

LICENSING SERVICE

<i>For Office use only</i>	
<i>LalPac Application No.</i>	
<i>Licence Number</i>	PL1297

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

LICENSING ACT 2003

<i>Review requested by:</i>	Weights and Measures
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Blackpool will be a Vibrant, Inclusive,
Healthy, Safe and Prosperous Town



Blackpool Council

BUILDING A BETTER COMMUNITY FOR ALL

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	Glen Phoenix of Blackpool Weights and Measures Department
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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	Coliseum Off Licence								
	53 Tyldesley Road								
	Blackpool	Post Code	F	Y	1	5	D	H	
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Sraj Alesh									
Premises Licence or Club Premises Certificate Reference Number (if known)								PL1297	

Part 2 – Applicant details

I am:

Please tick

1) an interested party (please also complete sections 2A or 2B below)	
a) a person living in the vicinity of the premises	
b) a body representing persons living in the vicinity of the premises	
c) a person involved in business in the vicinity of the premises	
d) a body representing persons involved in business in the vicinity of the premises	
2) a responsible authority (please also complete 2C below)	X

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 Number			
					E-Mail Address				

(2C) Responsible Authority applicant

Name	Glen Phoenix of Blackpool Weights and Measures Department										
Address	Number One, Bickerstaffe Square, Talbot Gateway, Talbot Road,										
	Blackpool										
	Lancashire					Post Code	F	Y	1	3	A
Telephone Number	01253 478381										

E-Mail Address	glen.phoenix@blackpool.gov.uk
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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	x
2) public safety	x
3) the prevention of public nuisance	
4) the protection of children from harm	x

Please state the ground(s) for review (please read guidance note 1 before completing)

The review is brought on behalf of the Weights and Measures Licensing Authority following concerns that the Licensing Objectives are not being properly promoted when the premises are selling alcohol.

In brief our concerns are that:

- On the 9th April 2015 a test purchase of alcohol was successfully conducted at these licenced premises using an underage volunteer.
- On the 28th April 2015, Sraj Alosh (the Premise Licence & DPS) attended an Intervention meeting, in brief it was apparent that Alosh wasn't focussed on the Operational side of the business specifically the administrative side of the business, that had previously been the role of his book keeper who had gone off sick with long term health problems and was unlikely to return. As a consequence of the visit during the Intervention Meeting it became apparent when checking the Premise Licence Annex 2 that there was a breach of the Operating Schedule in relation to para 7. Ability to produce a refusals book upon request.
- Alosh confirmed that the business was up for sale and trading at a loss (DPS) and his son.

In respect of the failed test purchase, it is an offence to sell alcohol to a person under the age of 18 years by virtue of **Section 146 of the Licensing Act 2003**. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Circumstances

On the 9th April 2015 at 17:48 a 16 year old male volunteer purchased 4 bottles of Budweiser for £5.20 from Leal Smith, an employee of Sraj Alosh. Smith was cautioned following the sale and issued with a Notice of Alleged Offence.

On the 15th April 2015, wrote to Sraj Alosh inviting him to attend an intervention meeting on the 28th April 2015.

On the 28th April June 2015, Sraj Alosh (the DPS) attended the meeting, during the course of the meeting Alosh explained that he'd put the business up for sale. During the course of the meeting Alosh explained that his book keeper who'd meticulously run that side of his business for years had gone off long term sick and therefore the administrative side of the business had suffered as a consequence. Alosh was visibly upset at what he was being told in that he let his business slide to such a condition that a submission would be made in relation to Reviewing the premise licence. During the course of the meeting Alosh produced his records relating to test purchasing by JTI training records etc. Whilst posters were displayed on the premise these were Challenge 21 which in my mind reflected that Mr Alosh's focus wasn't necessarily on the operational side of the Off Licence. Alosh explained that there was now only 2 people directly involved in running the Off Licence himself and his son Leal. Informed Mr Alosh that concerned with the Operation of the business, a loss in confidence in how the business was being operated was further highlighted by the fact that Smith was unable to find the current Refusals Book on the night of the failed test purchase.

In order to expedite the matter in regards to the seller, Leal Smith accepted the offer of a Conditional Caution comprising of a Simple Caution and attendance on an accredited APLH Course.

In support of this application, I include the following documents which consist primarily of the premises licence and the evidence gathered by PPO Shaun McKinney into the offences under the Licensing Act 2003 and subsequent documents provided to PPO Shaun McKinney during the subsequent Intervention Meeting.

Documents attached

Document 1 – Premises Licence PL1297

Document 2 – Statements supporting the underage prosecution report

Document 3 – Signed Simple Caution

Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 2 before completing)

Blackpool Council

Licensing Act 2003 Premises Licence

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

The Coliseum Off Licence

53 Tyldesley Road / 26 Lytham Road, Blackpool, Lancashire, FY1 5DH.

Telephone 01253 622186

WHERE THE LICENCE IS TIME LIMITED THE DATES

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors) Licensed Area	Sunday - Thursday	23:00	01:00
	Friday - Saturday	23:00	03:00
	For seasonal variations see Annex 2.		
M. The sale by retail of alcohol for consumption OFF the premises only Licensed Area	Monday - Saturday	08:00	01:00
	Sunday	10:00	22:30
	For seasonal variations see Annex 2.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Licensed Area	Monday - Saturday	08:00 01:00
	Sunday	10:00 22:30
For seasonal variations see Annex 2.		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Sraj Aloh

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003
Premises Licence

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Sraj ALOSH

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. WBCPA0647

Issued by Wyre

ANNEXES

Annex 1 - Mandatory conditions

1 Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

- a) Monday to Saturday 0800 to 0100 the following morning
- b) Sunday 1000 to 2230

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above 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.

In force 01/10/10

5 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 year of age (or such older age as may be specified in the policy) to produce on request, before being served



Licensing Act 2003

Premises Licence

ANNEXES continued ...

alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the Operating Schedule

- 1 The opening hours of the premises and the hours for the provision of Late Night Refreshment may be extended until 0300 from June 1st - October 31st.
- 2 The premises are to be equipped with a CCTV system capable of holding 35 days of recordings, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities.
- 3 Risk assessments carried out by or on behalf of the Licence Holder which relate to a licensing objective will be available for inspection by an officer or a Responsible Authority.
- 4 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 5 Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food.
- 6 The Licence holder is to support and rigorously enforce the Challenge 21 proof of age policy. Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable: UK photo driving licence, Passport, Proof of Age Standards Scheme Card.
- 7 A refusals book will be kept at the premises which is available for inspection by an authorised officer.
- 8 The Lytham Road doors will be closed at 2300 hours.
- 9 Security personnel will be employed between the hours of midnight and 0100.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

See attached reference PL1297 / 1 / 1



Witness Statement

(CJ Act 1967, s.9 MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r.70)

Statement of **Shaun Harold McKinney**Age if under 18 **Over 18** (if over 18 insert "over 18"). Occupation **Public Protection Officer**

This statement (consisting of 4 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 **17th** day of **June 2015**Tick if witness evidence is visually recorded
(supply witness details on rear)

Signature

I am employed by Blackpool Council as a Public Protection Officer in the Trading Standards Section based at Bickerstaff House, One Bickerstaff Square, Talbot Road, Blackpool. I am a duly authorised officer to enforce the provisions of the Licensing Act 2003. On Thursday 9th April 2015, I was on duty accompanied by Trading Standards Manager Glen Phoenix and P.P.O S Ash, P.C. 3842 Evans tasked specifically to visit a number of selected premises that were known to sell age-restricted goods. Two male volunteers aged fifteen and sixteen years had been selected to undertake the test purchasing exercise. Both volunteers were photographed prior to commencing the exercise; I produce three photographs of the volunteers, **Volunteer 1**, (15 year old male) Identification No **SHM/01 – 03** and **Volunteer 2** (16 year old male), Identification No **SHM/04 - 06**. The volunteers were instructed as to what to do when attempting to test purchase age restricted goods, the final phase of the training was recorded, I produce a copy of that training, Identification No **SHM/07** and the script, Identification No **SHM/08**. Included on the list of premises to be visited was Coliseum Off Licence, 53 Tyldesley Road, Blackpool. At approximately 17:48hrs, I was contacted by phone and informed that a sale had occurred at this premises. At approximately 17:50hrs I arrived at the premise and was met by P.P.O Ash who handed me 4 bottles of Budweiser which volunteer 1 had purchased, he informed me that the volunteer was charged £5.20, I produce the 4 bottles of Budweiser, Identification No. **SHM/CO/01**. P.P.O Ash informed me that the seller was a young white male; he was the only person behind the

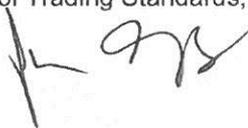
Signature

Signature witnessed by

counter. Accompanied by PC 3842 Evans, I entered the shop and approached the male behind the counter. I introduced myself to him and showed him my authorisation; I explained that he had sold alcohol (4 bottles of Budweiser) to a minor and that I needed to speak to him regarding the sale, the seller gave his name as, Leal Karl Smith [REDACTED]. I recorded his details onto a **Notice of Alleged Offence Sheet No. 1407**, which I produce, Identification No. **SHM/CO/02**. Smith was shown a picture of the volunteer 1 and he confirmed that he had sold him the 4 bottles of Budweiser, I cautioned Smith who confirmed that the DPS was Sraj Alesh, I asked for the refusals book however Smith was unable to find it. I proceeded to photograph the interior of the premise (5 photographs) in total, areas where alcohol was offered for supply and a Challenge 21 poster; I produce copies of those photographs identification No **SHM/CO/03 – 07**. On completion of the visit, I handed the Notice no **1407** to Leal Smith to sign which he did, I then handed him the yellow and blue copies one for him and his employer. On completion of the Operation I returned to the Office and placed the test purchase (4 Bottles of Budweiser) into the secure store. On the 13th April 2015, I checked the Licensing Database for The Coliseum Off Licence, 53 Tyldesley Road, Blackpool Premise Licence No **PL1297**, I produce a copy of the Premise Licence Summary for this premise, Identification No **SHM/CO/08** which caused reason for concern as Annex 2 – Conditions consistent with the Operating Schedule paragraph 7 stated that "A refusals book will be kept at the premises which is available for inspection by an authorised officer" a breach of the Schedule and therefore did not meet the Licencing objectives. On Wednesday 15th April 2015, I wrote to Mr Alesh inviting him to attend a pre-arranged Intervention Meeting; I produce copy of the letter, Identification No. **SHM/CO/09**.

At 15:10hrs, on the 28th April 2015, Mr Alesh attended the intervention meeting at Blackpool Trading Standards, Bickerstaff House, One Bickerstaff Square, Talbot Road,

Signature



Signature witnessed by

Continuation of Statement / Interview of **Shaun Harold McKinney**

Blackpool also present was PC 3842 Evans. During the Intervention meeting Mr Alesh produced a series of documents relating to the operation of his shop in respect of the supply of alcohol which I copied. Mr Alesh produced a number of letters indicating that on several occasions attempted purchases of tobacco and on two occasions alcohol had been refused, I produce copies of those letters Identification No **SHM/CO/10**, **SHM/CO/11**, and **SHM/CO/12** respectively and a letter relating to the sale of Age restricted goods which I produce Identification No **SHM/CO/13**, together with Leal Smith's record dated 1st January 2012, which I produce Identification No **SHM/CO/14**.

The lack of additional training material was cause for concern and during the meeting it became apparent that Mr Alesh's focus wasn't fully on the administration side of running the business mainly due to the loss of his book keeper who had run the business meticulously. He explained that he was trying to sell the business and that it was operating at a loss he now only employed two members of staff himself and his son Leal Smith. During the meeting Mr Alesh was informed that there was a lack of confidence in the management of the premises which was highlighted by the fact that Leal Smith had been unable to find the refusal's book on the night of the failed test purchase and that the likelihood would be that the matters would be sent for Review of the Premise Licence before the Licensing Committee. Mr Alesh was informed that the seller Leal Smith was eligible for a Conditional Caution in relation to the Offence that consisted of a Simple Caution and attendance on an Accredited APLH Course I attach a copy of the Simple Caution, Identification No **SHM/CO/15**.

Exhibits

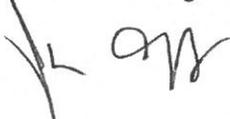
SHM/01 - 03 – 3 photographs of volunteer 1

SHM/04 – 06 – 3 photographs of volunteer 2

SHM/07 Record of training

SHM/08 Training Script

Signature



Signature witnessed by

Continuation of Statement / Interview of **Shaun Harold McKinney**

SHM/CO/01 – 4 Bottles of Budweiser

SHM/CO/02 - Notice of Alleged Offence No 1407

SHM/CO/03-07 Photographs of supply area of age restricted Goods and Challenge 21
Poster

SHM/CO/08 – Premise Licence Summary PL 1297

SHM/CO/09 – Intervention Letter dated 15th April 2015.

SHM/CO/10 – Passed Test purchase letter JTi (tobacco)

SHM/CO/11 – Passed letter Lancashire Police (16/11/12)

SHM/CO/12 – Pass Letter Blackpool Council (23/12/14)

SHM/CO/13 – Letter relating to Age Restricted Goods

SHM/CO/14 – Leal Smiths record (dated 1.1.12)

SHM/CO/15 – Signed Caution Leal Smith



Signature



Signature witnessed by

Video Script – Alcohol Off-Sales

DESCRIPTION OF EXHIBIT Training
Script
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS sm/08
SIGNATURE(S) [Signature]
a.u.s.

Introduction

The date is:

The time is:

I am **name & PPO** with Blackpool Council.

This is a video recording of the volunteer, who is assisting us on an underage alcohol sales survey **tonight/today**. This is the final stage of training and **she/he** will then be attempting to test purchase alcohol from a number of premises. I am now passing to the volunteer a letter of authorisation from a Trading Standards Officer to carry out test purchases of alcohol.

Questions

1. Can you explain what it is that you have been asked to do for us today?

I have been asked to buy alcohol for you.

2. Can you explain what you have been told to do when buying it?

I will go in the shop and look for some alcohol. Then I will either choose some and take it to the till or ask the assistant for some if it is behind the till. If they sell it to me I pay for it and leave.

3. What if they don't sell to you?

I should just leave

4. If the sales person asks you how old you are, what will you say?

I tell them I am over eighteen and give an age that I am comfortable with.

5. If you are asked for proof of age, what will you do?

I will say I don't have any.

6. If you are sold alcohol, what should you do when you leave the shop?

I have to give it to the officer outside with the money.

7. Do you have any of your own money with you today?

No.

8. Please can you give your full name and date of Birth?

Volunteer to give their details.



DESCRIPTION OF EXHIBIT 4 bottles
London & Lee
Samuel Adams Boston Lager
EXHIBIT IDENTIFY MARK
I IDENTIFY THIS AS
Samuel Adams
SIGNATURE(S) *W. J. Lee*
9.1.15

1297

1407

NOTICE OF ALLEGED OFFENCE

DESCRIPTION OF EXHIBIT Notice of Alleged offence No 1407

EXHIBIT IDENTITY MARK

I IDENTIFY THIS AS SM/1407

SIGNATURE(S) [Signature]

Place of offence:

Coliseum off Licence
53 Tyldesley Road
Blackpool
FY1 5DN

Tracked

Public Protection Division,
 Bickerstaffe House,
 1 Bickerstaffe Square,
 Blackpool, FY1 3AH
 Tel: 01253 478381

- LICENCING ACT 2003
- CHILDREN & YOUNG PERSONS ACT 1933 as amended
- CRIMINAL JUSTICE ACT 1988 as amended by THE OFFENSIVE WEAPONS ACT 1996

OTHER (Specify) _____
 (tick as appropriate)

You are advised that on 9th April 2015 at 17.48 hours

the sale of 4 bottles of Indurinal £5.20 was

made to a person under the age of 18 years, contrary to the requirements of the above Act

The sale was made by a person who gave their name as Leal Smith

These facts may constitute an offence I will require you to provide the training documents for the above named sales assistant, within the next 14 days. Should you fail to provide the requested information, a report will be submitted to the Public Protection Manager for consideration of legal proceedings.

Personal Licence Holder

Copy handed to proprietor or representative

Name Leal Smith

Signed [Signature]

By, being an officer authorised under the Act

Name S. McKinnon

Signed [Signature]

Date 21/4/15

Copy handed to sales assistant

Name Leal Karl Smith

Signed [Signature]
18.6930 Tharnta Cleverly

Address of sales assistant



You do not have to say anything. But it may harm your defence if you do not mention when questioned something that you later rely on in court. Anything you do say may be given in evidence.

Retain top copy, yellow copy to proprietor, blue copy to 'seller'

PS/2010 1113

DESCRIPTION OF EXHIBIT Supplies
Atm Collection of
License (Photo 1)
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS smko/3
SIGNATURE(S) [Signature]

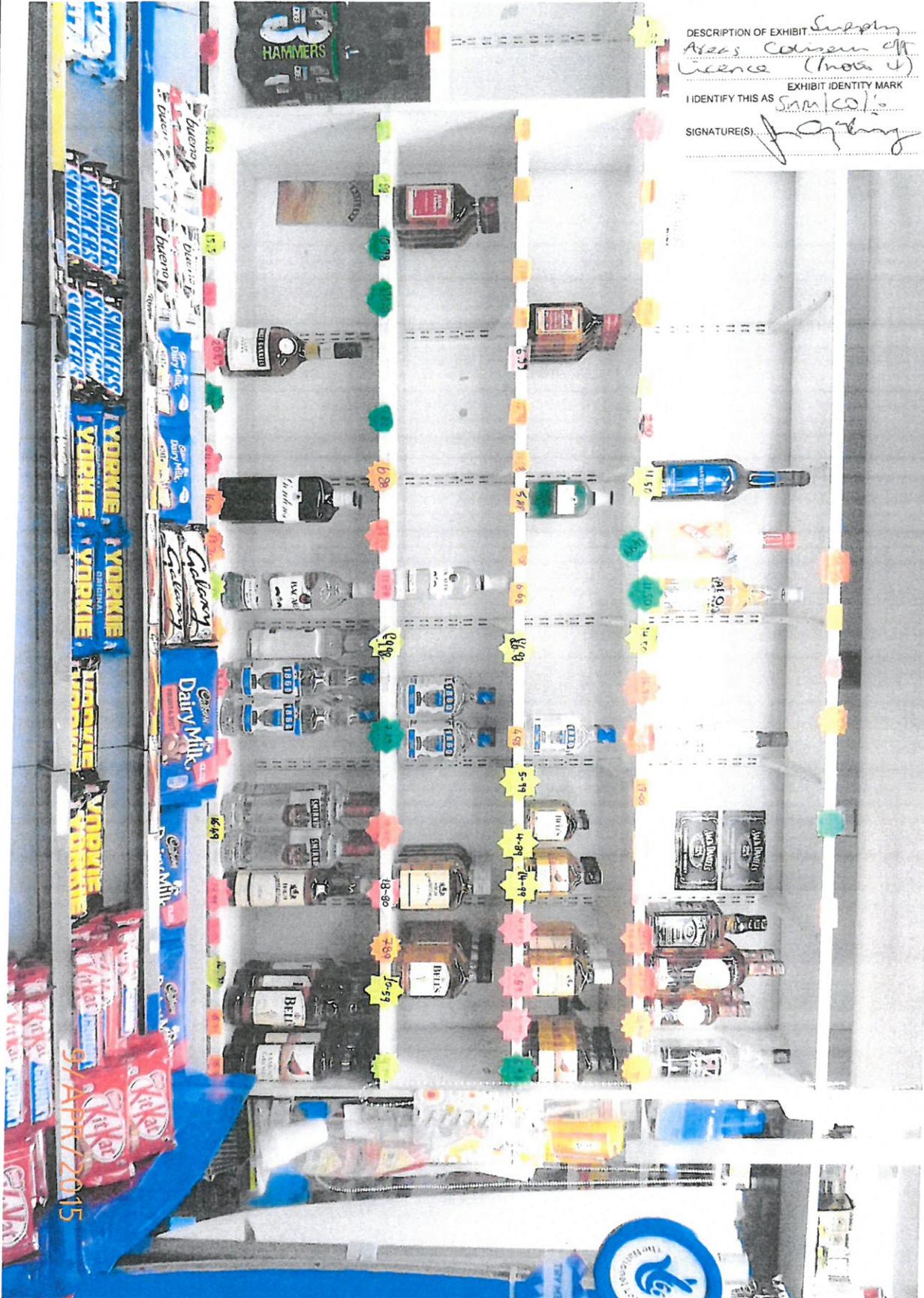


DESCRIPTION OF EXHIBIT *Sunny*
Aven - Colson Eff
license (Photo 2)
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS *Sunkolt*
SIGNATURE(S) *[Signature]*





DESCRIPTION OF EXHIBIT... Supply Area's Corner of Licence (photo 5)
 EXHIBIT IDENTITY MARK
 I IDENTIFY THIS AS Snmkols
 SIGNATURE(S) [Signature]



DESCRIPTION OF EXHIBIT Supply
Area's Collection of
License (nos 4)
 EXHIBIT IDENTITY MARK
 I IDENTIFY THIS AS Sm/col's
 SIGNATURE(S) [Signature]

9 APR 2015

DESCRIPTION OF EXHIBIT *Supply Area Colours of Venice (Photos)*
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS *SNM/col 7*
SIGNATURE(S) *[Signature]*

9/APR/2015



Date: 15th April 2015

DESCRIPTION OF EXHIBIT *Copy of letter 15/4/15*
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS *Shm/Gol/09*
SIGNATURE(S) *[Signature]*

Mr Sraj Alosch
The Coliseum Off Licence
53 Tyldesley Road
Blackpool
FY1 5DH

Our Ref: PL1297/1851670
Your Ref:
Direct Line: (01253) 478391
Email: shaun.mckinney@blackpool.gov.uk

Request for Meeting
Licensing Act 2003

Premises: - Coliseum Off Licence, 53 Tyldesley Road, Blackpool

Dear Sir

On the 9th April 2015 a test purchase operation for alcohol was carried out by our office and Lancashire constabulary at the above premises and unfortunately a sale of alcohol was made to a person under the age of 18, this being contrary to Section 146 of the Licensing Act 2003.

As a Responsible Authority (Weights & Measures) we believe it is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between license holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is good practice for authorised persons and responsible authorities to give licence holder's early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings may lead to a decision to request a review.

We are therefore requesting for you to attend a meeting with our office and Lancashire Constabulary to discuss the issue above and to assist putting in place a package of interventions to help reduce the possibility of further occurrences. Please bring along any training records for yourself and your staff in relation to age related sales.

I would be grateful if you or a representative could attend a meeting at 15:00 on Tuesday 28th April 2015 at Blackpool Council, Number One, Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH.

Yours faithfully

[Signature]
Shaun McKinney
Public Protection Officer
Trading Standards Enforcement

Public Protection Division | Community and Environmental Services Department | Blackpool Council | Number One | Bickerstaffe Square | Talbot Road | Blackpool | FY1 3AH

Post to: Blackpool Council | PO Box 4 | Blackpool | FY1 1NA



Serve Legal
Powered by yap

DESCRIPTION OF EXHIBIT *Pass*
Letter JTI
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS *Sun/Coli*
SIGNATURE(S) *[Signature]*



Dear Coliseum, 53 Tyldsley Road,

You may remember that you have recently received a letter from JTI and Serve Legal, as part of JTI's commitment to support independent retailers in the North West of England in preventing under age sales of tobacco products.

JTI has been working closely with Serve Legal, an independent company, to mystery shop stores in the area, and to offer training and support to those who may benefit from it. Serve Legal's visitors have again visited your store, and the details of that visit are below.

It is important to remember that Serve Legal's visitors are all over 18 and so, whatever the result of the visit, no laws have been broken. For that reason, the details of your result will not be shared with anybody.

As before, if the visitor was asked for proof of age before he or she was sold tobacco your store will be classified as "compliant". Congratulations - this is good news for you and your team. You should always remain vigilant to prevent children from buying age restricted products.

If the visitor was not asked for proof of age, your store will be classified as "at risk". That means that your store may be at risk of selling tobacco products to under-18s. If you would like to arrange for on-site, professional training for your staff, paid for by JTI, please contact the team at Under Age Sales Limited on 0345 257 0018 or info@underagesales.co.uk.

If you have any questions about this scheme, or would like any more information, please contact JTI using ukyap@jti.com.

Regards,

Serve Legal & JTI UK

Site Review

Premises Details

Premises Name	Coliseum, 53 Tyldsley Road
Address 1	53 Tyldsley Road
Premises City	Blackpool
Post Code	FY1 5DF

Site Details

Store Code	A80501000006
Org Level 1	1168
Org Level 2	North West

Visit Details

Actual Date of Visit	03/03/2014
Actual Time of Visit	12:20 pm
Visit Result	Compliant

Report

Question	Response
Please give details of the cigarettes purchased (brand and size):	Mayfair Kingsize 10 pack
Did you make the purchase on its own or as part of a larger shop?	On its own
Did the person who served you ask your age during the transaction?	Yes
Did the person who served you (or their supervisor) ask you for ID?	Yes
Was a supervisor called at any time during the transaction?	No
Was the person who served you working entirely alone?	Yes
Did the person who served you make eye contact with you?	Yes
If eye contact was made, when was it FIRST made?	During the transaction
In your opinion, did the person who served you make an assessment of your age?	Yes
How many people were waiting in the queue (if there was no queue, enter 0)?	0
What was the gender of the person who served you?	Male
What was the approximate age of the person who served you?	In their 40's
Please accurately describe the person who served you (include hair colour and style, build, height and any distinguishing features):	5'9", he was wearing a hat.
What was the name of the person who served you (from the receipt or name badge)?	No name badge.
Were 'Think 21' or 'Think 25' posters next to, hanging above or visible from the till?	Yes
Please name the stores directly on the left and right of the shop or if the shop is in a row of houses, list the house numbers to the left and right of the shop:	Left- Alkington Hotel and right on a corner.
Please use this space to explain anything unusual about your visit or to clarify any detail of your report:	

DESCRIPTION OF EXHIBIT Pass
letter Lancs Police
16/11/12
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS Sun/Col...
SIGNATURE(S) [Signature]



Constabulary
police and communities together

Sraj Alesh
Coliseum Off Licence
26 Lytham Road
Blackpool
FY1 5DH

Western Division Licensing Department
Central Police Station, Blackpool, FY1 5RL
01253 604073 (direct dial) Fax 01253 604119

16th November 2012

Dear Sir/Madam,

Re: Test Purchase of Alcohol Exercise
At Coliseum Off Licence, 26 Lytham Road

I refer to the above.

On the evening of 8th November 2012, we conducted a test purchase for alcohol at the above premises using a 16 year old male volunteer. The sale was refused by the staff on duty.

I have no details of the assistant who refused the sale. This letter is to confirm compliance on the night.

Should you wish to contact the lead officers on the night their details are:

PC Darren West and PC Lisa Evans
Direct Dial: 01253 604007 and 01253 604005
Email: Darren.West@lancashire.pnn.police.uk Lisa.Evans@lancashire.pnn.police.uk

Yours faithfully

[Signature]

Sue Slater
Western Division Licensing Assistant

Date: 23rd December 2014

DESCRIPTION OF EXHIBIT *Letter Blackpool Council*
E *Letter Blackpool Council*
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS *SHM/CO/12*
SIGNATURE(S) *[Signature]*

Coliseum Off Licence
53 Tyldsley Road
Blackpool
FY1 5DH

Our Ref: SHM/1721600
Your Ref:
Direct Line: (01253) 478391
Email: shaun.mckinney@blackpool.gov.uk

Dear Sir/Madam

Re: Underage Sales Test Purchasing Exercise

I refer to the above.

At the above premises on the 22nd December 2014, we conducted a test purchase for alcohol at the above premises using an under-age volunteer. The sale was refused by the shop assistant.

I have no details of the assistant who refused the sale. This letter is to confirm compliance on the night.

Should you have any queries please do not hesitate to contact me on the number below.

Yours faithfully



Shaun McKinney
Public Protection Officer
Trading Standards Enforcement

Public Protection Division | Community and Environmental Services Department | Blackpool Council |
Number One | Bickerstaffe Square | Talbot Road | Blackpool | FY1 3AH

Post to: Blackpool Council | PO Box 4 | Blackpool | FY1 1NA

LICENSIN

LEGAL REQUIREMENTS WITH REGARD TO THE SALE OF CIGARETTES AND LOTTERY TICKETS.

DESCRIPTION OF EXHIBIT Letter relating to ART
EXHIBIT IDENTITY MARK
I IDENTIFY THIS AS Sun/10/13
SIGNATURE(S) [Signature]

IT IS AN OFFENCE TO SELL LOTTERY TICKETS TO ANYONE UNDER THE AGE OF ~~18~~ 16

IT IS AN OFFENCE TO SELL CIGARETTES TO ANYONE UNDER THE AGE OF 18.

IT IS AN OFFENCE TO SELL ALCOHOL TO ANY PERSON UNDER THE AGE OF 18 OR TO ANY PERSON OVER THE AGE OF 18 WHO IS BUYING THE ALCOHOL FOR SOMEONE TO CONSUME WHO IS UNDER THE AGE OF 18.

IF THERE ARE ANY DOUBTS ABOUT THE RELEVANT AGE OF A CUSTOMER THEN THAT PERSON MUST BE ASKED FOR PROOF OF IDENTIFICATION. THE ONLY FORMS OF PROOF THAT ARE ACCEPTABLE ARE PASSPORT, PHOTO DRIVING LICENCE OR SPECIFIED PROOF OF AGE CARD. A SPECIFIED PROOF OF AGE CARD MUST HAVE THE PASS ACCREDITATION.

IT IS ALSO AN OFFENCE:-

- 1) TO SELL ALCOHOL TO SOMEONE WHO IS DRUNK
- 2) TO SELL ALCOHOL TO A POLICE OFFICER IN UNIFORM OR A PROSTITUTE
- 3) TO ALLOW ALCOHOL TO BE DRUNK ON OFF LICENCE PREMISES.
- 4) TO SELL ALCOHOL OUTSIDE PERMITTED HOURS (WEEKDAYS 8AM - 12 PM) SUNDAYS 10AM - 10.30PM)

THE OFFENCES CARRY POWERS OF FINE, GENERALLY, UP TO £1,000 AND ALSO, IN SOME INSTANCES, POWER OF IMPRISONMENT. THAT APPLIES NOT JUST TO THE LICENCE HOLDER BUT ALSO TO THE PERSON SELLING THE GOODS.

BREACH OF THE LAW COULD RESULT IN THE LOSS OF LICENCE AND/OR THE LOSS OF AUTHORITY TO SELL GOODS (CIGARETTES AND LOTTERY TICKETS)

Simple Caution

BLACKPOOL COUNCIL
SIMPLE CAUTION (INDIVIDUAL)
HOME OFFICE CIRCULAR 16/2008

CASE REFERENCE:	1721600
OFFENDER'S SURNAME: FORENAME(S):	SMITH LEAL KARL
NATIONAL INSURANCE No.:	
ADDRESS:	
DATE of BIRTH:	

DATE of OFFENCE(S):	9th April 2015
PLACE of OFFENCE(S):	Coliseum Off Licence, 53 Tyldsley Road, Blackpool.
BRIEF CIRCUMSTANCES of OFFENCE(S):	Sold 4 Bottles of Budweiser to a 15 year old male (under 18 years old)
	Contrary to Section 146 of the Licensing Act 2003

Please read the declaration below and make sure you understand it before you sign.

- 1 I have admitted to committing the offence(s) shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on any national convictions databases.
- 2 If new evidence comes to light suggesting that the offence(s) I have committed are more serious, you might still take legal action against me.
- 3 If there are any victims as a result of these offences, they might still take civil action against me and you might give my name and address to the victims so they can do this.
- 4 If I am charged with another offence and I go to court, you will tell the court that I have received this simple caution.
- 5 If I apply for certain licences connected with my business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision whether to issue me with a licence.
- 6 If I already work in a job which is included in the list of notifiable occupations (these are jobs where you are in a position of trust or responsibility, for example, teachers, care workers, taxi drivers, soldiers and doctors), you might tell my employer about this simple caution. (I can ask you for a copy of the full list of notifiable occupations.)
- 7 If I apply for certain jobs, either paid or unpaid, that need me to have a criminal records check (CRB check), you might give my new employer information about this simple caution. (CRB checks are needed for nearly all jobs where you work with children or vulnerable adults, as well as for other sensitive jobs involving a high level of trust.)
- 8 I understand that accepting this simple caution may mean that some countries will not allow me to live there permanently, and some may not allow me to visit (for example, on business, for a holiday or as a student).

DECLARATION

I have read and understand all this information.

I hereby declare that I LEAL KARL SMITH

admit the offences described above and agree to accept a caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should I be found to be infringing the law in the future. I further understand that this caution may be cited should I subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances I may be under a duty to disclose the existence of this caution.

NAME (*Block capitals*) LEAL SMITH SIGNED: 

DATED THIS 19 DAY of June 2015

AFTER A SIGNATURE HAS BEEN ADDED ABOVE, AN OFFICER OF BLACKPOOL COUNCIL WILL COUNTERSIGN AND RETURN A COPY.

NAME (*Block capitals*) G. PAVENIX SIGNED: 

DESIGNATION: TSM.

DATED THIS 19 DAY of June 2015

Part 4 – Other relevant information

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

If you have made representations before relating to this premises, please state what they were 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 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 4) If signing on the behalf of the applicant please state in what capacity.

Signed	
Print Name	Glen Phoenix
Capacity	Trading Standards Manager (Enforcement)
Date	23/6/2015

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 5)						
Title:	Mr	Mrs	Miss	Ms	Other	
Forenames				Surname		
Address for Correspondence associated with this application						
					Post Code	
	Telephone Number				Mobile Number	
E-Mail Address						

Notes for Guidance

1. The grounds for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems that are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
5. This is the address that we shall use to correspond with you about this application