

Appendix 4a

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					
Telephone Number						Mobile Number					
E-Mail Address											

(2B) Other Applicant or Representing Body

Name										
Address										
						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)

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.

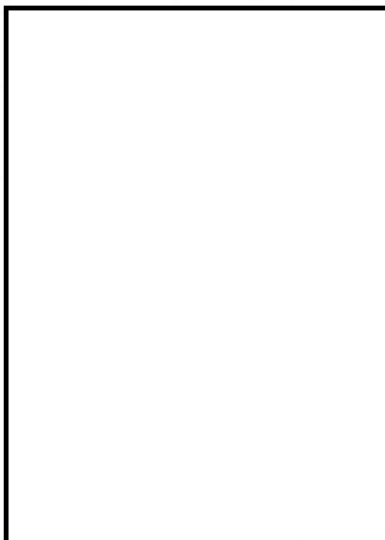
Bispham Local Store (Booze 101) is located on Bispham road near to the Plymouth road traffic light junction and nearby is the secondary school Unity Academy.

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.

Chronology of Issues

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.

I have enclosed a copy of the statement from PPO Lee Petrak whom dealt with the sale on the evening (**Document 1**).



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.

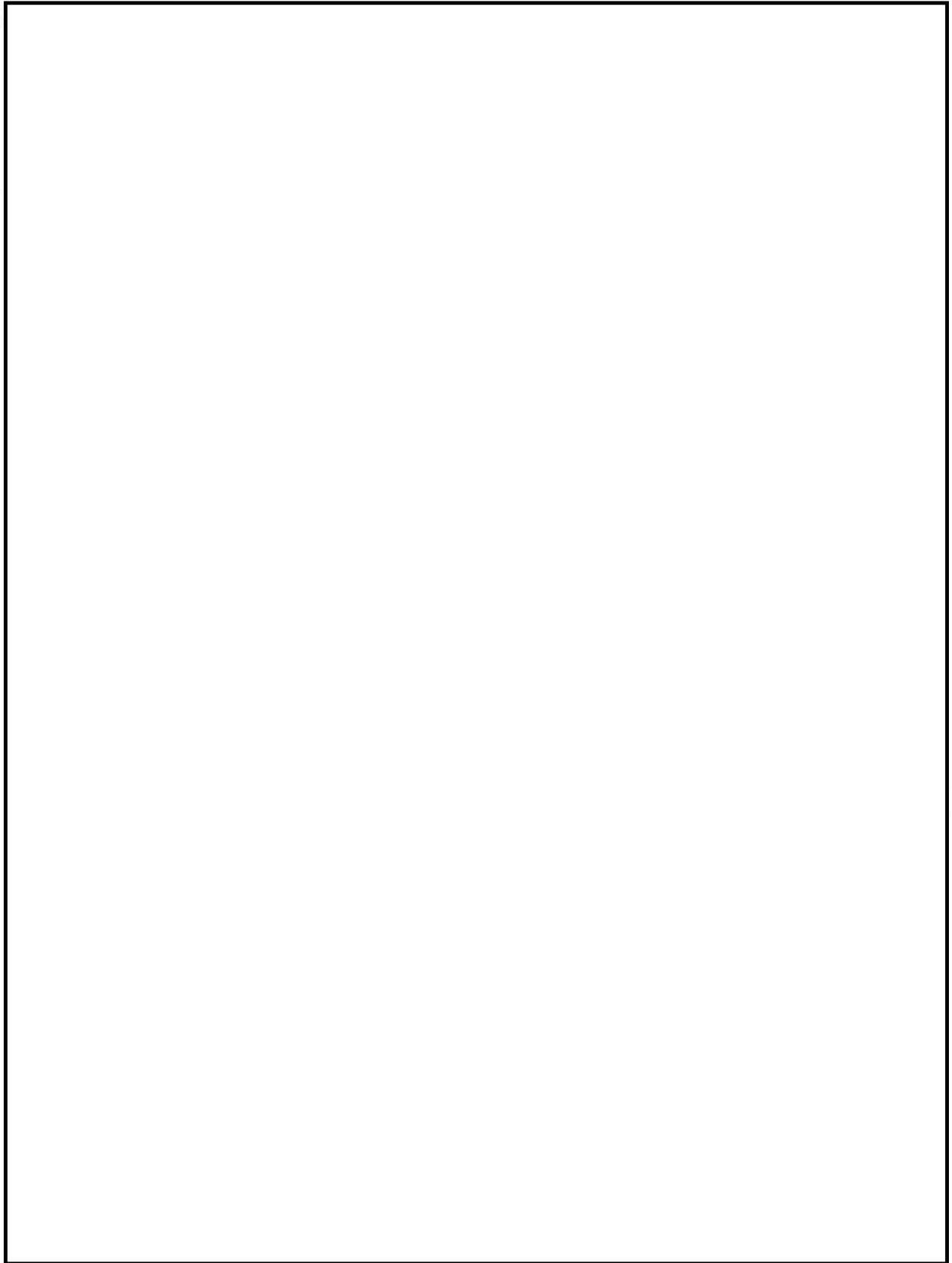
1. The licence holder shall erect and maintain a sufficient number of signs at and in the vicinity of alcohol sales points informing customers that sales will not be made to persons under 18 years of age.
2. The licensee will implement Challenge 25 and the only forms of identification acceptable will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