

Blackpool Council Licensing Service				
Representation made by a Responsible Authority				
Responsible Authority				
Name of Responsible Authority	Health and Safety			
Name of Officer <i>(please print)</i>	Keith Marsden			
Signature of Officer				
Contact telephone number	01253-478312			
Date representation made	14	12	2015	
Do you consider mediation to be appropriate			YES	NO
Premises Details				
Premises Name				
Address	136 Central Drive			
	Blackpool			
Post Code	FY1 5DY			
Details of your representation (Please refer and attach any supporting documentation)				
<p>On behalf of Health and Safety Enforcement, a responsible authority under the Licensing Act 2003, I submit this representation.</p> <p>Following a visit on the 21st August 2015 several safety issues were identified as follows:</p> <p>Traffic routes and in particular fire exit routes were blocked with cardboard, oil containers and other waste materials. Bins were overflowing with waste from the previous night's trade. The fire alarm had a fault light illuminated however this had been covered over with black electrical tape as had another broken button on the panel. There were no service or maintenance records available for the fire alarm system. In addition to this there was a dangerous electrical arrangement next to the service counter.</p> <p>I feel that all of the above have the ability to have a direct impact on public safety and the combination of these types of issues could put the public at serious risk. Paragraph 2.7 of the 182 licensing guidance specifically lists fire safety as one of the considerations for promoting the public safety objective. The management did not understand their responsibilities in relation to complying with the basic requirements of several health and safety regulations, the fire reform order or the promotion of the licensing objectives and I do not have confidence in their ability to manage health and safety effectively.</p>				

Following my visit I contacted Lancashire fire and rescue and referred the fire safety issues to fire officer Alex Shaw who is responsible for enforcing fire safety regulations. Despite several attempts Mr Shaw has been unable to contact the business operator or gain access to the premises in order to establish the current arrangements in relation to the above concerns.

Whilst this is a new application I believe that the management and persons in day to day control of the premises will remain the same and therefore I am not convinced that the above issues or any which should arise will be dealt with accordingly, or that the premises will be managed safely particularly during the busy periods when there is a higher potential for public safety issues to reoccur. To date I have had no correspondence or reassurances from any persons operating these premises. Following a visit by the councils food safety team on 27th November 2015 I have been informed that Mr Anwar, the previous licence holder is still the registered food business operator and that he was the person operating the premises at the time of visiting.

I have since visited the premises on 14 December 2015 and I spoke with a man called Sadi Yalpi who was working in the take away at the time I visited. Mr Yalpi told me that he was not an employee but just a friend of Mr Khalid Iqbal the new license applicant who was on holiday. Mr Yalpi also told me that Mr Anwar had left the business approximately 1 month earlier and was no longer involved. At the time of writing this submission the food registration still remains with Mr Anwar. He was also seen at the premises 2 weeks ago which is contrary to what Mr Yalpi told me.

Should it be the case that Mr Anwar has left the business I do still have concerns as on my visit on the 14th December it was clear that no management structure was in place and no person was present who was in full control or willing to take responsibility for the premises or for any safety issues should they arise. I feel that this again could lead to the problems that I have identified above and until reassurances have been made to confirm that this is not the case I do not have confidence that the public safety objective will be promoted effectively and within a relatively short period of time we will find the premises slip back to a position where public safety is compromised.

For New / Variation Applications only.

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