


Blackpool Council Licensing Service
Representation made by a Responsible Authority

Responsible Authority

Name of Responsible Authority	Licensing Authority		
Name of Officer <i>(please print)</i>	Mark Marshall		
Signature of Officer			
Contact telephone number	01253-478493		
Date representation made	18	02	2015
Do you consider mediation to be appropriate			NO

Premises Details

Premises Name	Whistle Stop Number 1
Address	78 Sherbourne Road
	Blackpool
Post Code	FY1 2PQ

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

The application for the grant a new Off licence concerns the Licensing Authority on the grounds of saturation or cumulative impact, the Statement of Licensing Policy is currently under review and the current draft very much recognises the issues around Alcohol harm and related violence in particular domestic violence.

Claremont ward has the 2nd highest rates of domestic violence in the town and has 23 Of Licence Premises, the 3rd highest ward in terms of Outlet density.

Whilst the applicant has modified his trading hours to what could be described as sensible hours the location of the premises and the challenges in the ward that it sits will always present a concern especially with the business model.

In other words this is not a unique operation such as a specialist wine retailer.

This sort of model could be argued is manifestly different from other stores in the area, targets a different demographic and therefore it is the view of the Licensing Authority that in such circumstances Applicants should be able to successfully demonstrate they will not undermine the Crime and Disorder Objective.

However with a convenience store in socially problematic area the same can not easily be said, it is for the avoidance of doubt, the applicants duty to sufficiently demonstrate that the sale of alcohol from there

premises will not add to the Crime and Disorder issues in the area.

Capable and competent operators could also be a factor that causes Authorities concern and where trading in the Saturated Wards, the Licensing Authority would expect the best quality staff training in place and managers or a DPS with a credible background who is tune with local problems, has sufficient knowledge of the regulatory regime and is able to demonstrate a willingness to comply with regulations.

The conditions proposed by the applicant go some way to addressing the promotion of the Licensing Objectives but I would expect more detail on staff training and look toward a minimum of the BII level 1 or equivalent (ARAR)

A concern also exists with the applicants knowledge of the regulatory regime as in August 2012 the Licensing Authority were receiving complaints and information that a hot food unit parked on the forecourt of a premises situated on the corner of Sherbourne Road and Hampton Road was trading beyond 11pm without a licence.

The sale of hot food beyond 11pm is a Licensable activity.

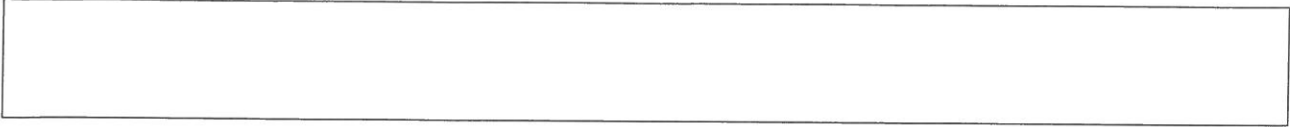
On the 17th August the sale of hot food was witnessed by me beyond 11pm on a number of occasions, the operator was spoken too at the time and advised accordingly, the male was Alpasalan Dermi of 78 Sherbourne Road, the applicant in this case.

The advice was followed up in writing and is attached to this application.

The position from the Authority would be that the Licensing Committee considers there own statement of Policy, takes not of the crime and deprivation data provided by Public Health and duly notes the concerns raised with the applicant based on the recent Licensing offences detected on the 17th August 2012 and as such rejects the application for the grant of a licence in this area.

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.



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ENFORCEMENT & QUALITY STANDARDS DIVISION

Mr Alpaslan Dermi
78 Sherbourne Road
Blackpool
FY1 2PQ

Our Ref: MIM/SMC
Your Ref:
Enquiries to: Mr M I Marshall
Direct Line: 01253 478493
E-mail: mark.marshall@blackpool.gov.uk
Date: 23 August 2012

Dear Sir

Section 136 Licensing Act 2003

Unit parked on the corner of Sherbourne and Hampton Road, Blackpool

Further to my visit on Friday 17 August 2012, I write to confirm that the sale of hot food beyond 23:00 hours without a Premises Licence is an offence under Section 136 of the Licensing Act 2003.

The sale of hot food between 23:00 – 05:00 hours is defined as a Licensable activity and as such a Premises Licence must be in place before such activity is lawful.

I witnessed the sale of hot food at 23:25 hours and the offence was pointed out to you at the time. I advised that I would assist should you be minded to apply for a licence and I can be contacted on the number above to facilitate any such process.

Our policy is to give notice of an offence before issuing formal proceedings but if you are found to be selling hot food beyond 23:00 hours in the future without first obtaining a licence then consideration of formal action will be taken.

Yours faithfully

Mark Marshall
**Licensing/Health and Safety
Enforcement Manager**

Tim Cogan
Service Manager (Enforcement & Quality Standards)
Progress House, Clifton Road, Blackpool, FY4 4US
Fax: 01253 478393 tradingstandards@blackpool.gov.uk

Advice and further information on the work of the Enforcement & Quality Standards Department is available at www.blackpool.gov.uk