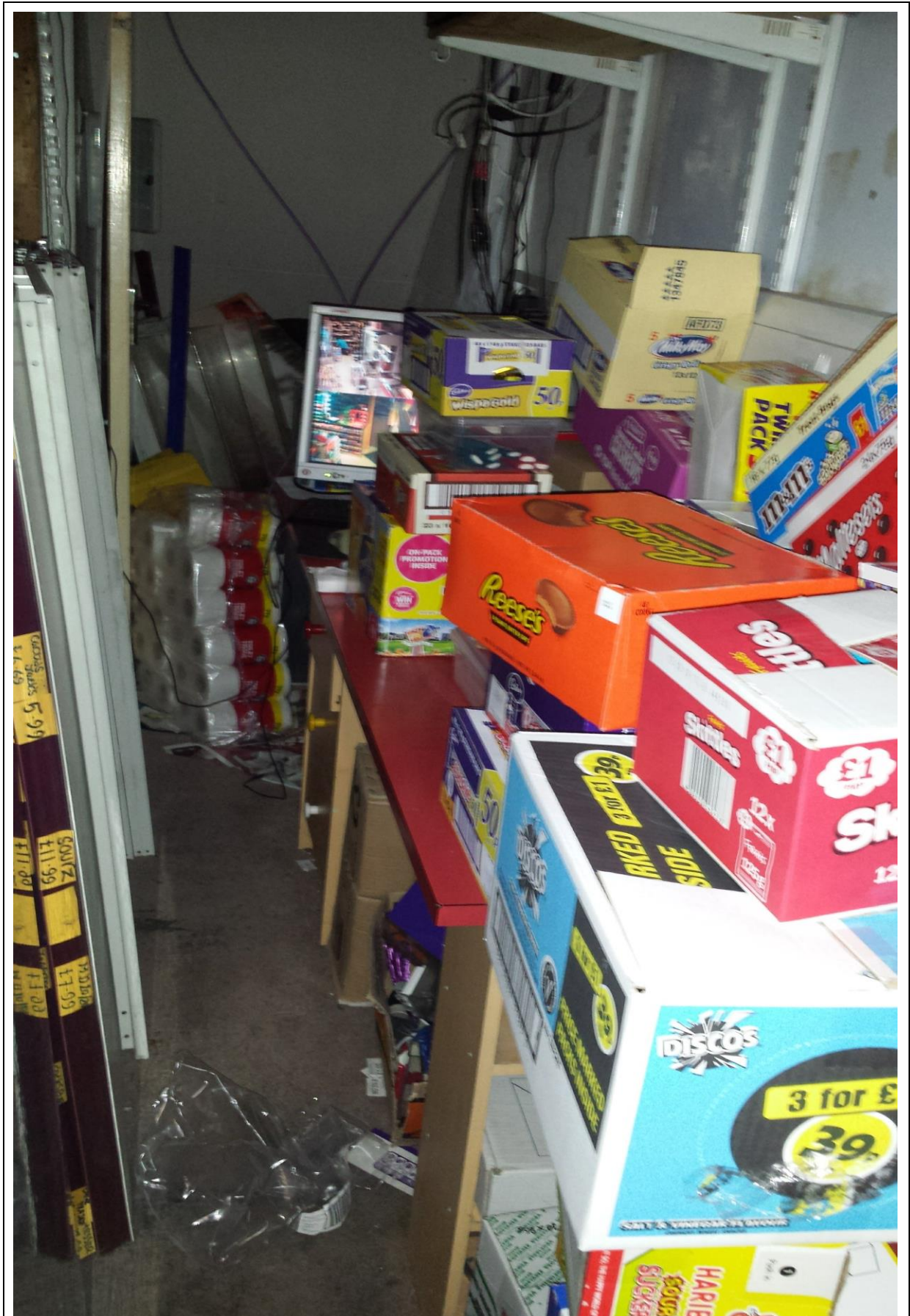
All 4 images showing the access and egress at the back of house. Traffic routes are heavily obstructed with stock. Picture on top right showing the stores emergency exit.



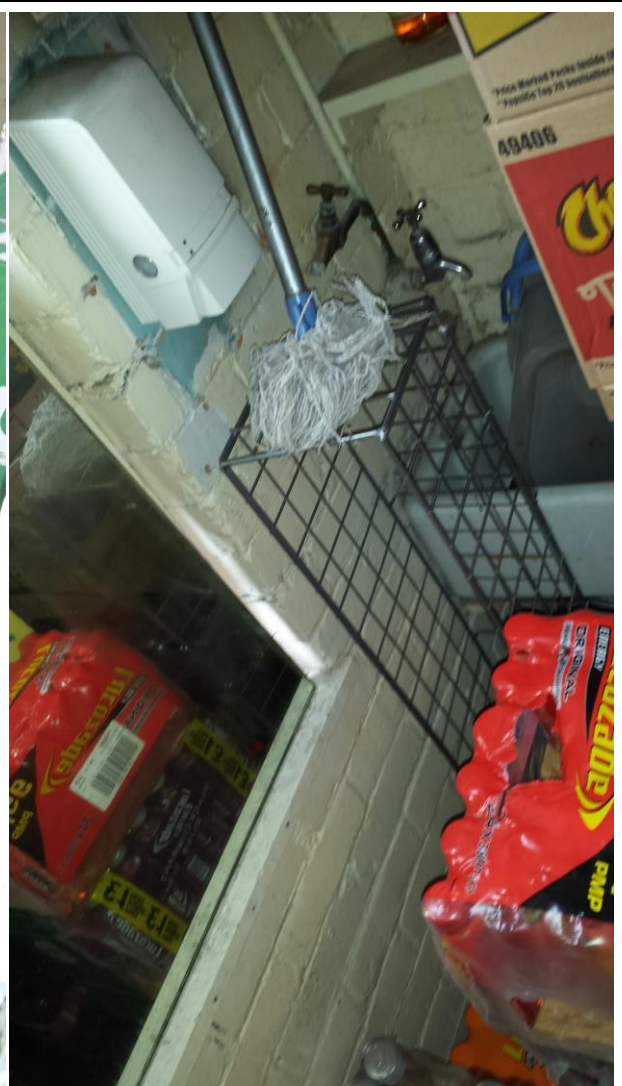
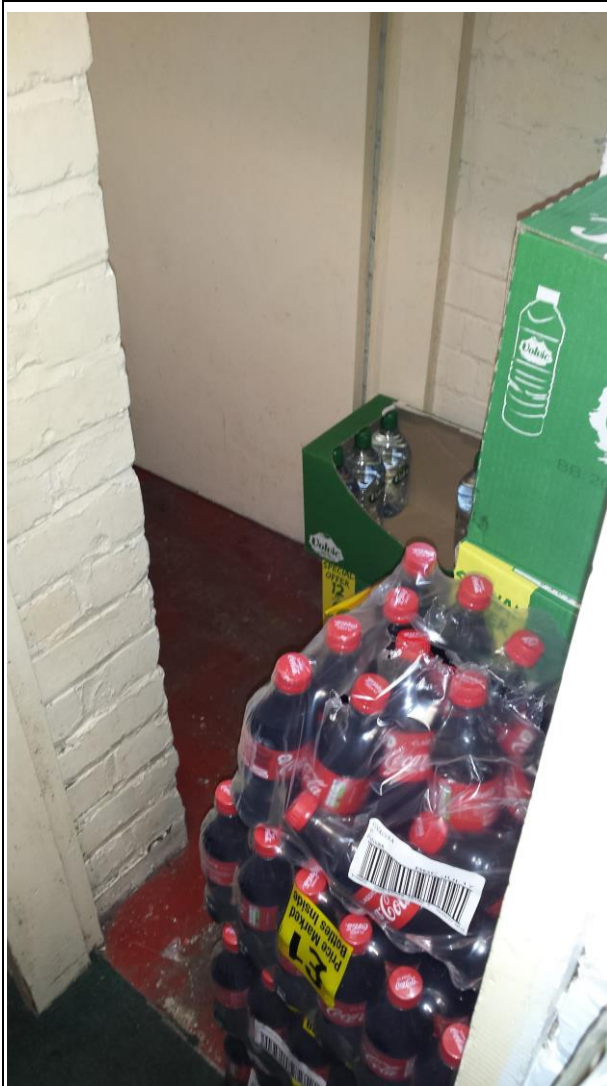
Picture on the left shows a bank of switches with the front casing removed. The picture on the right shows exposed live parts. A degree of protection should be provided so this contravenes Wiring Regulations 2008.



CCTV screen obstructed by excessive stock and empty boxes.



Another picture showing the walkway leading to the CCTV screen.



Picture on the left showing the entrance to the staff toilet blocked with stock. Picture on the top right showing more stock blocking access to the hand wash facilities. Bottom right shows additional hand wash facilities in the main store room. Again, obstructed by boxes of shop stock and also bags of rubbish. No soap in the hand soap dispenser and inadequate hot water facilities. Nowhere for staff to dry their hands.



Blackpool Council Licensing Service				
Representation made by a Responsible Authority				
Responsible Authority				
Name of Responsible Authority	Blackpool Child Protection Licensing Officer			
Name of Officer <i>(please print)</i>	Louise Scales			
Signature of Officer	<i>L.M. Scales</i>			
Contact telephone number	01253 477538			
Date representation made	17	05	2017	
Do you consider mediation to be appropriate			<input type="checkbox"/>	<input checked="" type="checkbox"/> NO
Premises Details				
Premises Name	Bispham Local Store (Booze 101)			
Address	101 Bispham Road			
	Blackpool			
Post Code	FY2 0NR			
Details of your representation (Please refer and attach any supporting documentation)				
<p>My role as Child Protection Licensing Officer focusses on managing the various risks that makes both children and adults unsafe; alcohol constituting a significant risk factor.</p> <p>Bispham Local Store, 101 Bispham Road licence no. PL0108 has a mandatory condition, no 5 on the licence:</p> <p>(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</p> <p>(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.</p> <p>(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark or an ultraviolet feature.</p> <p>On 20th March 2017 Weights and Measures carried out a test purchase operation for alcohol using a 15 year old male volunteer. He was sold 2 bottles of cider by Kajanthan Arumugan.</p> <p>I am concerned that Kajanthan Arumugan a personal licence holder has failed to uphold his</p>				

responsibilities under the Licensing Act 2003 to Protect Children from Harm and now intends to apply to be Designated Supervisor of the premises.

I support the application of Weights and Measures to review this licence.

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.

1. The licence holder shall erect and maintain a sufficient number of signs at and in the vicinity of alcohol sales points informing customers that sales will not be made to persons under 18 years of age.
2. The licensee will implement Challenge 25 and the only forms of identification acceptable will be:
 - U.K photo driving licence
 - Passport
 - Proof of age standards scheme card
3. A refusal register to be kept and maintained which is readily available for inspection by a Police Officer or Authorised Officer and the register will be viewed weekly by the Licence Holder or Designated Premises Supervisor.
4. Refresher training re Underage Sales to be provided to all staff every three months and documented evidence.
5. All staff must be over the age of 18 to sell alcohol.
6. A record shall be kept on the premises of every person employed at the premises. This record to contain the following details
 - (i) Name and Address
 - (ii) Date of birth
 - (iii) Time duty commenced and time duty terminated.