LICENSING SERVICE

For Office use only				
LalPac Application No.				
Licence Number	PL1622			

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

LICENSING ACT 2003

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



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

[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 pre	mises or club premises if any, or if none the	ordinance survey	map	refer	ence	or d	lescr	iptio	n.	
	Dall'a Canyaniana									
	Bell's Convenience,									
Premises Name and Address	151 Palatine Road									
	Blackpool	Post Code		Υ	1		4	D	N	
State the Name of the certificate (if known	ne premises licence holder or the name o	of the club holdi	ng tl	ne cl	ub p	rem	ises			
Amer Khan										
Premises Licence o	r Club Premises Certificate Reference N	umber (if known)	PL16	522					

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)	х

3) a member o	f a club	to whic	h this a	pplicati	ion relates (al	so complete sec	ction	1 2A	bel	ow)		
(2A) Individu	ual App	licants	(fill in	as app	olicable)					Ple	ase tick	
Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over		Ye	S		No	
Forenames						Surname						
Home address						Post Code						
Telephone Number						Mobile Number					·	
E-Mail Address												
(2B) Other App	olicant	or Rep	resenti	ng Boo	dy							
Name												
Address												
						Post Code						
Telephone Number												
E-Mail Address												
(2C) Responsi	ble Aut	hority	applica	ınt								
Name	Glen P	hoenix	of Black	kpool W	eights and M	easures Departi	men	t				
	Numbe	er One,	Bickers	taffe So	uare, Talbot	Gateway, Talbot	Roa	ad,				
Address	Blackp	ool						ı			<u> </u>	
	Lancas	shire				Post Code	F	Υ	1		3 A	н

01253 478381

Telephone Number E-Mail Address

glen.phoenix@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	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 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 17th April 2015 a test purchase of alcohol was successfully conducted at these licenced premises using an underage volunteer.
- On the 1st June 2015, Sornalingam Jeyabalan (the Seller) accompanied by Siuakuman Sivatharsan (friend) attended Intervention meeting, explained that he (Jeyabalan) had purchased the business from Amer Khan during December 2014. The seller was adamant that he had purchased the business from Khan and produced documentary evidence supporting his claim regarding the transfer of ownership of the stock, and had taken over the running the business. Jeyabalan provided a copy of a receipt for his Personal Licence dated 4th December 2014. In addition he produced a series of documents relating to the supply and sale of Alcohol included with in this bundle.
- The records of the Premise Licence PL1622 do not indicate a change of Premise Licence Holder or Designated Premise Supervisor.
- Historically the operation of this premise appear to have been somewhat chaotic; failure to pay the annual renewal fee and subsequent suspensions, intimates that either the LS/F/005/12/1

Designated Premise Supervisor hasn't been overseeing the day to day running of business; or that there has been a significant or prolonged absence of any responsible persons from the licenced premises and a lack of respect for the licensing objectives.

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 17th April 2015 at 17:38 a 16 year old male volunteer purchased 10 bottles of Carlsberg for £7.25 from Sornalingam Jeyabalan, an employee of Amer Khan. Jeyabalan was cautioned following the sale and issued with a Notice of Alleged Offence. (Jeyabalan gave Khan's name as the proprietor/representative).

On the 18th May 2015, I wrote to Amer Khan at the shop and his home address inviting him to attend an Intervention Meeting on the 1st June 2015. During the Interim Period I didn't receive a response from Mr Khan or his representatives suggesting that the business had changed ownership.

On the 1st June 2015, Sornalingam Jeyabalan (the Seller) accompanied by Siuakuman Sivatharsan (friend) attended the meeting, Jeyabalan explained that he had purchased the business from Amer Khan during December 2014 and produced a number of documents allegedly supporting his claim. The seller was adamant that he had purchased the business from Khan claiming to have further documentary evidence to prove the transfer of ownership, and that he was running the business.

I assume that the English isn't Mr Jeyabalan first language, as he appeared to be confused over an application he'd made to London Borough of Brent for a Premise Licence which he claimed he'd not received.

Yet when pressed over claims couldn't explain why

on the evening of the sale he gave Khan's as the name owner

or

• why his name wasn't recorded either as the Premise Licence Holder or the Designated Premise Supervisor.

In order to expedite the matter in regards to the seller, Sornalingam Jeyabalan accepted the offer of a Conditional Caution comprising of a Simple Caution.

LS/F/005/12/1

If Khan no longer had interest in the business then the new owner has failed to obtain the relevant qualification or approval to be deemed Designated Premise Supervisor.

Enquiry lodged with London Borough of Brent regarding Jeyabalan's Personal Licence application (awaiting response)

In either case, the events that have taken place strongly suggest that there is a negligent relaxed approach to the premises licence and the licensing objectives, highlighted further by the fact that Amer Khan remains the Premises Licence Holder and Designated Premise Supervisor when allegedly he has no further interest in the premise.

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

Documents attached

Document 1 – Statements supporting the underage prosecution report

Document 2 – Signed Simple Caution

Document 3 – Documents provided during the Intervention Meeting

Document 4 – Copy of Closure Order s 169(A) 5/08/11

Document 5 - Premise Licence PL 1622

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)

Document 1 - Witness statement of PPO S Ash

RESTRICTED (when complete)

FORM MG11

Witness Statement

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

Statement of Steven John Ash

Age if under 18 Over 18 (If over 18 Insert "over 18"). Occupation Public Protection Officer

This statement (consisting of 2 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 2nd day of June 2015

Tick if witness evidence is visually recorded |

(supply witness details on rear)

Signature

I am the above named and am employed as a Public Protection Officer within the Trading Standards (Enforcement) Section of Blackpool Council. In this role I am authorised to enforce the provisions of the Licensing Act 2003. On the 17th April 2015 I was the lead officer on an underage sales operation, using underage volunteers to attempt to test purchase alcohol from a series of shops. I produce a photograph of volunteer one as exhibit SJA/BC/1 and of volunteer two as exhibit SJA/BC/2. These two volunteers would enter licenced premises as instructed as a team and jointly purchase alcohol. The choice of alcohol was at the volunteer's discretion. At 17:38 the volunteers entered Bells Convenience, 151 Palatine Road, Blackpool, FY1 4DN and emerged a short time later with 10 bottles of Carlsberg. Immediately following this sale myself and PC (3842) Lisa Evans from Blackpool Police's Licensing Unit entered Bells Convenience and I introduced ourselves. I explained that a sale of alcohol had been made to our underage volunteers and that they were fifteen and sixteen years old respectively. A male who gave his name as Sornal Jeyabalan identified himself as the person who had made the sale. He gave his address as and his date of I have since found out that his full name is Somalingham Jeyabalan. I issued Mr Jeyabalan with a Notice of Alleged Offence, a copy of which I produce as exhibit SJA/BC/3. Mr Jeyabalan was very apologetic and insisted that it was a genuine mistake and that he had never sold previously. On the 1st June 2015 Mr Jeyabalan was issued with, and

Signature

Signature witnessed by

DESCRIPTION OF EXHIBIT	- Sither	1414
NOTICE OF ALLEGED OFFE	Ollane D	pol Council
Place of offence:		NO SOMMONT FOR ALL
Rells Commerce 151 Pholice Rel Bhalpol	1 Bickerst	
711 4DN	·	253 478381
LICENCING ACT 2003		
CHILDREN & YOUNG PERSONS ACT 1933 as an	nended	
CRIMINAL JUSTICE ACT 1988 as amended by TI	HE OFFENSIVE WEAPONS A	ACT 1996
OTHER (Specify)(tick as appropriate)		
You are advised that on 1 4 15	at	hours
the sale of /o _ / Calbay.		was
made to a person under the age of 18 years, contr	rary to the requirements of the	above Act
The sale was made by a person who gave their na	ame as SI JEYABOLAI	V_
These facts may constitute an offence I will require for the above named sales assistant, within the ne- the requested information, a report will be submitte consideration of legal proceedings.	xt 14 days. Should you fail to p	provide
Personal Licence Holder		
Copy handed to proprietor or representative	Copy handed to sales assi	_
Name Avar Khar (up firel)	Name SORNACIA	sni .
Signed	Signed	***************************************
By, being an officer authorised under the Act	Address of sales assistant	- 5
Name PVO S ASH		
Signed		
Date 17/4/15.		
You do not have to say anything. But it may harm you defe something that you later rely on in court. Anything you do	ence if you do not mention whe say may be given in evidence.	n questioned

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

Simple Caution

APPENDIX 2

DESCRIPTION OF EXHIBIT. STATEMENT OF EXHIBIT IDENTITY MARK I IDENTIFY THIS AS SIGNATURE(S)

BLACKPOOL COUNCIL

SIMPLE CAUTION (INDIVIDUAL)

HOME OFFICE CIRCULAR 16/2008

CASE REFERENCE:	1860059
OFFENDER'S SURNAME: FORENAME(S):	JEYABALAN SORNALINGAM
NATIONAL INSURANCE No.:	
ADDRESS:	
DATE of BIRTH:	
DATE of OFFENCE(S):	17/04/15
PLACE of OFFENCE(S):	BELLS CONVENIENCE, 151 PALATINE ROAD, FY1 4DN
BRIEF CIRCUMSTANCES of OFFENCE(S):	Sold alcohol to an underage person contrary to s.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
Sornalingham Jeyabalan
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) _SORNALINGHAM JEYABALAN SIGNED:
DATED THIS1st DAY ofJune
AFTER A SIGNATURE HAS BEEN ADDED ABOVE, AN OFFICER OF BLACKPOOL COUNCIL WILL COUNTERSIGN AND RETURN A COPY.
NAME (Block capitals)STEVEN ASHSIGNED:
DESIGNATION:PUBLIC PROTECTION OFFICER
DATED THIS1st DAY ofJUNE 2015

<u>Document 4 – Documents provided during the Intervention</u>

DATE -08-12-2014

ADRESS-OFF LICENSE CONVENIENCE STORE NO.151 PALATINE ROAD BLACKPOOL FY1 4DN

SETTLEMENT AGREEMENT	FOR STOCKTAKING
This is the agreement made on 08/12/2014 for thousand one hundred and eighty one and 58p of SERVICES) between me(PURCHASER) MRON and the owner (SECHANDRAKUMAR BORN ON I have received by cash the total value of stock thousand one hundred and eighty one and 58por MR.JAYABALAN SORNALINGAM and I amproperty and run the business without any interrefront of two witness.	money which is £14,181.58p(fourteen happy to allow them to occupy the
<u>WITNESS</u>	<u>OWNER</u> MR.C.CHANDRAKUMAR.
WITNESS 2.	CCHANDDA
	PURCHASER MR.J.SORNALINGAM
	SIGNED ()

COMPLETION FORM

151 PALATINE ROAD BLACKPOOL



01334/94

Client	CONV	ENIENCE	STORE			
Date	08/12/	14				
Address	BLACK	POOL				
Type of Business	CONV	NENCE				
Staff on Site						
Walk Round Conducted	Start			End	-	
Confirm Margins Agreed	YES					
Location Tickets Verified to Check List	148 3					
BY SIGNING: All parties agree with stocktaking valuar	tion and are	satisfied wi	ith count conducted on the above	date.		
faluations, Discounts Discussed with All Parties			Business Sales: All Agreed Stocks Remove (Both Out of Date/ Short			-==
Signed on behalf of CR STOCKTAKING SERVICES		igned on I WNER	behalf of		ed on behalf of CHASER	'
				FOR	1	

Ronnie McWee

Caroline McWee

Mobile: 07878 415 870 Mobile: 07863 599 126

We count... so you don't have to!

CR Stocktaking Servicescoverthe U K & I reland Telephone: 01292 611 207 Web: crstocktakingservices.co.uk Fmail: info@retorktakinreaninae oo uk

RECEPT

VAT Nº 171 0368 30

Date 08/12/2014

Private and Confidential 151 PALATINE ROAD BLACKPOOL



To: Business: CONVENIENCE STORE/BLACKPOOL

Stocktaking Fee: To undertake stocktake at above business

Invoice Nº01334/94- Dated 08/12/2014

Fee:

Fee

£200.00

(at 20%)

\$40.00

Total Payable

£240.00

Payment Received in Full

THANKYOU FOR YOUR CUSTOM

We look forward to being of assistance in the future.

Ronnie McWee

Caroline McWee

Mobile: 07878 415 870

Mobile: 07863 599 126

We count... so you don't have to!

CR Stocktaking Services over the U.K. & I reland
Telephone: 01292 611 207: Web: crstocktakingservices.co.uk

INVOICE 01334/94

VAT Nº 171 0368 30

Date 08/12/2014

Private and Confidential



To: Business: CONVENIENCE STORE, 151 PALATINE ROAD BLACKPOOL

Stocktaking Fee: To undertake stocktake at above business

Fee:

Fee

£200.00

VAT (at 20%)

£40.00

Total Payable

£240.00

PAYMENT TERMS

14 Days from Date of Invoice (08/12/2014)

SHORT NOTICE COUNTS ARE STRICTLY CASHTRANSACTIONS

Please Note: For Last Minute Bookings we require payment on the day of the count.

PAYIVENT DETAILS

BACS

Cheques

Account Name: CR Stocktaking Services

Made Payable to: CR Stocktaking Services

Account Number: 11109749 Sort Code: 83 15 26 (R.B.S)

THANKYOU FOR YOUR CUSTOM

We look forward to being of assistance in the future.

Ronnie McWee

Caroline McWee

Mobile: 07878 415 870

Mobile: 07863 599 126

We count...
so you don't have to!

CR Stocktaking Services co.erthe UK & I reland Telephone: 01292 611 207 · Web: crstocktakingservices.co.uk

Fmilistin@eretorldakinsconsince on uk

Brent London Borough of Brent EP-RCPT Gricial receipt Ref:	31619
Name Sornalingan Teyablan	
Address A97QP	
Service Personal Gence	
Amount £ \$7.00 cash / cheque / card Date 04/11/14	
Council Signature Customer's signature	
Environment and Protection, Civic Centre, Engineers Way, Wembley HA9 0FJ Email: environmentandprotection@brent.gov.uk www.brent.gov.uk VAT No. 22	26 6699 29



Certificate

This is to certify that

SORNALINGAM JEYABALAN

has been awarded

EDI Level 2 National Certificate for Personal Licence Holders

(Accreditation No. 100/4865/0)

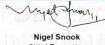
Licensing law and other legal and social responsibilities of the Personal Licence Holder Pass

having satisfied the requirements of Education Development International

Issued Date 21 Apr 2008

HBIR620/10429712

Serial No. 9575300





Qualifications and Curriculum Authority



REFUSALS REGISTER

	Date	Product	Time	Name of Person or Description	Observations	Staff Member
6	08/1/80	28/1/89 Kirshy L. Heap.	64.41	kinsty (Hap	walnin	Dres Mr.
10	11/6/60	M2617	00:41	MANE SKOENT	OT M. ESH	HOUR
E	06/09/20v	ob/89/8011285pm	16/21	Ropillson.	No 50 - +10 15	pud
12	33/39/11	Jan Dervis	530	Nathan 23/09/193		pulv
13	ilpol80	ALL A	(6:55 yan	Shauntaylor 2 10 / 1989	No . Co	pred
4						i a
15	6971		-	CAROL 30/03/92 Broadbert	MO HOW	i Stand
16	1/10/16	CIPTUD	1:10m	m36714 bob	O I eN	all
17	21/10/11	1/	11.20	FC MALL	A I eN	Here



MANAGER'S SIGNATURE

DATE

REFUSALS REGISTER	Name of Person Observations Staff Member or Description	2 TWORN NO ID par	look like under age No I I	2 girly No ID	Man NO ES	2 MEN NO KD JULY	My NOID CAN	Gift NO (O 192)	91RL N I 9 W	13.34 \ N. 7.D	DATE:
	Product Time	PAY 4001 CLUK OV 10.45	Mlwy Frit 16" 16:19	15/02/13 SMIKOFF YORKA 14: 24	PJZZLA DARA P. 13: 45	JA SULWANGILTEE 18:08	62.70	Linkan Wyl	wine. 13:30	10 W/18 5/14 10.23	SIGNATURE
MOLD	Date	EN/10/3C 81	19 11 02/13	20 15/03/13	11/07/13	22 05/08/13	23 8/12/13	14/1/14	14/24/14	26 6/5/14	MANAGER'S SIGNATURE

REFUSALS REGISTER Staff Member 0 Observations C/V Name of Person or Description Book 9-10 Pm 14,00 lu Time Amber 30X Product 150 1/16 Date

DATE

MANAGER'S SIGNATURE

35

34



27

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29

30

31

32

33

REFUSALS REGISTER

	Date	Product	Time	Name of Person or Description	Observations	Staff Member
54	31/03/11	HB-10	5.35	dit 10N	16 year ord	S'Miles
55	06/04/4	oblogly Ambor CIFE	77.	d.t-02	thro man t	31 Males
56	23/04/4	23/04/4 & Glens vales	21-06	202	17 reem OH	\$ (\$\partial \tau \)
57	28/04/11	20 Rich wingsize	16.43	NOTO	15-16 year od	and B
28	04/05/11	L&B-10 Kingsie	15.09	No J. D	17. years all	(FATHE
29	08/05/4	LAB 200	12.11	No D D	Jairl 16.17 Yoursid	SI MERCO
09	22/06/11	01877	15.47	Da or	pio mad 9)	A Project
61	ufteglo) USE Check	13.11	No D	17 year or	mind 5
62	11/20/51	16 lens to	19.36	200	lo-17 year col	De Maria

MANAGER'S SIGNATURE

HING SELECTION OF THE PROPERTY OF THE PROPERTY

Challenge 25 / Proof of age scheme

I have been trained in the proof of age scheme, I have read and understand the information contained. I understand we operate under the challenge 25.

Employee Name	Sign	Date
S. THARMALINGAM	Sugi	1-3-2011
S. NADESY	N.Su-	
FATHYALOGINATHM	brother	01-03-2011
C. CHAN PRPKYM.	ng	211/10/11
K. Chandra Kumor	Krel.	12/10/12
MANYKAR BY	Atmas	
- CHANDAKYA	m	19/5-2014
. Krishna verney	· land	19/5/2014
. Chandra Patty	ATTA	22/05/2014
SI		22 05 2014
	1	
JEX ABRE	tri	
- Bosnell	Sh	2011214
John !	John	29/01/15
		18-03-15
The same of the sa		
		1
		10 0 0

BELL CORNER SHOT 151 PALATINE ROAD

This shop operates a 'Challenge 25 Policy in relation to both the sale of alcohol and tobacco. It is a criminal offence to supply either alcohol or tobacco to anyone under the legal age limit. Members of staff must ask for identification when there is any possibility that the customer may be less than 25 years of age. Failure to seek such identification will be treat as a fundamental breach of contract.

The only acceptable forms of identification are:-

- 1. A Passport or
- 2. A Driving Licence or
- An Approved 'Proof of Age' Scheme Card. 3.

A Refusals Register is kept on the premises and its position is known to all members of staff. A log record must be made in the following circumstances:-

- A person is unable to produce suitable proof of age and is refused sale. 1. 2.
- A person seeks to purchase alcohol or cigarettes and is refused sale for any other reason.

I have read and understood the foregoing Condition of Service.

There is an Information Sheet for each of the following products -

- Alcohol
- Tobacco
- Solvents (Glue, Lighter Fuel, etc)
- Fireworks
- Videos
- **Lottery Tickets**
- * Knives

There is also a selection of advice on best practice, ideas you can use to make life easier for you and your staff.

A check Sheet is provided for you and your staff to sign. This will go some way towards their training (due diligence).

It should also show that staff have read and understood all the information supplied. You then need to keep this record to show that the training has been completed.

BLACKPOOL COUNCIL/LANCASHIRE POLICE RESPONSIBLE RETAILERS' SCHEME

Trading Standards and the Police were appointed to find a way of working with retailers in an attempt to reduce sales of age related products.

It is clear that some guidance will be given by the partner agencies by way of an Information Pack.

This Information Pack will provide clear information on the law and advice on good practice measures you should adopt to prevent such sales taking place.

This Scheme will, hopefully, operate alongside other initiatives involving local schools. These will not only tackle health education on smoking and drinking, but also will encourage young people themselves to get involved in addressing the issues.

Once the Responsible Retailers' Scheme is active, and you sign up to this, whilst meeting the criteria, you will be awarded a Certificate to display at your premises. This, together with other promotional material provided, will show your customers and other traders that you are supporting this valuable community project.

We appreciate that it can be very difficult for you to judge the age of a young person (Challenge 21 & 25) and we also realise that the vast majority of retailers take these matters seriously. Having said all that, the few who do not comply often receive bad publicity which affects the whole trade.

This is your chance to show that you are doing something positive to tackle problems.

I have provided a few handouts, most of which you have seen before, but it is simply meant to re-enforce our commitment to this Scheme.

There is an Information Sheet for each of the following products -

- Alcohol
- Tobacco
- Solvents (Glue, Lighter Fuel, etc)
- Fireworks
- > Videos
- Lottery Tickets

There is also a selection of advice on best practice, ideas you can use to make life easier for you and your staff.

A check Sheet is provided for you and your staff to sign. This will go some way towards their training (due diligence).

It should also show that staff have read and understood all the information supplied. You then need to keep this record to show that the training has been completed.

BEING A RESPONSIBLE RETAILER

- Requirements for best practice

Putting some or all of these measures in place will help you demonstrate you are taking 'all reason able precautions and exercising all due diligence'. This is what the Courts would look at should a sale take place. What is 'reasonable' will be different for a small business than for a large national chain.

- All staff must understand the law in these areas. They will need training to help them. This should be done on a regular basis. New staff must be trained before being involved in the sale of age restricted products. Keep a record of any training or updates. This pack is a good start.
- Keep a Refusal Register. This records details of any sales you refuse and the name of staff involved. It shows diligence. I can also act as a deterrent to young people attempting to buy. Refusal sheets are included in this pack.
- Implement a policy of not selling to anyone wearing a school uniform
- Do not sell to anyone you suspect of buying on behalf of underage youngster.
 You are perfectly at liberty to do this even if they are old enough to buy.
- Ensure senior staff and managers give support and back-up to staff who decide to refuse a sale.
- A Policy of 'NO PROOF OF AGE NO SALE' is sensible. Encourage staff to ask for proof of age for all customers who appear to be under the age of 21. Only accept proof of age with photos.
- Use till prompts at the point of sale. This can be a scanned bar code message, stickers, or posters. A printed till prompt is included in this pack.
- Owners/Managers/Area Managers must regularly check the statutory signs are displayed, the training records and refusals logs are maintained and support staff who refuse sales. You may decide to keep records of these checks.

PROOF OF AGE

- One of the easiest ways to satisfy yourself a customer can buy an age restricted product is to ask for some form of Proof of Age.
- If young people can buy legally, it will be in their own interest to carry a Proof of Age card.
- The more youngsters are asked for acceptable Proof of Age the more inclined they will be to carry one.
- Police and Trading Standards recommend you only accept Proof of Age with date of birth <u>and</u> a photo.

Acceptable Proof of Age includes -

- 10 year Passport
- New photo Driving Licence
- Blackpool Council Proof of Age
- Citizen Card
- There are fake Proof of Age cards about so if you are unhappy with a card for any reason, refuse the sale.
- Items such as Birth Certificates and National Insurance Cards are not recommended. They carry no photo so can be passed between friends.
- You legally have the right to refuse any customer either over or under age if you
 are unhappy with the sale in any way.

Remember -

BETTER SAFE THAN SORRY - IF <u>YOU</u> MAKE A SALE <u>YOU</u> WILL BE RESPONSIBLE

HOW TO REFUSE A SALE

Sometimes if you refuse a sale the customer may get angry. To help you handle difficult situations -

- Ask for Proof of Age. This diffuses the situation as it is not a direct refusal. It
 puts the onus on them to produce Proof of Age. Only accept Proof of Age with a
 photo and only then if you are happy it is genuine. If they have no acceptable
 Proof of Age you can offer them an application form to obtain some.
- Refuse politely. If necessary repeat your refusal clearly.
- Keep calm. Do not get into an argument.
- Explain briefly why you cannot sell. Try -

'Our company policy is not to sell these products to young people'.
'I am sorry, if I sold you this, I may be breaking the law'.

'We have a policy of No Proof of Age, No Sale'.

- Draw their attention to posters and stickers which indicate you will not sell these substances.
- Be positive in your refusal. Have a firm tone of voice, be confident and use direct eye contact. The law is on your side and you are doing the right thing.
- Call your supervisor or manager for support if necessary.
- Enter details in the Refusal Register.



Trading Standards Officers are expected to ensure that the law is followed and will carry out test purchases of age restricted products as part of their enforcement duties.

Any test purchases using young volunteers that could result in legal proceedings (prosecution) will be carried out according to Home Office guidelines. This practice is not deemed as entrapment.

Following the guidelines in this pack and asking for proof of age should ensure that you and your staff do not make a sale.



ILLEGAL SALES OF FIREWORKS

Please make sure all your staff have read and understood these points -

- It is illegal to supply any fireworks to a person under the age of 18 (except the following - crackers, caps, party poopers, serpents and novelty matches and throwdowns, for which the age limit is 16).
- If you are not sure of the customer's age and they appear to be under 21, ask for proof. IF YOU ARE STILL NOT SURE, REFUSE THE SALE.
- If you break the law and sell to a child under 18, you can be fined £5,000 and/or serve six months imprisonment.
- The same penalties apply for breaking down boxes of fireworks to sell singly.
- It is an offence to supply certain fireworks to ANY member of the general public.
 These will be labelled 'This device must not be sold to, or used by, a member of the general public.
- Only some sparklers and large individual fireworks can be sold unpacked. All
 other fireworks must be sold in manufacturers' boxes. These should not be
 removed and sold separately.
- Premises used for storing fireworks (including caps and throwdowns) must be registered with the Trading Standards Service. There are rules governing safe storage of fireworks. Contact the Service for further guidance.
- Observe the Industry Code of Practice which has agreed fireworks should only be on general sale to the public for the three weeks leading up to 5th November and a few days afterwards. In addition, fireworks can also be sold between 9th December and 1st January.
- Display safety leaflets featuring the Firework Code. These should be available from your supplier, Trading Standards or the DTI, free of charge.
- Trading Standards Officers are responsible for enforcing the law on illegal sales
 of fireworks. If you require further advice, please contact Blackpool Trading
 Standards on tradstand@blackpool.gov.uk or 01253 478381.

ILLEGAL SALES OF LOTTERY TICKETS

Please make sure all your staff have read and understood these points -

- It is illegal to sell lottery tickets to any person under the age of 16.
- If you are not sure of the customer's age and they appear to be under 21, ask for proof. IF YOU ARE STILL NOT SURE, REFUSE THE SALE.
- If you break the law and sell to a child under 16, you can be fined £5,000 and/or serve two years imprisonment.
- This legislation applies to all lotteries, i.e. National Lottery, local lotteries and all scratch cards.
- Any retailer who makes an illegal sale of a National Lottery ticket or scratch card may lose their terminal and/or right to sell National Lottery products.
- If you require further advice, please contact Blackpool Trading Standards e-mail tradstand@blackpool.gov.uk or 01253 478381.

Dated

Challenge 25 **Training** Manual

Do you know?.....

- What products have an age restriction?
- How old must you be before you can purchase them?
- The maximum penalty for retailers supplying products to persons under certain ages?



Products that have an age restriction	How old you must be before you can purchase them	under certain ages
Alcohol	18	£5,000 & possible review of licence £80 fixed penalty notice for the seller. Persistently found selling to children £10,000 maximum
Cigarettes & other tobacco products	18	£2,500
Offensive weapons including knives, axes & razor blades	18	£5,000 & up to 6 months imprisonment
Aerosol spray paint	16	£2,500
Fireworks & sparklers	18	£5,000 & up to 6 months imprisonment
Caps, cracker snaps, novelty matches, party poppers, serpents and throwdowns	16	£5,000 & up to 6 months imprisonment
DVDs, videos & computer games		£5,000 & up to 6 months imprisonment
Classification 12 Classification 15 Classification 18	12 15 18	
Solvents/volatile substances	18	£5,000 & up to 6 months imprisonment
Crossbows	18	£5,000 & up to 6 months imprisonment
Airguns and pellets	18	£5,000 & up to 6 months imprisonment
Butane gas lighter refills	1	£5,000 & up to 6 months imprisonment
ottery tickets & scratch cards		£5,000 & up to 2 years imprisonment
etrol	1	Summary conviction - max ££,000. Indictment - unlimited fine or/and 2 years imprisonmen
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Consider the following questions

- Who is breaking the law when buying and selling age restricted products?
- Who can be fined for buying or selling alcohol?
- What are the effects of drinking alcohol?
- Why are cigarettes and tobacco products age-restricted?
- Who can be fined for buying or selling cigarettes?
- What impact does knife crime have on the community?
- What is wrong with graffiti?
- When can fireworks be set off?
- What else is there to consider about fireworks?
- What are some of the causes of anti-social behaviour?
- Is it ok to use fake ID?
- How do the authorities know if a shop is selling cigarettes, alcohol, or other age restricted products to young people?
- What is test purchasing?

Froof of Age 2009

Why are cigarettes age-restricted?

- You must be at least 18 years old to buy cigarettes and tobacco products.
- Research has shown that the longer young people are prevented from starting a habit the better their chance of not becoming addicted in later life. That is why it's important that young people's access to tobacco is restricted until they are old enough to understand the effects that smoking can have on their health. Smoking causes many serious illnesses like bronchitis, heart
- Once you start smoking it is hard to kick the habit as the nicotine contained in tobacco is a very addictive drug which causes changes in the brain that make people want to use it more and more.

Who can be fined for buying or selling cigarettes and tobacco products?

- If a shopkeeper or one of the shop assistants sells cigarettes or tobacco products to anyone under 18, they are committing an offence and both could be fined up to £2,500.
- It is illegal for somebody over 18 to buy cigarettes for another person who is under the age of 18.
- Selling cigarettes which have been split from a pack to any adult or child is also an offence which carries a fine of £1,000.

Knife crime - the impact on the community

- Fatal stabbings have a dramatic impact on the victim's family, friends and the local community.
 Even where violent crime does not result in death or serious injury, victims and family often suffer long term trauma.
- Police are routinely issued with stab-proof vests, however in a worrying sign
 of the times in some parts of the country even paramedics are issued
 with stab-proof vests.

Knives - the law

- Every year many people are badly injured or killed by knives. Such items are age-restricted because of the number of crimes involving the use of offensive weapons.
- It is illegal for any shop to sell a knife of any kind (including cutlery and kitchen knives) to anyone under the age of 18.
- If someone sells a knife to a person under 18 they commit an offence and could be fined up to £5000 or sent to prison for up to six months.
- The maximum penalty for carrying a knife is four years in prison and a fine of £5000.
- It is an offence to carry a knife in public without good reason or lawful authority (for example, a good reason is a chef on the way to work carrying their own knives).
- If a knife is used in a threatening way (even a legal knife, such as a Swiss Army knife) it is regarded as an 'offensive weapon' by the law.
- Police have 'Stop and Search' powers and have the right to search any person or vehicle, if they
 suspect a possible offence including carrying an offensive weapon.
- School staff in England have the power to search, withdot consent, any pupil they suspect or carrying a knife or other weapon in school, or on an educational visit.

Proof of Aug. 2



INCIDENT REPORT FORM

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Risk assessment

Licensing objectives

- Crime and Disorder
- Public Safety
- Noise and Nuisance
- Harm to children

LICENSING ACT 2003- RISK ASSESSMENT - NOISE AND NUISANCE

HAZZARDS	WHO MIGHT BE AT	DOCCIDI E ACTIONIC
	HARM	POSSIBLE ACTIONS
Noise from drinking outside	neighbours	No alcoholic drinks to be consumed outside the premises.
Noise from outside the shop.	neighbours	We advise our customers to vacate the premises after they have made their purchase, leaving quietly.
Noise from customers leaving the premises	neighbours	Talk to customers as they leave encouraging them to minimise there noise level.
Noise and vibration from equipment	Neighbours, licensees	Our radio is kept to a minimum at all times.
Deliveries and rubbish collection.	neighbours	Make sure it is at a sensible time in the day around 11.00 am
Light pollution	Neighbours, licensee and family	Use lower wattage light bulbs Only have light on that are needed
Smells	Neighbours, customers	We clean the shop front on a regular basis to keep the area nice and clean.

RISK ASSESMENT REVIEW DATE:

01-06-2011

1

LICENSING ACT 2003- RISK ASSESSMENT - HARM TO CHILDREN.

HAZZARD	WHO MIGHT BE HARMED	POSSIBLE ACTIONS
Alcohol	customers	Ask for proof of age. Ensure staff know the acceptable forms of Proof of age and are confident to challenge. Staff to be alert to Customers buying alcohol for children.
Gambling and gaming	customers	We do not have machines on our premises.
Sex	Customers	We do not have any snug areas or toilets for customers. Any member of the public dressed indecently would be asked to leave the premises and would not serve them.
Drugs	Customers, staff	Ensure staff is trained to be drug aware. Inform licensee immediately of any suspicion
Play equipment	Customers	We do not have any play equipment on site.

RISK ASSESMENT

REVIEW DATE:

01-06-2011

HAZZARDS	WHO MIGHT BE AT HARM	POSSIBLE ACTIONS
Fire	Customers, residents, licensee ,staff	All fire fighting equipment is checked on a regular basis.
Buildings / equipment	Customers, staff, passers by	All out equipment is tested on a regular basis
Crowding	Customers, staff	More staff will be used at busy times to stop queuing. The amount of people coming in will be monitored.
njury events	Customers, staff	Fill in an incident record book Make sure all staff knows where the first aid kit is.

RISK ASSESMENT

REVIEW DATE:

A.Kto

01-06-2011

LICENSING ACT 2003- RISK ASSESSMENT - CRIME AND DISORDER

HAZZARDS	WHO MIGHT BE AT	POSSIDIE ACTIONS
Miglana	HARM	POSSIBLE ACTIONS
Violence in the shop.	Customers, staff, licensee	Disrupted customers must not be served. We maintain a zero tolerance. We don't serve drunks. Our shop must be staffed sufficiently to avoid queuing. Be drugs aware CCTV will be installed Any trouble makers will be banned instantly.
Violence outside the shop.	public, stall, neighbours	We don't serve drunks. We exclude disruptive customers. Customers are encouraged to drink sensible. Customers are advised to vacate the premises fter they have made neir purchased, sustomers are not ermitted to consume cohol outside the
Live football matches locally. Tv football / other events	Customers, staff, Molicensee the	emises. ore staff will work in e shop area to avoid

RISK ASSESMENT REVIEW DATE 01-06-2011 Please leave the premises quietly to avoid causing a nuisance to our neighbours.

Kindly vacate the area once you have completed your purchase.

Kind regards Management.

Bells convenience store - authority for the sale and supply of alcohol

Bells convenience store
151 palatine road
Blackpool
FY1 4DN

Licensing act 2003 authority for the sale and supply of alcohol

To Whom It May Concern:

AMER KHAN being the designated premise supervises named in the licence of the above premises, hereby authorise the following persons to sell or supply alcohol on these premises at any time during the permitted hours and within accordance of the said licence.

SUGITH ARAN	THARMALINGAM	duyi 1-3.	2011.
SUJEEVAN	NADESY	N. Ey 01-03	-201)
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Signed and dated

1-3-2011.

Premises age verification

Name and address of premises
BELLS CONVENIENCE STORE 151 PALATINE RD BLACKPOOL FYI 4DN: Name of premises licence holder
AMER KHAN Name of designated premises supervisor
AMER KHAN
1. This policy applies in relation to the sale or supply of alcohol on this premises.
 For this policy the responsible person is one of the following: The holder of the premises licence: The designated premises supervisor: A person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18.
3. Staff serving alcohol on the premises must require any individuals who appear to the responsible person to be under the age of 18 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark.
4. Refusal to serve The licensing act2003 states that it is an offence to sell or attempt to sell alcohol to a person who is drunk, or allows alcohol to be sold to such a person. The maximum penalty for this offence is a fine of up to £1000 or if a fixed penalty is issued by the police, £80. Examples of appropriate identification include: A photo card driving licence A passport A proof of age card bearing the PASS hologram
 If the customer does not look at least 25 they must not be served alcohol without proof of id being supplied and checked. If there is any doubt do not serve them. The premises licence holder will ensure that staff are made aware of the existence and content of this policy.
Signed PREMISE LICENCE HOLDER

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Document 4 Copy of Closure Order (5/08/11)

CLOSURE NOTICE FOR PERSISTENTLY SELLING ALCOHOL TO **CHILDREN**

Section 169A(2) of the Licensing Act 2003

This notice offers a period of closure as an alternative to criminal prosecution for an offence of repeatedly selling alcohol to underage persons. It is addressed to the person(s) (which may include a company etc) who hold the relevant premises licence for the premises concerned. A copy of this closure notice will be sent to the holder of the premises licence at the address for that person set out in the licence.

The premise licence holder(s) should read parts 10, 11, 12 and 13 of this notice with particular care as they contain information concerning their rights. If you have been handed this notice and are not the

of weights a	d rank of the police officer (nand measures [delete as appro	nust hold the opriate] givin	rank o g this cl	f super osure n	intende otice	nt or at	oove) /	name of	the ins	pecto
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closure noti	the police, community suppo ce. (A closure notice may be se responsibility for the premise.	erved by bein	g hande	dtoap	erson oi	the pre	mises v	iate] <u>ser</u> who appo	ving thi	is have
TIM COGLA	AN									
3. Date on w	which closure notice is given		0	5	0	8	2	0	1	1
Details of pr	remises and premises licence	holder(s)								
4. Address of	f premises in respect of notice is being given	Bell's Conv	enience	, 151 Pa	alatine F	Road Bla	ickpool	FY1 4D	N	
	Licence Reference number g licensing authority	PL1622- BI	ackpool	Counci	1					
6. Name of p	remises licence holder(s)	Mr Amer K	HAN							
(This is the	f premises licence holder(s). e address to which a copy of e notice will be sent)								vi	
	rs of alleged offence under secticulars of unlawful sales made				Act 20	03, inclu	ıding:			
	es of the sales; and individuals making the sales	(so far as kn	own).							
(Note: you ca took place or	an be liable for the offence if n the premises)	you were a p	oremise	licenc	e holde	r at the	time ea	ich unla	wful sa	le
First unlawful sale:	Offence committed contrar issued with a PND. The sel	ller details we	146 of there: Mr S	Sathyalo	gnathar	et 2003 o	on 25/0:	3/2011, 1 born	the selle	er was

There is a history associated with this premise: - During August 2011 a 48 hr Closure Notice for persistently selling alcohol to Children was imposed. There has been a history relating to operational side of the business Amer Khan was both the Premise Licence and Designated Premises					
Supervisor during this period					

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Part 4 – Other relevant information

where and when you made them.

During August 2011 the Premise was served a 48 hr Closure Notice for persistently selling alcohol

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

During August 2011 the Premise was served a 48 hr Closure Notice for persistently selling alcohol to Children. Mr Amer Khan was both the Premise Licence and Designated Premises Supervisor on this occasion.

	Please tick
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.	х
I understand that if I do not comply with the above requirements my application will be rejected	х

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	18r Tuc7 2015				

Contact name an previously given)				ence ass	sociated with this	application. (V	/here not
Title:	Mr	Mrs	Miss	Ms	Other		
Forenames					Surname		0.000
Address for Correspondence associated with							
this application		330			Post Code		
Telephone Number					Mobile Number		
E-Mail Address			u				

Notes for Guidance

- 1. The grounds for review must be based on one of the licensing objectives.
- 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 LS/F/005/12/1