

# Blackpool Council

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

**LICENSING ACT 2003**

***Review  
requested by:***

Mark Marshall



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

**Contact**

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[www.blackpool.gov.uk](http://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.

<b>I</b>	Mark Marshall, Licensing and Health and Safety Manager
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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.									
<b>Premises Name and Address</b>	Al Amir								
	37-39 Talbot Road								
	Blackpool	<b>Post Code</b>	F	Y	1		1	L	L
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
<b>Premises Licence or Club Premises Certificate Reference Number (if known)</b>								PL1391	

### *Part 2 – Applicant details*

I am:

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

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

Please tick

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

**(2B) Other Applicant or Representing Body**

<b>Name</b>														
<b>Address</b>														
						<b>Post Code</b>								
<b>Telephone No.</b>														
<b>Email Address</b>														

**(2C) Responsible Authority applicant**

<b>Name</b>	Mark Marshall												
<b>Address</b>	Health and Safety												
	Bickerstaffe House, 1 Bickerstaffe Square												
						<b>Post Code</b>	F	Y	1			3	A
<b>Telephone Number</b>	01253-478493												
<b>Email Address</b>	Mark.marshall@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	<b>X</b>
2) public safety	<b>x</b>
3) the prevention of public nuisance	
4) the protection of children from harm	

Please state the ground(s) for review (please read guidance note 2 before completing)

### Introduction

On the 24<sup>th</sup> November 2016 I was working in company with Sgt Helen Parkinson and 2 Home Office Immigration Officers, Paul Cook and Karl Swayne.

The intention was to visit takeaways and medium size restaurants based around the town centre of Blackpool.

At approximately 17.40hrs we entered the Al Amir restaurant on Talbot Road, the premises were open for business and at this time there were two men sat at the bar drinking alcohol whilst waiting for a takeout order. Both of these men were known to me as they operate licensed premises in town. They confirmed in conversation that they were awaiting a takeout food order which they had paid £60 for and just having a beer while they were waiting.

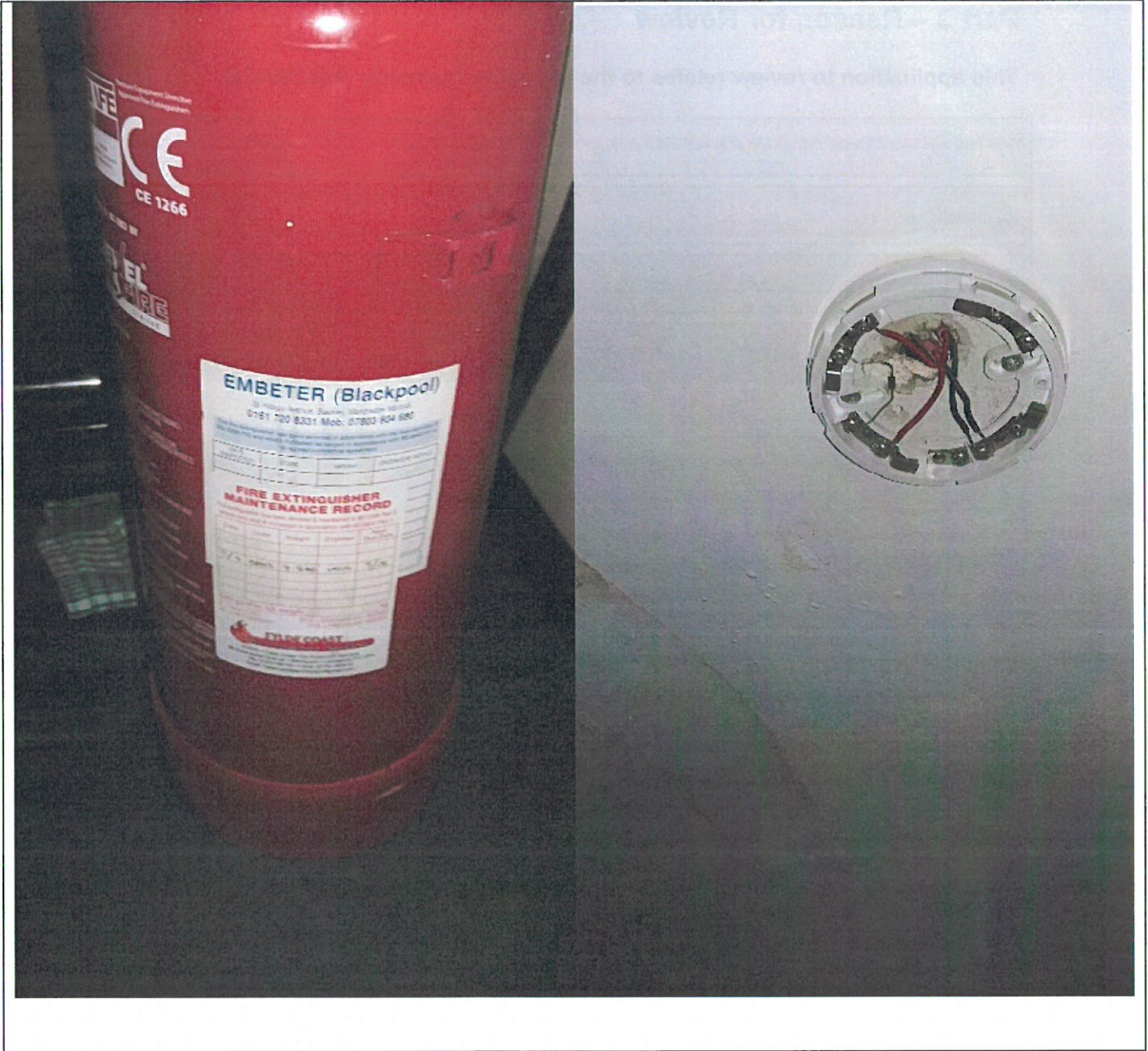
At the same time I was approached by an Asian male wearing a black shirt and black trousers who asked how many it was for, I identified myself and confirmed we were not there to eat but to check the premises were complying with the conditions of its licence, to test some of the spirits on sale to ensure the ABV was correct and also to obtain some staff information, at this point I introduced the colleagues I was with.

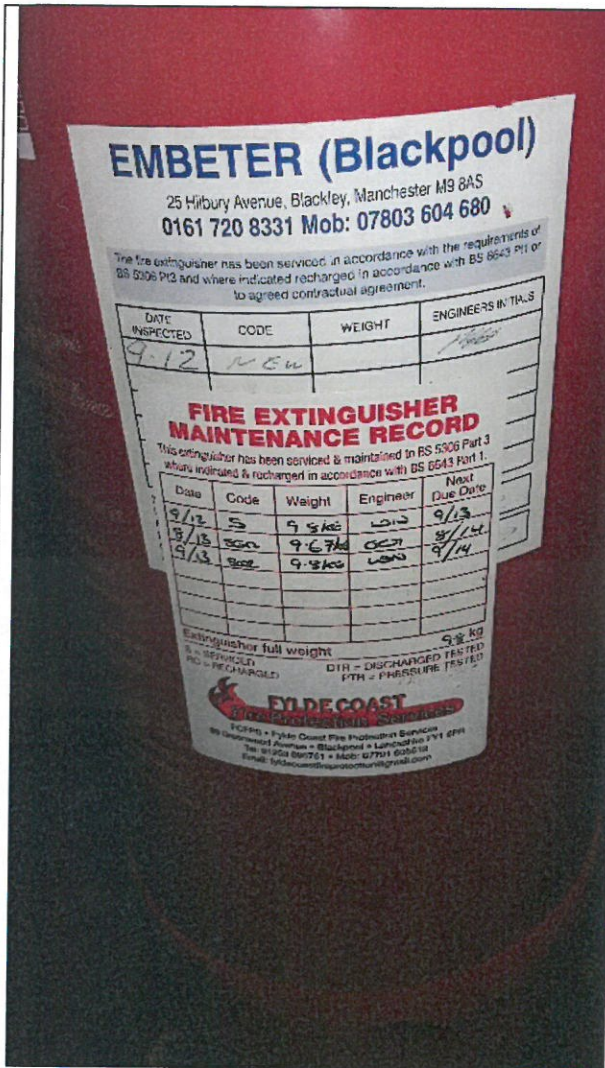
Within 5 seconds of this introduction the male ran towards the front door. It was reported by one of the immigration staff that he ran out so quickly that he was nearly knocked over by a bus; a busy bus stop is located immediately at the front of the premises on Talbot Road.

The customers at the bar were shocked with what had just happened and the disappearance of this staff member meant that there was only the chef left; he was busy preparing the customers food so we were left in sole control of the front of house.

Sgt Parkinson and I began to have a look around the premises while the 2 immigration colleagues monitored the front of house, we went in the kitchen to find the CCTV system, we asked if the Chef knew how to use the system and he confirmed he did not.

Upstairs I discovered some concerns with the fire safety arrangements in that there was a defective smoke alarm in the gents toilets which had exposed electrical terminals and the fire extinguishers sited around the building were significantly overdue a service.





3 fire extinguishers were checked, 2 had a service due date of September 2014 and one had a service due date of September 2015.

At approximately 18.10hrs the DPS Muhammad RASHID turned up at the premises, at this point the front of house where customers were sat, cash and alcohol was stored had been unsupervised for half an hour, but for the officers at the premises monitoring the situation the cash and alcohol would have been vulnerable to theft and due the time of day, the busy town centre location the likelihood of such an occurrence would have been significant.

Mr Rashid was spoken to by the immigration officers and was only able to provide a first name and a mobile number for the male that ran out of the premises, details of the conversation will be provided by Paul Cook.

The text below has been provided by Paul Cook;

Good Morning Mark ,

On the evening of the visit I was asking Mr Rashid who the Gentleman was who absconded from the premises. He stated that his name was UMER a friend , but does not work for him. I asked him if he had any further details as in a full name and address for UMER , he said no. Whilst I was talking to him UMER had rang him, and Mr Rashid gave me his two mobile numbers, but was very nervous in relation to UMER.

I then asked if he had any records on site of his employees, he stated no they are with my accountant. I made him aware of the Current Civil Penalty legislation, that there is Potentially a fine of £20,000 per employee if found to be an employer of somebody who is working illegally in the United Kingdom

Sgt Parkinson and I enquired further about the CCTV to establish if it was recording so we could assist the Immigration staff to trace this male's identity, Mr Rashid confirmed that the CCTV was not recording.

I then checked some of the spirits behind the bar to ensure they had not been watered down or substituted, all the ABV checks were found to be in order.

### **Conclusion**

Important Licensing Conditions have been flagrantly ignored namely having a CCTV system that is appropriate for its purpose, the minimum standard should be at least saving images which can assist in the detection or prevention of crime .

Public Safety concerns were also disclosed in that live electrical terminals were exposed in the gents toilets and the firefighting equipment is substantially beyond its service due date.

At this stage in time we can only draw an inference that the male who ran out of the building was an illegal immigrant, the employer should be obtaining and confirming that individuals have the right to work in the UK, in this case the employer only had a first name and a mobile number which does not discharge his duties under the Immigration Act.

The employment of illegal workers opens all sorts other concerns from illegal human trafficking right through to labour exploitation, tax avoidance and in the worst case organised crime.

For Licensed Premises based in the town centre to be found in this position causes this Authority huge concern and I believe the premises have traded irresponsibly and in the view of the Authority making this application the licence should be revoked.

Please see Para 11.23 of the Section 182 Guidance;

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, 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.

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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**

	Please tick	
<b>Have you made an application for review relating to this premises before?</b>	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>If yes please state the date of that application</b>	Day	Month
	Year	
	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>


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

	Please tick
<b>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.</b>	<input checked="" type="checkbox"/>
<b>I understand that if I do not comply with the above requirements my application will be rejected</b>	<input checked="" type="checkbox"/>

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.**

<b>Signed</b>	
<b>Print Name</b>	Mark Marshall



<b>Capacity</b>	Licensing and Health and Safety Manager
<b>Date</b>	2 <sup>nd</sup> December 2016

<b>Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)</b>										
<b>Title:</b>	<b>Mr</b>	<b>Mrs</b>	<b>Miss</b>	<b>Ms</b>	<b>Other</b>					
<b>Forenames</b>					<b>Surname</b>					
<b>Address for Correspondence associated with this application</b>										
						<b>Post Code</b>				
	<b>Telephone Number</b>	01253 478493			<b>Mobile Number</b>	07796994786				
<b>E-Mail Address</b>	Mark.marshall@blackpool.gov.uk									

## 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.