

Blackpool Council

17 July 2015

To: Councillors G Coleman, Hunter and Singleton

The above members are requested to attend the:

LICENSING PANEL

Monday, 27 July 2015 at 6.00 pm
in Committee Room B, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR A PREMISES LICENCE- BELLA PIZZA (Pages 1 - 26)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR A PREMISES LICENCE- Bella Pizza
- c. ANNOUNCEMENT OF THE DECISION FOR A PREMISES LICENCE- Bella Pizza

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	27 th July 2015

APPLICATION FOR A PREMISES LICENCE – Bella Pizza

1.0 Purpose of the report:

1.1 To consider an application for a premises licence at Bella Pizza, 89 Dickson Road Blackpool.

2.0 Recommendation(s):

2.1 The panel are requested to consider the application and determine whether the granting of this licence would adversely impact on the licensing objectives.

3.0 Reasons for recommendation(s):

3.1 Representations have been received therefore there must be a hearing to determine the application.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

4.0 Background Information

4.1 On 28th May 2015, the licensing service received an application from Hossin Shojaeto issue a premises licence at Bella Pizza, 89 Dickson Road Blackpool Council.

4.2 The application requests permission to provide late night refreshment Sunday-Thursday 23.00 -0 01.00, Friday-Saturday 23.00 – 02.00. A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from Health and Safety. A copy of the representation is attached.

4.4 Local policy considerations
None

National policy considerations

9.36 – as a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas

9.41 – licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by case basis.

9.42 – the authority’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.43 – determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters.

4.5 Observations

Lancashire Constabulary have agreed a number of conditions with the applicant that will be added to the licence if it is granted:

1. CCTV, which complies with the following criteria, will be installed at the premises.
 - a. The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.
 - b. The system shall display on any recording the correct time and date of

the recording;

- c. The system shall be recording during all hours the premises are open to the public;
 - d. VCR tapes or digital recording shall be held for a minimum of 28 days after the recording is made and will be made available to the Police for inspection upon request.
 - e. The system shall, as a minimum, record images of the head and shoulders of all persons entering the premises.
 - f. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police, or any officer acting for a Responsible Authority, recent data or footage with the absolute minimum of delay when requested.
2. The licence holder shall notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
 3. Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.
 4. The premises have installed a wall-mounted screen, no smaller than 32", mounted in a prominent position within the premises, so that patrons can view live-recorded CCTV footage.
 5. There will be no boxing machines in operation in the premises.
 6. 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.
 7. No persons under the age of 16 will be allowed on the premises after 23.00.
 8. There will be fixed seating in the premises for the benefit of customers
 9. An efficient queuing system will be in operation and the licence holder will arrange adequate supervision of any queue to prevent disorderly behaviour.

- 4.6 Does the information submitted include any exempt information? No
- 4.7 **List of Appendices:**
- Appendix 4a: Application
 - Appendix 4b: Representation from Health and Safety
- 5.0 **Legal considerations:**
- 5.1 Please see local and national policy in the background information.
- 6.0 **Human Resources considerations:**
- 6.1 None
- 7.0 **Equalities considerations:**
- 7.1 There are no equalities considerations
- 8.0 **Financial considerations:**
- 8.1 None

28 MAY 2015

APPLICATION FOR A NEW PREMISES LICENCE

Applicant Name(s):

HOSSIN SHAJEE

Contact

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

T: (01253) 47 8572 / 8589
F: (01253) 47 8372

www.blackpool.gov.uk



Application for a premises licence to be granted under the Licensing Act 2003

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/we HOSSIN SHOJAGE

[insert name of applicant/s]

apply for a premises licence under Schedule 17 of the Licensing Act 2003 for the premises described under Part 1 below and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

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	BELLA PIZZA
Premises Address	89 DICKSON RD.
	BLACKPOOL
	Post Code FY1 2ET
Telephone Number of premises (if any)	0253 624433
E-Mail Address	N/A.
Non-Domestic Rateable Value of Premises	£ 2,550

Part 2 – Applicant details

In what capacity are you applying for a licence?

Please tick:

- a) An individual * Complete Section A
- b) A person other than an individual*
 - I. As a limited company Complete Section B
 - II. As a partnership Complete Section B
 - III. As an unincorporated association Complete Section B
 - IV. Other (for example a statutory corporation) Complete Section B
- c) A recognised Club Complete Section B
- d) A charity Complete Section B
- e) The proprietor of an educational establishment Complete Section B

- f) Health Service Body Complete Section B
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales Complete Section B
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent Hospital in England. Complete Section B
- h) The Chief Officer of Police of a police force in England and Wales Complete Section B

***If you are applying as a person described in (a) or (b) please confirm:**

- I am carrying on or propose to carry on business that involves the use of the premises for licensable activities; or If yes please tick
-
- I am making the application pursuant to a
 -
 -

Title:	<input checked="" type="radio"/> Mr	<input type="radio"/> Mrs	<input type="radio"/> Miss	<input type="radio"/> Ms	
Surname	SHOJAGE.			Forenames	HOSSIN
I am 18 years old or over	Yes	No	Date of Birth <small>Please tick</small>		
	YES				
Home Address	89 DICKSON RD.				
	BLACKPOOL LANCs				
	Post Code	FY12ET			
Telephone Number	AS ABOVE.			Mobile Number	
E-Mail Address	N/A.				

SECOND INDIVIDUAL APPLICANT IF APPLICABLE

Title:	Mr	Mrs	Miss	Ms		
Surname				Forenames		
Date of Birth	Day	Month	Year	I am 18 years old or over	Please tick Yes No	
Home address	N/A				Post Code	
Telephone Number				Mobile Number		
E-Mail Address						

(B) OTHER APPLICANTS

Please provide name and registered address of the applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name						
Address	N/A				Post Code	
Telephone Number						
E-Mail Address						
Registered number (where applicable)						
Description of applicant (e.g. partnership, company, unincorporated association)						

Part 3 - Operating Schedule

When do you want the premises licence to start

Day		Month		Year			
A	S	A	P				

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please give a general description of the premises (Please see guidance note 1)

FOOD TAKEAWAY COMPRISING.
~~ORDERING~~ ORDERING AREA.
KITCHEN.
STORAGE.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

If yes please tick

- a) A performance of a play (if ticking yes, fill in box A)
- b) An exhibition of a film (if ticking yes, fill in box B)
- c) An indoor sporting event (if ticking yes, fill in box C)
- d) Boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) A performance of live music (if ticking yes, fill in box E)
- f) Any playing of recorded music (if ticking yes, fill in box F)
- g) A performance of dance (if ticking yes, fill in box G)
- h) Entertainment of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Performance of a play Standard timings (read guidance note 6)			Will the performance of a play take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
	5 Pm	1 Am			
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
	5 Pm	1 Am			
Wed			Non-standard timings. Where you intend to use the premises for the performance of a play at different times to those listed in the column on the left, please list (please read guidance note 5)		
	5 Pm	1 Am			
Thurs					
	5 Pm	1 Am			
Fri					
	5 Pm	3 Am			
Sat					
	5 Pm	3 Am			
Sun					
	5 Pm	1 Am			

B

Exhibition of film Standard timings (read guidance note 6)			Will the exhibition of films take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thurs					
Fri			<u>Non-standard timings. Where you intend to use the premises for the exhibitions of film at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

N/A

C

Indoor sporting events Standard timings (read guidance note 6)			<u>Please give further details here</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			<u>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thurs			
Fri			
Sat			
Sun			
Sun			

N/A

D

Boxing or wrestling entertainment Standard timings (read guidance note 6)			Will the boxing or wrestling entertainment take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thurs					
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

N/A.

E

Performance of live music Standard timings (read guidance note 6)			Will the performance of live music take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thurs					
Fri			Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

N/A.

F

Playing of recorded music Standard timings (read guidance note 6)			Will the playing of recorded music take place indoors, outdoors or both? Please tick. (Read guidance note 2)		Indoors	
					Outdoors	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)			
Thurs						
Fri			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

G

Performance of dance Standard timings (read guidance note 6)			Will the performance of dance take place indoors, outdoors or both? Please tick. (Read guidance note 2)		Indoors	
					Outdoors	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)			
Thurs						
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

H

Entertainment of a similar description to that falling within (e), (f) or (g) Standard timings (read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors, outdoors or both. Please tick. (Read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thu			State any seasonal variations for entertainment (please read guidance note 4)		
Fri					
Sat			Non-standard timings. Where you intend to use the premises for the entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late Night Refreshment Standard timings (read guidance note 6)			Will the provision of late night refreshment take place indoors, outdoors or both? Please tick (Read guidance note 2).	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon	2300	0100	Please give further details here (please read guidance note 3) Bank Holidays until 0300 (Sunday night prior to Bank Holiday Monday), same for Easter / Xmas bank holidays	
Tue	2300	0100		
Wed	2300	0100		
Thu	2300	0100	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Fri	2300	0200		
Sat	2300	0200	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun	2300	0100		

J

Supply of alcohol Standard timings (read guidance note 6)			Will the sale of alcohol be for consumption on the premises, off the premises or both? Please tick. (Read guidance note 6)	On the premises	
Day	Start	Finish		Off the premises	
				Both	
Mon			State any seasonal variations for the supply of alcohol! (please read guidance note 4)		
Tue					
Wed					
Thurs			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 8)

None

L

Hours premises are open to public Standard timings (read guidance note 6)			State any seasonal variations (please read guidance note 4)		
Day	Start	Finish	NONE		
Mon	1600	0100			
Tue	1600	0100			
Wed	1600	0100			
Thurs	1600	0100			
Fri	1600	0200			
Sat	1600	0200			
Sun	1600	0100			
			Non-standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)		
			N/A		



M

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor.						
Surname					Forename(s)	
State any previous names						
They are 18 years old or over		Yes	No	Their Date of Birth		Please tick
				Day	Month	Year
Address						Post Code
Telephone Number						
Email Address						
Personal Licence Number (if known)						
Expiry date of Personal Licence						
Issuing Licensing Authority (if known)						

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (See guidance note 9)

[Empty box for response to question a)

b) The prevention of crime and disorder

~~CD 8 CD 16~~
~~CD 9~~
~~CD 10~~

c) Public Safety

~~PS 26~~
~~PS 29~~

d) The prevention of public nuisance

~~PPN 3~~
~~PPN 15~~
~~PPN 16~~
~~PPN 18~~

e) The protection of children from harm

~~Den 3 AGE BETWEEN 012 11pm-12mid
High counter installed. 5 DAYS Night.
which will prevent access to 11pm-2Am
existing areas. 2 DAYS~~

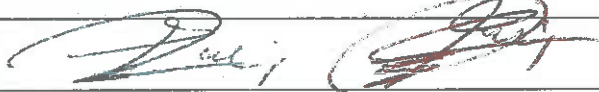
If yes please tick

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application, including the plan and consent by the proposed supervisor form (if applicable), to the responsible authorities
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application. (You may be asked to prove this, it is therefore in your best interests to provide a copy of the advert to the Licensing Department).
- I understand that if I do not comply with the above requirements my application will be rejected

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 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 11) **If signing on the behalf of the applicant please state in what capacity.**

Signed	
Print Name	Hossin Shojee
Capacity	OWNER
Date	11-5-2015 11-5-2015

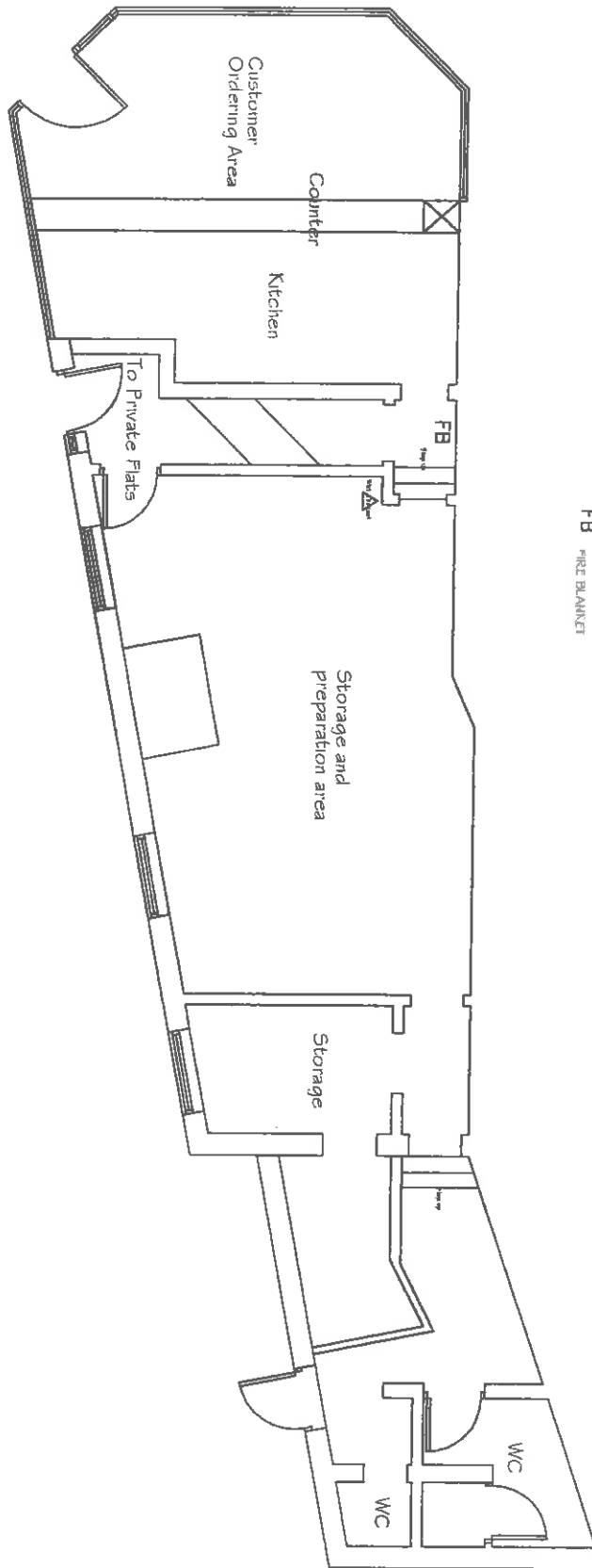
Where the premises licence is jointly held signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

Signed	
Print Name	
Capacity	
Date	

Contact name (where not previously given) and address for correspondence associated with this application. (Please read guidance note 13)					
Title:	<input checked="" type="radio"/> Mr	<input type="radio"/> Mrs	<input type="radio"/> Miss	<input type="radio"/> Ms	<input type="text"/>
Forename(s)	HOSSIN.			Surname	SHOJAGG.
Address for Correspondence associated with this application	<input type="text"/>				
	BLACKPOOL.				
				Post Code	FY1 <input type="text"/>
Telephone Number	<input type="text"/>		Mobile Number	<input type="text"/>	
E-Mail Address	<input type="text"/>				

Notes for Guidance

1. Describe the premises. For example the type of premises, it's general situation and layout and any other information that could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in the building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24-hour clock format (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on. If you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish for people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises that may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films of restricted age groups, the presence of gaming machines.
9. Please list here the steps you will take to promote all four licensing objectives together.
10. The application must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, the applicants or their respective agents must sign the application form.
13. This is the address that we shall use to correspond with you about this application.



▲ EXTINGUISHER
 ■ FIRE BLANKET

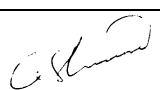
~~XXXXXXXXXX~~, 89 Dickson Road, Blackpool
 BELLA PIZZA

~~XXXXXXXXXX~~

Blackpool Council Licensing Service

Representation made by a Responsible Authority
to an application for the grant / variation of a Premises Licence /
Club Premises Certificate

Responsible Authority

Name of Responsible Authority	Blackpool Council – Health & Safety		
Name of Officer <i>(please print)</i>	Gareth Shaw		
Signature of Officer			
Contact telephone number	01253 478315		
Date representation made	25	06	15
Do you consider mediation to be appropriate	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No

Premises Details

Premises Name	Bella Pizza,
Address	89 Dickson Road,
	Blackpool
Post Code	FY1 2ET

Reasons for making representations

To bring to the attention of the committee that this premise has had its licence revoked previously for serious failures in safety detailed in the previous review paper below.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

Throughout 2013 the Health and Safety Enforcement section have been carrying out spot checks on electrical installations this has included some joint working with Electricity Northwest.

During inspection of premises it has come to light that the electrical installation on this premise was tampered with in order to abstract electric.

Meter tampering is a criminal offence and in this case rendered the electrical system as extremely dangerous including the electrical system that fed the upstairs flat where a couple lived with their baby.

The Electricity Northwest officer Joseph Taylor outlines his findings in his statement below.

Witness Statement

Form MG 11

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

Statement of JOSEPH MARTIN TAYLOR (insert your full name)

Age if ~~under 18~~ Over 18 (if over 18 'insert over 18'), Occupation. Revenue Protection Inspector

This Statement (consists of * 1 pages 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 not to believe to be true.

Dated the * 19th of * APRIL 2013 Time 10:02 a.m./p.m.

Signature: * J.M. TAYLOR

I am MR J. M. TAYLOR I am employed by ELECTRICITY NORTHWEST LIMITED. My duties are to inspect metering equipment installed in consumer's premises.

On THURSDAY 14th MARCH 2013

I attended 89 DICKSON RD BLACKPOOL FY1 2ET

The Electricity Supplier to this address is NPOWER

The last known consumer at this address is MR MEHDAVI

The meter position is located IN THE CELLAR

I first checked the meter number A01M17412 reading 23043

I then inspected the meter and service position and found THAT THE WIRING HAD BEEN ALTERED TO FORM WHAT IS KNOWN AS A "SWITCHED NEUTRAL" THIS IS WHERE THE EARTH WIRE IS USED AS A NEUTRAL SO POWER USED WILL NOT RECORD ON THE METER. THIS IS EXTREMELY DANGEROUS AS IF THERE IS A BREAK IN THE EARTH CONNECTION THE METALWORK (IE: COOKING RANGE) AND THE UPSTAIRS FLAT WILL BECOME LIVE.

I removed the ~~by-pass~~ meter (delete as appropriate) (Ref. No.....) and fitted a new meter SMT

The electricity supply was left "OFF" SUPPLY AND RESEALED.

The meter/evidence associated with this job was placed into an evidence bag and then later stored in our secure area located at BLACKBURN DEPOT.

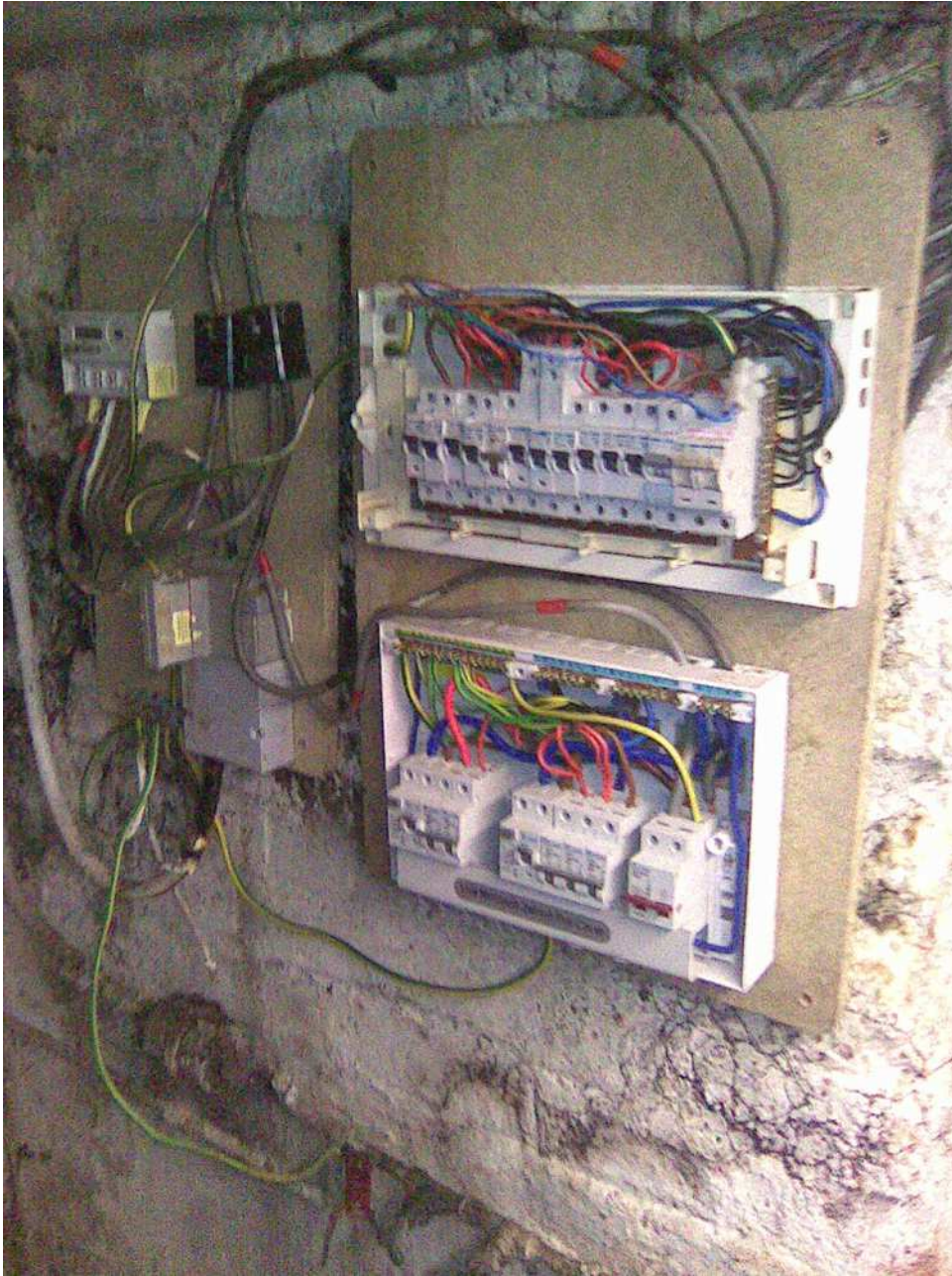
NO PERSON HAS ANY RIGHT OR AUTHORITY TO TAMPER OR INTERFERE WITH ANY METERS AND EQUIPMENT BELONGING TO ELECTRICITY NORTHWEST LIMITED.

Signature * J.M. TAYLOR Signature witnessed by * Self

Statement Taken by (rank/PIN/name).....

Division..... Station.....

The photograph below shows the tampered electrical system:



Karen Ainsworth, revenue protection manager for Electricity North West, comments below:

“We take meter tampering very seriously and electricity abstraction is a criminal offence and puts the safety of tenants, businesses and the general public at great risk.

“We will continue to crack down on local businesses as it is unacceptable that honest bill-paying residents across the North West are effectively having to pay for others to have free electricity.”

In addition to the electrical issues Mark Marshall, Licensing and Health and Safety Manager outlines in the statement below his dealings with the premise in relation to operating whilst the licence for the premise is suspended.

STATEMENT OF WITNESS

(Criminal Procedure Rules 2005, r27.1(1);
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s5A(3)(a) and s.5B)

Statement of: Mark Marshall

Age if under 18 (if over 18 insert 'over 18) over 18

Occupation: Licensing and Health & Safety Manager

This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief and I mark it knowing that, if it is tendered in evidence I shall be liable to prosecution if I have willfully stated anything which I know to be false or do not believe to be true

Signature  Dated *12th November 2013*

I am Mark Marshall and I am currently employed as a Licensing and Health and Safety Manager for Blackpool Council. On Friday 25th October 2013 I was on duty checking premises on the 'suspended list'. The suspended list is a list of premises that have failed to pay their annual renewal fees. In accordance with the legislation the premises are advised 21 days before the suspension is due to effect in writing. They are clearly told that if the fee is paid within the 21 days then the suspension will not take effect. At 23.20 I visited 89 Dickson Road, which is recorded on the licensing system as Nelsons Chip Shop, The premises license was suspended on the 24th September 2013, 1 month prior to my visit. I went into the premises at which point I saw 2 customers inside. One male was being served with food as I entered and I saw a cash exchange for the goods. The next male who I would describe as in him mid 60's wearing smart clothes was waiting for his order which was clearly on the hot plate behind the counter. 2 males were behind the counter, I asked who was in charge and neither of the males took responsibility. I asked to see the license which indicated that Nasser Mahdavi was the License holder.

Signature  Signature witnessed by

On the **2nd of February 2015** in company with officer Lloyd Anderson I visited as I had noted staff smoking in the rear of the premise on entering the staff rushed to the rear of the premise and there evidence of smoking into a bin the operator was formerly warned about the need to work with authorities and also in relation to smoking legislation on the night. As we were leaving the premise a customer took offence at me issuing this warning and became extremely verbally abusive to the point myself and officer Lloyd had to retreat some distance from the property with the offender continuing his abuse all the way and it wasn't for some time until the operators and his staff came to our assistance. Fortunately we were able to leave without the incident escalating to physical violence.

After receiving this licence application Officer Jacqui Harrison visits and noted the following.

Filters on extraction missing and this is directly above flats.

Last electrical certification only relates to a dead test after the meter was taken out and no further checks have been made before continuing operations of the business.

Gas equipment not included on the gas safety certification.

Operator unable to confirm what hot water system was in place. Historically this has always been a gas system from the upstairs flat and again this was not included on the current gas safety certification.

Conclusion

I have concerns about the level of management in relation to safety and have seen little produced to reassure me that this premise will do anything other than continue to operate on a reactive basis rather than being proactive.

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