


Blackpool Council Licensing Service
Representation made by a Responsible Authority

Responsible Authority

Name of Responsible Authority	Weights and Measures Authority		
Name of Officer <i>(please print)</i>	Lee Petrak		
Signature of Officer			
Contact telephone number	01253-477861		
Date representation made	03	02	2016
Do you consider mediation to be appropriate	YES		NO

Premises Details

Premises Name	Radom Euro Shop
Address	239 Dickson Road
	Blackpool
Post Code	FY1 2JH

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

I am Lee Petrak, Public Protection Officer for Trading Standards, and I am duly authorised to submit representations on behalf of the Weights and Measures Authority.

In October 2014 and January 2015 quantities of tobacco deemed counterfeit and/or smuggled were seized from these premises resulting in the prosecution and conviction of the then owners of the business. This resulted in the premises losing its license to sell alcohol following review. In or around October 2015 the business changed hands to the current owners of the business Tomasz Nowak and Klaudia Szczepanska. Despite this change of management I am sceptical that the previous management have made a clean break from the premises. The reason for such scepticism is due to the fact that I have observed the previous ownership at the premises with Nowak and Szczepanska.

I conducted a visit to the premises on the 27th January 2016. I was initially greeted by a lady in the shop who claimed to be 'helping out' and did not work there. She was reluctant to give her details, but she did summon Nowak & Szczepanska. They arrived within 5 minutes but during the intervening period I had to indicate to the shop assistant that she was committing an obstruction offence, before

she would give me her details. Naturally this made me suspicious and is not, in my view, behaviour that lends itself to promoting the licensing objectives.

Nowak & Szczepanska confirmed that they run the business. They explained the applicant is known through a friend of theirs. They said that the applicant does not currently work in the premises but will be working at least 16 hours per week from w/c 1st Feb. They also stated that they are in the process of forming a limited company with the applicant. They were very clear that they will remain the business owners. The landlord has also confirmed that Nowak is currently responsible for the shop rental.

Nowak & Szczepanska's English is ok, but they do not have sufficient understanding of the key concepts outlined at paragraph 4.1.1 of the Council's Statement of Licensing Policy. They understood the need for a DPS before they can sell alcohol but had absolutely no understanding of what a personal licence is, or that persons selling alcohol would need to be authorised to do so. They have a basic understanding of the need for a challenge policy, but have no previous understanding of keeping a refusal register. CCTV is present in the premises and they both stated they could operate the system, they also confirmed that there is no intention to provide security staff on the premises, despite the application stating the contrary.

At present it would appear that there is uncertainty as to whether the applicant is the right person applying for the licence. Accordingly, there is a clear lack of clarity regarding accountability for the premises.

The premises are situated in Claremont Ward, which is a designated saturation area in the Council's statement of licensing policy, paragraph 4.8.1. I have read the applicants application for a new premises licence, and I do not believe the application demonstrates the premises will not add to the cumulative impact within the area (paragraph 4.8.2).

In making his application I do not believe the applicant has considered the Council's statement of licensing policy. In my view the application severely lacks detail in promoting the licensing objectives.

There is nothing exceptional about the application; in fact the operating schedule is devoid of anything meaningful which could be converted into appropriate conditions.

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.

