

LICENSING SERVICE

<i>For Office use only</i>	
<i>LalPac Application No.</i>	
<i>Licence Number</i>	PL0795

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

LICENSING ACT 2003

<i>Review requested by:</i>	Licensing Authority
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Town



Blackpool Council
BUILDING A BETTER COMMUNITY FOR ALL

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

LS/F/005/12/1

I	Mark Marshall
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[insert name of person requesting review]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
Premises Name and Address	The Gazette								
	154 Lytham Road								
	Blackpool	Post Code	F	Y	1		6	D	j
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Ahsan Khan									
Premises Licence or Club Premises Certificate Reference Number (if known)									

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)	√

3) a member of a club to which this application relates (also complete section 2A below)	

(2A) Individual Applicants (fill in as applicable)

Please tick

Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over	Yes	No	
Forenames					Surname				
Home address									
							Post Code		
Telephone Number					Mobile Number				
E-Mail Address									

(2B) Other Applicant or Representing Body

Name									
Address									
							Post Code		
Telephone Number									
E-Mail Address									

(2C) Responsible Authority applicant

Name	Mark Marshall							
Address	Progress House							
	Clifton Road							

	Blackpool	Post Code	F	Y	4		4	U	S
Telephone Number	01253 478349								
E-Mail Address	mark.marshall@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	✓
2) public safety	✓
3) the prevention of public nuisance	
4) the protection of children from harm	

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

The Premises was most recently visited on the 21st May 2014, serious concerns with the electrical installation were disclosed to the point that the installation was prohibited from use by Health and Safety, a more detailed explanation of these concerns will follow in their own independent representations.

A complete debacle in relation to ownership and control ensued with a series of individuals all pointing at each other in relation to who was liable for legal issues at the premises which resulted in nothing short of complete confusion. A copy of the lease was requested in order to establish legal liability for building safety issues, a lease was produced which was unsigned which listed the lease holder as Francis Jeevaratnam.

Whilst at the premises a male who gave his details reluctantly as Yasindh Vijey 12/6/87 was the only staff member on site, he claimed not to be working but was seen to serve a number of customers who came into the shop.

A short time later a male I know as Nadarajah Rajakuham 20-03-1960 attended the shop; I have previously dealt with this male in January 2014 where he was advised about having written training records in place for staff members who sold alcohol. I asked if he could produce any such training for Mr Vijey but no such document could be produced.

In January 2014 written advice was sent to the licence holder about staff training. See Document 1

Principally the premises suffers from a clear lack of accountability and management this is again demonstrated by the fact that in September 2013 the Premises Licence was suspended for non payment of the annual fee, on the 24th September 2013 after the suspension was effective the premises continued to sell alcohol, an offence contrary to Section 136 of the Licensing Act 2003.

Details of those offences will follow and be submitted before the hearing

Matters of Concern

The DPS- Ashan Khan is the DPS at a number of other premises ,
 Namely;
 113-115 Lytham Road, another premises of concern PL1696
 33 Chapel Street, PL0465.

It is clear that the task of being in day to day control of all 3 off licences which are in the high risk saturation areas is beyond him.

The removal of the DPS in these circumstances would be a very light touch response and it is the view of the Licensing Authority that the failings are down to systemic poor company practice which again lies with Mr Khan.

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.

Date: 16th January 2014

Ashan Khan
154 Lytham Road
Blackpool
FY1 6DJ

Our Ref: MM/CLF
Direct Line: (01253) 478483
Email: mark.marshall@blackpool.gov.uk

Dear Sir

Re: PL0795

I write further to my visit on the 8th January 2014 where I visited to check compliance with conditions on your premises licence.

On the 8th January 2014 I requested sight of the training records which were not available.

At the time of my visit which was at 13.00 hours on the 8th January 2014 these matters were raised with Nadarathah Rajokylam.

A mandatory condition on every Premises Licence is that an adequate proof of age policy is in place at all times, we consider this to mean documented staff training, I offered assistance by way of a proof of age training disk but this was refused.

Whilst at the premises sales of alcohol were witnessed and to be in breach of your conditions of licence is an offence under Section 136 of the Licensing Act 2003.

Yours faithfully

Mark Marshall
**Licensing/Health and Safety
Enforcement Manager**

Public Protection Division
Licensing Enforcement
Progress House
Clifton Road
Blackpool FY4 4US

Contact
T: (01253) 478375
www.blackpool.gov.uk

Part 4 – Other relevant information

Please tick

LS/F/005/12/1

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

If you have made representations before relating to this premises, please state what they were and when you made them.

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.	✓
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 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	Mark Marshall
Capacity	Licensing and Health and Safety Manager
Date	22 nd May 2014

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 5)

Title:	Mr	Mrs	Miss	Ms	Other	
Forenames				Surname		

Address for Correspondence associated with this application										
						Post Code				
Telephone Number					Mobile Number					
E-Mail Address										

Notes for Guidance

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