

# Blackpool Council

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

LICENSING ACT 2003

**Review  
requested by:**

Mark Marshall



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

### Contact

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

[www.blackpool.gov.uk](http://www.blackpool.gov.uk)

## 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.

<b>I</b>	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***

<b>Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.</b>									
<b>Premises Name and Address</b>	Ali's Takeaway & Restaurant								
	136 Central Drive								
	Blackpool	<b>Post Code</b>	F	Y	1	5	D	Y	
<b>State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)</b>									
Mohammad Saeed Anwar									
<b>Premises Licence or Club Premises Certificate Reference Number (if known)</b>								WA0013	

### ***Part 2 – Applicant details***

I am:

<b>1) an individual, body or business which is not a responsible authority</b>	Please tick <input type="checkbox"/>
<b>2) a responsible authority (please also complete 2C below)</b>	<input checked="" type="checkbox"/>
<b>3) a member of a club to which this application relates (also complete section 2A below)</b>	<input type="checkbox"/>

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

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

**(2B) Other Applicant or Representing Body**

<b>Name</b>										
<b>Address</b>										
						<b>Post Code</b>				
<b>Telephone No.</b>										
<b>Email Address</b>										

**(2C) Responsible Authority applicant**

<b>Name</b>	Mark Marshall – Licensing Authority											
<b>Address</b>	Number One, Bickerstaffe Square											
	Talbot Road											
	Blackpool					<b>Post Code</b>	F	Y	1		3	A
<b>Telephone Number</b>	01253 478493											
<b>Email Address</b>	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	X
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 2 before completing)**

This review is brought by the Licensing Authority based on poor management and a negligent oversight of systems in particular CCTV that is fit for its intended purpose, from the admissions made by the licence holder he was aware of CCTV problems and rather than rectify the issues it has come to a situation where footage was required to assist in the investigation by an Authorised Immigration official before the licence holder has sought specialist advice from an engineer. Due to his complete ignorance to the importance of CCTV within his premises which is in one of the most challenging area's of Blackpool an investigation has been frustrated and our belief is that due to this an illegal immigrant who was employed at the premises is now unlawfully at llarge.

The premises has chequred past with conduct that we belief has very much undermined the Licensing Objcetives and has previously been reviewed, the decision notice from the previous review is as follows;

The Blackpool Council being the licensing authority on the 15<sup>th</sup> November 2013 received an application from health & safety to review the premises licence issued in respect of Ali's takeaway, 136 Central Drive, Blackpool.

The Council have determined to deal with the review by revoking the licence

Decision

This review has been submitted by Health & Safety because in January 2013 checks revealed that the electricity meter had been tampered with. Furthermore, during a visit in November 2013 it was discovered that the gas meter had been interfered with. Food hygiene concerns were also cited.

We have heard that the seals in the electricity meter had been removed. This enabled the casing to be removed and the dials to be moved back to reduce the cost of electricity. Two visits took place in November 2013. At the first on 8<sup>th</sup> November 2013, fire risks were noted with a number of extension leads powering the CCTV system being hidden under cardboard and other combustible material. Cleanliness was described as poor and the floor was so greasy that the officer found his feet moving despite standing still. During the second visit on 22<sup>nd</sup> November 2013, blue tac was discovered in place of the paper seal on the gas meter and a screw had been inserted to reduce the speed at which the dial turned round. This in our opinion is the most serious incident because a small amount of gas escape can cause an explosion



Mr Anwar confirmed that he had been at the premises since 2006 but denied that the electricity meter had been replaced in 2008 despite hearing information from Electricity North West that this had occurred. He said he hadn't seen any blue tac on the gas meter despite the fact that he had taken meter readings.

Having heard the representations we are satisfied that the electric meter was replaced in 2008. Mr Anwar being the licence holder and person with a duty to pay the bills was the only person who would benefit from these meters being tampered with.

When considering a review we must take into account our own statement of licensing policy and the Secretary of State's Guidance. Having heard from both parties we are of the opinion that this premises is trading irresponsibly and we have no confidence that if we take any other action anything will change. We therefore feel that it is appropriate for the promotion of the licensing objectives to revoke the licence.

This decision will come into effect in 21 days unless notice of appeal is served within that time.

On Friday 27<sup>th</sup> March 2015 at 20:00 hours a visit was undertaken at Ali's takeaway by Sue O'Brian- Immigration Officer for HMRC, Mark Marshall- Licensing and Health and Safety Enforcement Manager and Carolyn Bland- Food Control Manager.

The officers introduced themselves and explained the purpose of the visit was to check the immigration status of all employees and to check on the safety and cleanliness of the takeaway. At the time of entry there were two males in the kitchen area, one was the Licence Holder, Mr Anwar the other an unknown male, in his early 20 of Pakistani appearance, slim build and between 5ft 9 and 6ft tall.

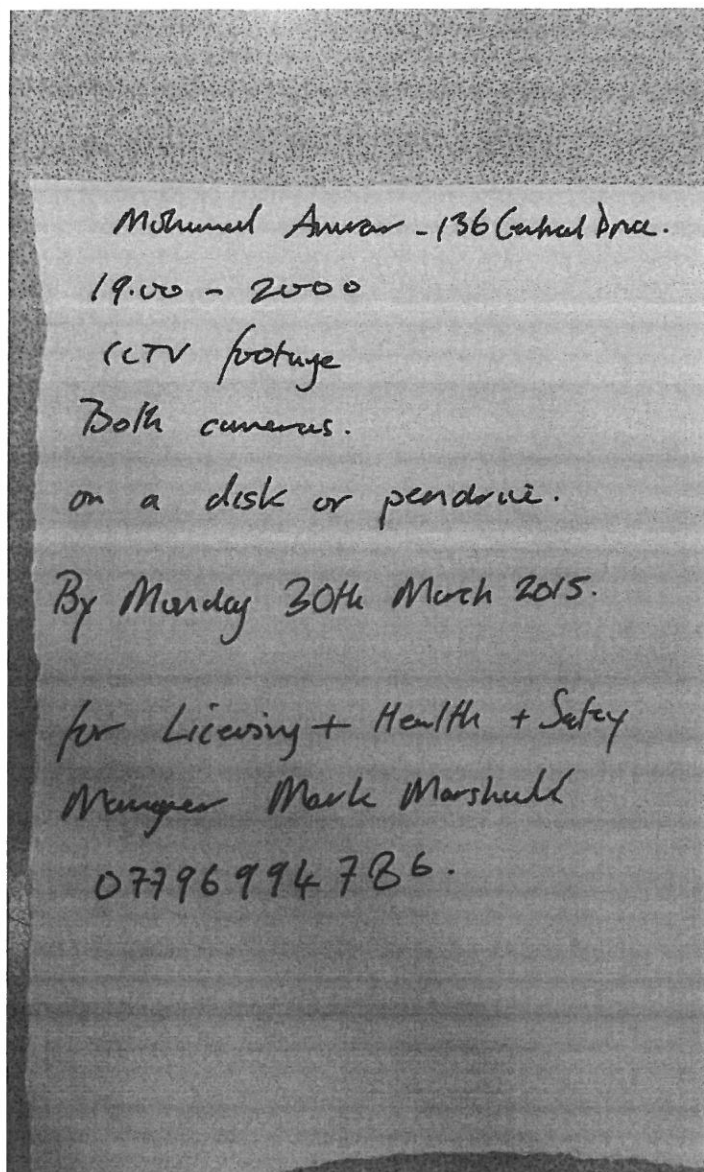
Mark Marshall went into the cellar and the unknown male employee made a very sudden exit from the takeaway, through the door that provides access into to the kitchen area ( note this exit/entrance is separate to the public entrances and ran up Ribble Road.

Whilst in the basement area evidence of human habitation was noted in the form of sofa with what appeared to be some make shift bedding. From a fire safety perspective this is bad practice not to mention unlawful from a housing perspective.



The licence holder Mohammad Anwar was questioned regarding this male, he explained he had been an employee for approximately 2 weeks. Further details were also taken by the Immigration Officer who will produce further evidence before the hearing.

Sue O'Brian was confident she would be able to identify the male from the takeaway's CCTV system. A written request was made to Mohammad Anwar to produce a viewable copy of the CCTV footage from 19:00 to 20:00 hours on 27<sup>th</sup> March 2015 on either disk or drive.



Mohammed Anwar - 136 Central Drive.  
19.00 - 20.00  
CCTV footage  
Both cameras.  
on a disk or pendrive.  
By Monday 30<sup>th</sup> March 2015.  
for Licensing + Health + Safety  
Manager Mark Marshall  
07796994786.

Carolyn Bland went to collect the CCTV footage from the takeaway on the afternoon of Monday 30<sup>th</sup> March 2015 and was met by Mohammad Anwar. He said the CCTV was not working on Friday 27<sup>th</sup> March so no CCTV footage is available.

Mr Anwar is utterly irresponsible, has no grasp of the importance of the promotion of the licence objectives and the Licence Authority have already made their position clear by previously revoking the premises licence. An appeal was lodged by the licence holder and the Appeal was reluctantly compromised.

However this latest incident causes huge concern and the Licensing Authority is asked to look again at the Licence Holders competence.

**Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 3 before completing)**

**Part 4 – Other relevant information**

<b>Have you made an application for review relating to this premises before?</b>	Please tick								
	Yes	No							
	X								
<b>If yes please state the date of that application</b>	Day		Month			Year			
	1	5		1	1		2	0	1

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

Review application made by Health and Safety, Decision Notice included above.


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<small>Please tick</small>	
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.	X
I understand that if I do not comply with the above requirements my application will be rejected	X

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 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent.** (Please read guidance note 5) **If signing on the behalf of the applicant please state in what capacity.**

<b>Signed</b>	
<b>Print Name</b>	Mark Marshall
<b>Capacity</b>	Licensing and Health and Safety Enforcement Manager
<b>Date</b>	1 <sup>st</sup> April 2015

<b>Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)</b>						
<b>Title:</b>	<b>Mr</b>	<b>Mrs</b>	<b>Miss</b>	<b>Ms</b>	<b>Other</b>	
<b>Forenames</b>				<b>Surname</b>		
<b>Address for Correspondence associated with this application</b>						
					<b>Post Code</b>	
<b>Telephone Number</b>				<b>Mobile Number</b>		



<b>E-Mail Address</b>	
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## Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
6. This is the address that we shall use to correspond with you about this application.

## Mark Marshall

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**From:** Carolyn Bland  
**Sent:** 02 April 2015 08:21  
**To:** Mark Marshall  
**Subject:** Ali's, 136 Central Drive, Blackpool

Mark,

Following our visit to the above premises on Friday 27 March 2015, where you asked Mohammed Anwar to provide you with CCTV footage from the premises, I can confirm that I revisited the premises on Monday 30 March 2015 at 16.50 hours.

Mohammed Anwar was present in the kitchen. I asked him for the copy of the CCTV footage and he told me there had been a problem with it. He said there had been problems in the past but that he thought it had been rectified. However when he has come to get the footage from Friday he could not do it. He claims to have taken it to an engineer who said he cannot copy it as the setting was wrong. As such he now has no footage from Friday night.

He claims the problem has now been fixed and as such the CCTV is now working properly.

Thanks,

Carolyn Bland

Food Control Manager

Public Protection Division, Blackpool Council, Number One Bickerstaffe Square,  
Talbot Road, Blackpool, FY1 3AH  
01253 478323

**Mark Marshall**

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**From:** O'Brien Susan <[REDACTED]>  
**Sent:** 01 April 2015 12:51  
**To:** Mark Marshall  
**Subject:** RE: Alis 136 Central Drive  
**Attachments:** ATT3709963.txt

Mark,

That is disappointing. We all saw that the CCTV was indeed working during the visit. I will refer this premises for a full enforcement visit as he appears to deliberately be trying to frustrate enquiries furthering my belief that the employee who ran away on the 27<sup>th</sup> March is an Illegal Immigrant and was working illegally.

Regards

Susan O'Brien  
Field Intelligence Immigration Officer  
Immigration Intelligence – UK Visas and Immigration – Home Office  
Merseyside Regional Intelligence Unit  
The Capital, 1st Floor, Red Zone, New Hall Place, Liverpool, L3 9PP



*Did you know that you can now send information directly to Intel via the new Internal Referral form on Horizon?  
<https://horizon.fcgs.gsi.gov.uk/page/intelligence-referral-form> The form allows staff across the Home Office to report information or concerns and allows Immigration Intelligence to quickly evaluate each referral and disseminate them to the appropriate team.*

-----Original Message-----

**From:** O'Brien Susan [redacted]  
**Sent:** Tuesday, March 31, 2015 04:02 PM GMT Standard Time  
**To:** Mark Marshall  
**Subject:** Alis 136 Central Drive

Mark,

Were you able to obtain the CCTV from the premises for the period 19:30 to 20:00 on 27/03/2015?

Regards

Susan O'Brien  
Field Intelligence Immigration Officer  
**Immigration Intelligence – UK Visas and Immigration – Home Office**  
Merseyside Regional Intelligence Unit  
The Capital, 1st Floor, Red Zone, New Hall Place, Liverpool, L3 9PP



*Did you know that you can now send information directly to Intel via the new Internal Referral form on Horizon?*  
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*The form allows staff across the Home Office to report information or concerns and allows Immigration Intelligence to quickly evaluate each referral and disseminate them to the appropriate team.*

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