

## LICENSING PANEL

TUESDAY, 27TH NOVEMBER, 2018, 10.00 AM

WHEEL ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND, PR25  
1DH

### AGENDA

**1 Apologies for absence**

**2 Declarations of Interests**

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

**3 Review of Premises Licence:-Moss Lane Convenience Store**

(Pages 3 - 46)

Report of Legal Services Manager/Interim Monitoring Officer attached.

**4 Review of Premises Licence:- Sangam Balti House**

(Pages 47 - 74)

Report of Legal Services Manager/Interim Monitoring Officer attached.

Heather McManus  
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Licensing Panel Councillors Jacqui Mort (Chair), Jane Bell and David Watts

The minutes of this meeting will be available on the internet at [www.southribble.gov.uk](http://www.southribble.gov.uk)

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REPORT TO	ON
Licensing Act Panel	27 November 2018



TITLE	REPORT OF
Review of Premises Licence:-Moss Lane Convenience Store	Legal Services Manager/Interim Monitoring Officer

Is this report confidential?	No
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## 1. PURPOSE OF THE REPORT

To provide an overview of the application and inform Members of the relevant parts of statute and guidance relating to the review application.

## 2 CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	
Health and Wellbeing	x
Place	x

Projects relating to People in the Corporate Plan:

People	
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## 3. RECOMMENDATIONS

Members are requested to:

- 3.1 note the content of the report; and conduct the hearing in accordance with the hearing procedure and,
- 3.2 determine what steps are appropriate to promote the Licensing objectives.

## 4. BACKGROUND TO THE REPORT

- 4.1 On the 4<sup>th</sup> June 2018 the premises was visited by Mark Marshall in order to carry out a routine compliance check. Numerous matters were found and later communicated in writing to the licence holder, a summary of the problems were;

No Proof of Age Training available for Donna Bamber who had been employed at the premises for 1 month, fire separation issues and Work Place safety problems particularly in relation to flooring and storage areas.

- 4.2 At approximately 17.30 hrs on the 24<sup>th</sup> August 2018 a joint visit to the premises took place, by representatives from the Home Office, authorised to carry out Immigration Enforcement, Lancashire Fire and Rescue and Officers from the Licensing Authority.

On entry there was one male behind the counter. All officers were identified and an explanation of the reason for the visit was given. There was one customer waiting at the till point with items due to be paid for, the male behind the counter was NADEERA KAUSHIKA RUPASIGHE

Enquires were made by Home Office staff regarding RUPASIGHEs status and after about 10 minutes it had been revealed that he did not have rights to work in the UK. A search of the male's mobile phone revealed text messages going back to December of 2017 which revealed that he had been employed at the shop since at least December 2017.

The licence holder RANGA RATNASEKERA was informed that she would be issued with a civil penalty for employing an illegal worker.

- 4.3 At 18.48hrs on the 7<sup>th</sup> September 2018 an underage volunteer was sent into the premises by a police constable to attempt to buy alcohol as part of a directed test purchase exercise. The sale occurred and 4 cans of Strongbow (dark fruits) at a price of £5.50 were sold to the volunteer.

At 18.55hrs Mark Marshall returned to speak with the seller in the company of the Police Officer and a PCSO. The staff member was known to be Donna Bamber .

- 4.4 At 10.50hrs on the 10<sup>th</sup> September 2018 the premises was visited in order to check if staff training was in place which may provide a defence for the licence holder for the unlawful sale. Section 146 (6) of the Licensing Act 2003 states;

*Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.*

If training records were in place, providing they were adequate this would have provided a due diligence defence, however the licence holder was unable to produce any documented training for staff. In addition the Premises licence also has a condition on the licence which states;

*All staff be trained regarding age related sales, details of which should be documented and produced on the reasonable request of any officer from a Responsible Authority.*

## **5 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES**

- 5.1 The Home Office have submitted a written representation attached as Appendix A.

## **6. DECISION TO BE MADE BY THE LICENSING ACT PANEL**

### **Determination of an application under Section 52 of the Licensing Act 2003**

- 6.1 Numerous paragraphs of the Section 182 Guidance are worthy of mention;

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The Panel are asked to consider the seriousness of the issues disclosed and deal with this application by taking account of;

1. Its own policy; and
2. Secretary of State Guidance (section 182 of the Licensing Act 2003).

## 8. FINANCIAL IMPLICATIONS

8.1 There are no direct financial implications arising from this report.

## 9. LEGAL IMPLICATIONS

9.1 The Licensing Authority are under a statutory duty to facilitate the review hearing. When determining this hearing the Council must comply with the rules of natural justice. The decision taken by the panel should be appropriate and proportionate in addressing any undermining of the licensing objectives

Any party at the hearing has a right to appeal the decision to the Magistrates Court.

## 10. COMMENTS OF THE STATUTORY FINANCE OFFICER

## 11. COMMENTS OF THE MONITORING OFFICER

Please refer to the comments at 9.1.above

## 12. OTHER IMPLICATIONS:

▶ <b>HR &amp; Organisational Development</b>	None
▶ <b>ICT / Technology</b>	None
▶ <b>Property &amp; Asset Management</b>	None
▶ <b>Risk</b>	Please refer to the legal risks identified above. None
▶ <b>Equality &amp; Diversity</b>	

## 13. APPENDICES

Appendix A - Representation e mail received by the Home Office

Appendix B – Review Application and associated documents.

Appendix C - Current Premises Licence.

Report Author:	Telephone:	Date:
Chris Ward	01772 625401	19 October 2018

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## Appendix A

**From:** Swayne Karl [<mailto:Karl.Swayne@homeoffice.gov.uk>]  
**Sent:** 05 October 2018 09:53  
**To:** Marshall, Mark <[mmarshall@southribble.gov.uk](mailto:mmarshall@southribble.gov.uk)>  
**Subject:** Moss Lane Convenience Store

On the 24/8/18 Immigration Enforcement conducted a joint licensing visit with South Ribble Licensing to Moss Lane Convenience Store, 41 Moss Lane, Leyland, PR25 4XA.

Upon entry there was one male working alone at the store who we now know to be Nadeera Rupasinghe a Sri Lankan male born 02/11/81.

Checks on Home Office systems showed that subject entered the UK on a Tier 4 student visa as the dependant partner of his wife Udeshie Chinthani Anada De Silvee WETHTHAMUNI on a visa valid from 25/01/10 to 31/12/11. They were granted further leave again as a Tier 4 student and Nadeera as a dependant partner until 30/05/15. A further application was raised on 17/07/15 for a Tier 2 visa which is graduate study level for Udeshie allowing Nadeera to remain and work as her dependant but this was refused on 13/03/17, an appeal was raised and the outcome was maintained. He then claimed asylum on 13/06/17 and this was refused on 12/12/17. There is a 1st tier review from 13/07/18 that is still outstanding however subject is now out of time and is an overstayer in the UK.

When Nadeera claimed asylum he was given an Asylum Registration Card (ARC) which clearly states on it EMPLOYMENT PROHIBITED, when he sought employment at Moss Lane Convenience Store it is the responsibility of the owner of the business to complete a right to work search for any foreign national in the UK which has been prompted and is current knowledge for employers especially license holders, these checks are simple and easy to complete as it is a short form on the gov.uk website which is answered within 5 working days and confirms if the person has the right to work in the UK.

Upon questioning of the Ranga RATNASKERA the premise licence holder confirmed that he knew he was to complete checks and asked for Home Office letters to confirm his right to work in the UK but never checked with the Right to work checking service or the Home Office.

Ranga confirmed that Nadeera has been working on and off in the store since December 2017 when Nadeera had claimed asylum in June 2017 and was informed that he was prohibited from taking employment, a simple check would have confirmed that Nadeera had no permission to work and ignorance of this fact is not a statutory excuse.

Therefore a civil penalty has now been served against Ranga and Moss Lane Convenience store and is still being processed at this time.

  
Immigration  
Enforcement  
Karl Swayne  
Acting Chief Immigration Officer 8229  
Immigration Enforcement  
Immigration Compliance & Enforcement  
Capital Bld, Liverpool, L3 9PP  
Office:0151 213 2797  
Mobile:07825735026

## Appendix A

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This email and any files transmitted with it are private and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please return it to the address it came from telling them it is not for you and then delete it from your system. This email message has been swept for computer viruses.

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## South Ribble Borough Council

**Application for the review of a premises licence or club premises certificate 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. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**I** David Whelan

(Insert name of applicant) **apply for the review of a premises licence under section 51 / 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 (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Moss Lane Convenience Store 41 Moss Lane	
<b>Post town</b> Leyland	<b>Post code (if known)</b> PR25 4XA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Ranga RATNASEKERA

<b>Number of premises licence or club premises certificate (if known)</b>
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**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible

Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Licensing Authority Civic Centre West Paddock Leyland PR25 1DH
Telephone number (if any)      0 1772 625247
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

Q-What time do you start?

4.30-5.00pm

Q-What time do you finish?

10pm

Q-Do you get paid?

Yes

Q-How are you paid?

Cash

Q-How much an hour are you paid?

£6.80

Q- Does someone replace you if you can't work?

Yes he has more staff.

A separate interview took place with the Premises Licence holder a short time later. This was conducted by a different Officer, IO Amanda Cahill, the following questions were put to her;

Q-How long has Mr Nadeera RUPASINGHE worked in the store?

He has been working on and off

Q- Since when?

Since December 2017.

Q-Did you ask him to provide any documentation to show he was allowed to work in the UK?

Not me, No, it was my husband asked him to provide documents, Mr RUPASINGHE said he was on a 5 year working visa, he had already applied.

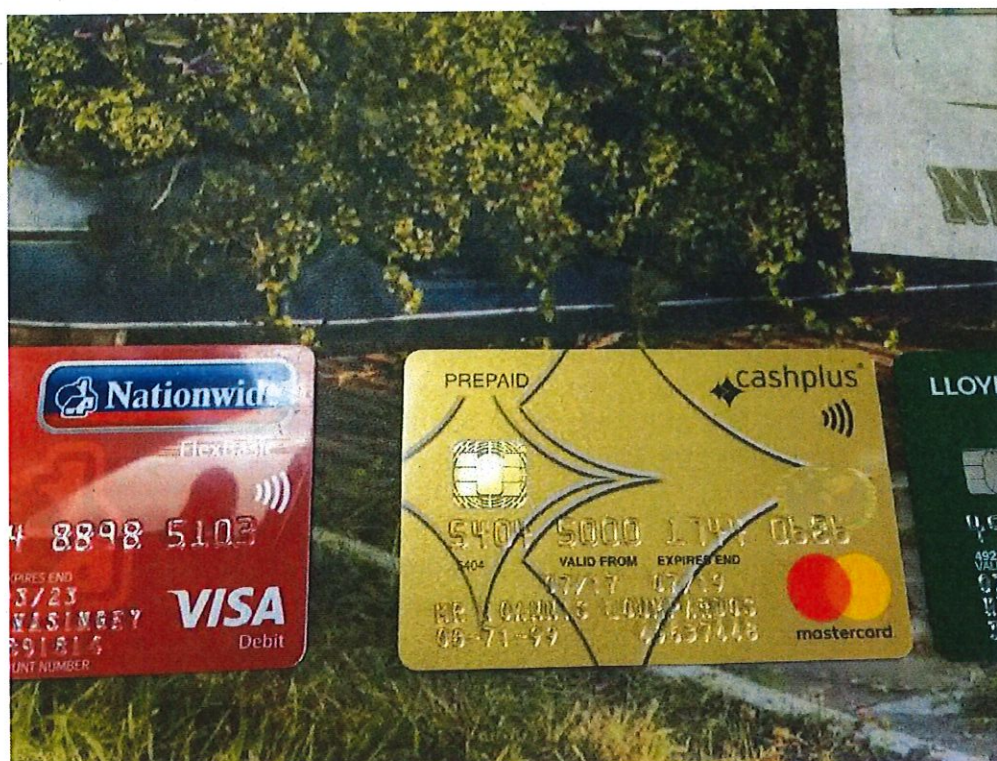
Q-Did you chase it up and did you see a copy of the visa to show he could work?

Mr Ichira YAYTHUGODA 07/04/80, owners husband stated he saw Mr RUPASINGHE's application that he was making to the Home Office.

Q-Did you take a copy of the visa or the application?

No, stated that Mr RUPASINGHE would give them a copy when he got granted.

Q-How long ago was this?



### Employment of illegal Workers

The latest revision of the Section 182 Guidance makes numerous references to the employment of illegal workers, the paragraphs below explain how the employment of illegal workers ties in with the Crime and Disorder Objective and also highlights it as an issue that Licensing Authorities should take very seriously;

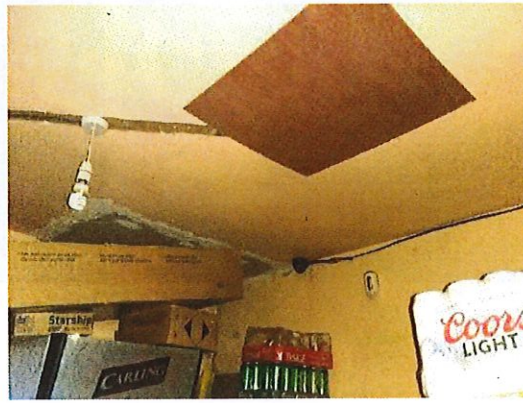
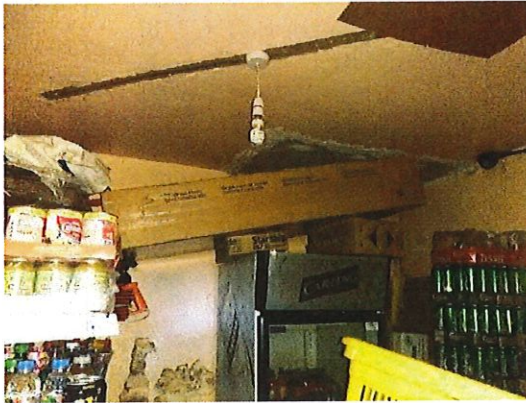
9.25 The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

date service stamp as they did on the 4<sup>th</sup> June 2018 which was 6/17 and the fire separation in the store room was a completely inappropriate repair.

The photos below demonstrate the general condition of the work areas of the shop.

The items shown do not all directly impact on Public safety, mainly due to the fact that the public do not spend any significant amount of time on the premises, but licence holders should respond to previous concerns raised especially where they are legal requirements or could directly compromise the safety of the building, all the matters that have not been rectified are either legal requirements or directly compromise the safety of the building.



**Above.**

The Ceiling has been repaired with thin plywood that would have no fire separation qualities what so ever. The appropriate repair needed to be plaster board with a layer of skim finish plaster.

I don't know but I can call my boss.

Do you recall the sale?

Was he a tall guy?

Yes

Why didn't you ask him for ID?

I thought he looked old enough.



Volunteer 2

DOB 16/06/2001

**10<sup>th</sup> September 2018**

At 10.50hrs the premises was visited in order to check if staff training was in place which may provide a defence for the licence holder for the unlawful sale. Section 146 (6) of the Licensing Act 2003 states;

*Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.*

This is taken to mean staff training in relation to this particular matter, in addition the Premises licence also has a condition on the licence which states;



**Please provide as much information as possible to support the application (please read guidance note 3)**


Please tick ✓ yes

- 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 3 – 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 behalf of the applicant please state in what capacity.

Signature  .....

Date 11th 09 September 2018 .....

Capacity Legal Services Manager / Interim Monitoring officer  
South Ribble Borough Council

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</p> <p>Civic Centre West Paddock</p>	
<p>Post town Leyland</p>	<p>Post Code PR25 1DH</p>
<p>Telephone number (if any)</p>	
<p>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</p>	

Notes for Guidance



Date: 5<sup>th</sup> June 2018

---

Your ref: Our ref: n/a

---

Please ask for: M.Marshall

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Extension: 5401 Direct Dial Tel: 01772 421491 (Gateway)

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Fax: n/a email: [Licensing@southribble.gov.uk](mailto:Licensing@southribble.gov.uk)

Civic Centre, West Paddock,  
Leyland, Lancashire PR25 1DH  
Tel: 01772 421491  
Fax: 01772 622287  
email: [info@southribble.gov.uk](mailto:info@southribble.gov.uk)  
website: [www.southribble.gov.uk](http://www.southribble.gov.uk)

**Mrs Ranga Ratnasekera**  
**Moss Lane Convenience Store**  
**41 Moss Lane**  
**Leyland**  
**PR25 4XA**

Dear Madam

**R;.Licensing visit, 41 Moss Lane Leyland, Lancashire PR25 4XA**

I refer to our recent visit to your premises, the purpose being to check compliance with your licensing conditions and ensure the Licensing Objectives were being promoted.

Your Premises Licence includes various conditions licence, namely;

**OFF-LICENCES AND OFF-SALES DEPARTMENTS OF ON-LICENCED PREMISES - PERMITTED HOURS**

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

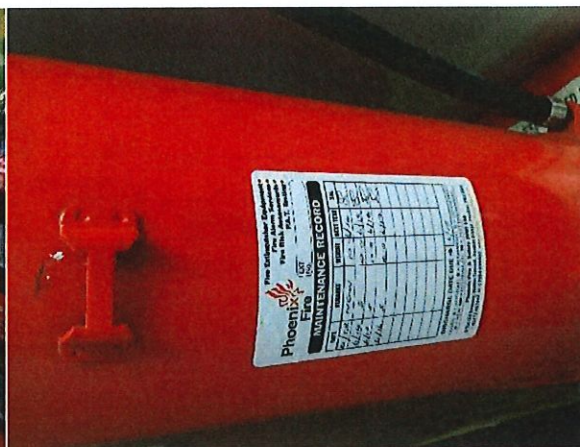
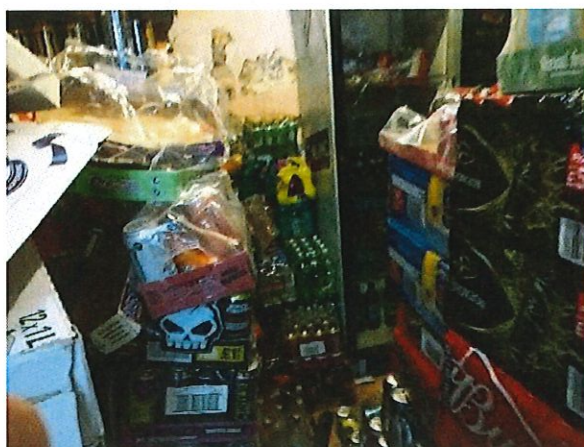
- (a) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (b) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

**OFF-LICENSED CONSUMPTION**



The store room was disorganised and presented difficulties for staff who would need to manual handle stock.

The fire extinguishers were 12 months over due a service/inspection.



The flooring near the front entrance was in a poor condition with numerous tears that presented a tripping hazard for the public

A large hole in the ceiling in the store room comprised the fire separation between floors.



To summarise the issues raised, the training records being deficient does constitute a breach of your licence which is also an offence under the Licensing Act 2003, Section 136 of the Act and now carries an unlimited fine and or up to 6 months in prison. The poor maintenance of the premises could present a risk to the Public Safety Licensing Objective if not rectified. A relevant paragraph of the Section 182 Guidance is found below;

*11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.*

## Licensing

### Card Recognition Guide

#### 5 – Step Checking Process

##### STEP 1 – Check the PASS Hologram

- Look for the 3D effect in the background of the hologram
- Look for the small PASS text in the background
- The PASS hologram must be flush with the plastic of the card – NOT stuck on top of plastic.

##### STEP 2 – Check the Photograph

- Ensure that the photograph is of the person presenting the card – if necessary, politely ask the person to remove their hood, hat or sunglasses to be sure.
- The photograph must be printed directly on to the plastic of the card – NOT stuck on top of the plastic.

##### STEP 3 – Check the Date of Birth

- Make sure they are old enough to buy the goods or services requested. Check the printed D.O.B and date when 18.
- The date of birth must be printed on to the plastic – NOT handwritten or stuck on the top of the plastic. (Blackpool Council's 18+ Card has the date when 18 embossed (raised))

##### STEP 4 – Check the Card

- Ensure the card has not been tampered with or altered
- Feel the card – it should be completely smooth – NO ridges or anything stuck on to the card.

##### STEP 5 – Check the Person

- If you are still unsure about a person's age, your legal responsibility is to refuse to sell.
- **YOUR PERSONAL SAFETY IS THE MOST IMPORTANT THING**
- If you feel threatened, call your supervisor or manager for assistance.

#### If you refuse to sell...

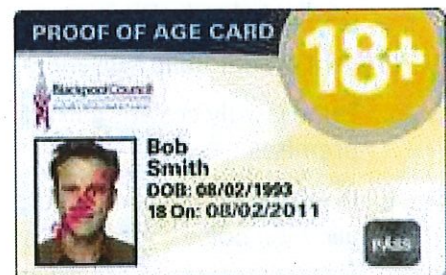
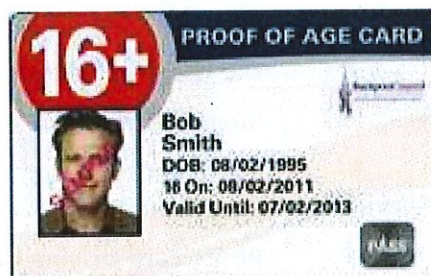
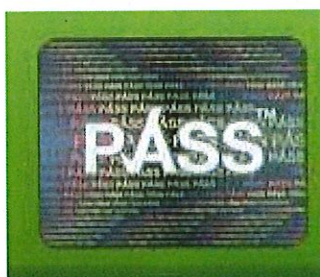
If you refuse to sell items because you believe the person is too young, once the person has left report the incident to your supervisor or manager, and record the details in the "Refusal Record Book".

It is recommended that the only other acceptable forms of proof of age are:

- Photo driving licence
- Passport

For further information please contact:

**01253 478375 Proof of Age Training**



# Licensing

## What You Are Looking For:

### Driving Licence

Every young person today should be in possession of a Photo card Driving Licence, the old paper licences have been virtually phased out.

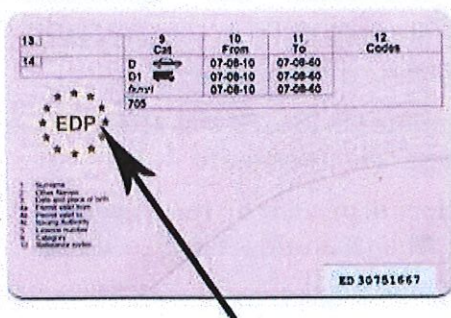
The first thing you should do is study the document to see if it is genuine, as the internet is now a source where lots of 'Novelty Style' I.D's are sold, often called European Driving Permits.

The following example is an illustration of a **FALSE "DRIVING PERMIT"** that is available on the internet, and at first glance can be very convincing.

### Card with a hologram

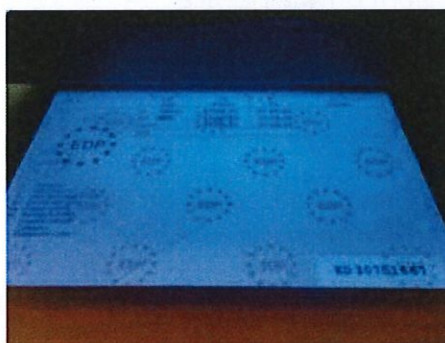


Note the hologram. It has stars and waved lines. This is a scanned image of the card and so it is impossible to show you the colours and how the hologram changes shape when the card is moved at different angles to the light.



Note the EDP text and stars using a special security ink that causes it to look brown in colour at some angles yet the ink is a bright gold colour when viewed at other angles.

### Card with a hologram



### Genuine Driving Licences

The first thing you are looking for is the UK which is placed top left of the card, then the word Driving Licence across the middle of the card.

Then feel item 1 on the licence which is the surname, as you feel across with your index finger the lettering should be raised, same with item 9, this is the category of entitlements, this should also be raised.

The licence will have a hologram which can vary dependant on the date of issue.

You then need to check: the following;

- Face
- Date of birth
- Name



## Licensing

### Licensing policy paragraph 3.9.2

#### Underage sales

The licensing authority is concerned about the availability of alcohol to persons under the age of 18 within the area. Aside from the obvious health problems, and the enhanced chances of teenage pregnancy, the community suffers from antisocial behaviour caused by excessive consumption of alcohol by young people.

The licensing committee will view very seriously premises reviewed due to underage sales and although each review application will be determined on its own merits, licence holders will be expected to explain how the sales took place and what measures have been put in place to minimise the risk of such sales taking place again.

#### Defences

The defences in law are found in Section 146(4) (a) and (b) of the Licensing Act 2003 which states:

Where a person is charged with an offence under this section by reason of his own conduct it is a defence that-

- a) He believed that the individual was 18 or over and
- b) Either
  - (i) He had taken all reasonable steps to establish the individual's age or
  - (ii) Nobody could reasonably have suspected from the individual's appearance that he was aged under 18

Subsection (5) clarifies what "all reasonable steps to establish a person's age" means. A person is treated as having taken all reasonable steps to establish an individual's age if:

- a) He asked the individual for evidence of his age and
- b) The evidence would have convinced a reasonable person

#### Reducing the Risks of Underage Sales

There are two different threats in relation to serving alcohol to children;

##### 1. Test Purchasing

This is where underage people are sent into premises by the Police and Trading Standards to try and buy alcohol, if a sale is obtained then action is likely to follow

##### 2. Fraudulent or Borrowed ID

Examples within this training pack show the quality of fraudulent documents but further threats include altered or borrowed ID; remember the test is that the ID would have convinced a reasonable person so by employing the 3 point check (the rule of 3) you can meet this "Reasonable Person" test.

To recap, the stages are;

- Ask for the ID – This meets section 146(a)
  - (i) Steps to establish the age
- Check the validity of the document
- Checking the owner



## Licensing

### The Law

It is against the law to sell/supply alcohol to any person under the age of 18 years.

It is against the law for a person under the age of 18 to consume alcohol on relevant premises.

It is an offence to purchase or attempt to purchase alcohol on behalf of an individual who is under the age of 18.

It is an offence for an individual under the age of 18 to purchase or attempt to purchase alcohol.

### Exemptions

If an individual is aged 16 or 17, an alcoholic drink of beer, wine or cider is allowed as an accompaniment to a table meal as long as the individual is accompanied by someone over the age of 18. However the alcohol drink must be purchased by an individual who is over the age of 18.

An individual under the age of 18 is exempt from prosecution for purchasing or attempting to purchase alcohol at the request of a constable or a weights and measures inspector who is acting in the course of their duty.

### Challenge 21

Challenge 21 is an initiative brought in to help in the assistance of identifying persons under the age of 18.

**IF YOU APPEAR TO BE UNDER 21 YOU WILL BE ASKED TO PROVE YOU ARE OVER 18.**

### Signs of Underage

- Signs that someone maybe underage include: -
- Appearance – over dressed, excessive make-up etc
- Nervousness – shaking, looking away/around, fidgety

### Test Purchasing

Police Officers along with Weights & Measures Inspectors regularly carry out test purchase operations where persons no older than 18 months under the age of 18 will attempt to purchase alcohol.

### Forms of ID

- Acceptable forms of ID include
- Passport
- Driving Licence
- 'Pass' accredited proof of age cards

The 'Pass' accredited cards have a holographic logo on the front of the card. If the card does not have the hologram, do not accept it. The local Trading Standards may also have a 'Pass' Accredited card.

All records **must include the staff signature** who has undertaken the training and the date given. This must be corroborated with a dated signature from the person who has given the training.

**Please note, these are only guidelines of what would be expected to be seen in a training package. Your own must be made specific to your premises.**

To assist you in staff training the Local Authority licensing department have developed a training disc which consists of ...

## Knowledge Check (sheet one)

1. Name the four Licensing Objectives?

(1)

(2)

(3)

(4)

2. As a member of bar staff your acts or omissions could directly impact on which licensing objective?

3. Explain in a sentence what challenge 25 is?

4. Name two acceptable forms of identification that would be accepted?

(1)

(2)

5. List two different verification signs on a UK Driving Licence?

(1)

(2)

6. Name two important checks that you need to make with a UK Passport?

(1)

(2)

## Knowledge check (sheet one ANSWERS)

Q1. Name the four Licensing Objectives?

**(1) A - The prevention of crime & disorder**

**(2) A - Public Safety**

**(3) A - The prevention of public nuisance**

**(4) A - The protection of children from harm**

Q2. As a member of bar staff your acts or omissions could directly impact on which licensing objective?

**A. The protection of children from harm.**

Q3. Explain in a sentence what challenge 25 is?

**A. Anyone who looks under 25 years old will have to prove they are over 18 years of age.**

Q4. Name two acceptable forms of identification that would be accepted?

**A - Passport**

**A - Photo driving licence**

Q5. List two different verification signs on a UK Driving Licence?

**A. UK logo on top left of card**

**A. The word DRIVING LICENCE in top middle of card**

**A. Surname has raised characters**

**A. Categories on bottom of licence has raised characters**

**A. Steering wheel symbol on rear of card changes colour depending on angle of inspection.**



## Knowledge check (refresher sheet ANSWERS)

Q1. What impact can a formal caution have on your career?

**A. educational/career /travel choices, influence the courts decision on sentencing if you are caught selling to underage after already receiving a formal caution**

Q2. How long do you have to pay a Fixed Penalty Notice?

**A. 21 DAYS**

Q3. Which authority can administer a formal caution?

**A. Police**

**A. Trading Standards**

Q4. What indicator(s) would lead you to suspect that a driving licence is false?

**A. No UK logo on top left of I.D.**

**A. Driving "Permit" printed on the I.D.**

**A. Surname or categories have NO raised characters on the I.D.**

**A. Steering wheel symbol on reverse of I.D does NOT change colour when tilted.**

Q5. What course of action should you take if there is doubt of validity OR ownership of I.D presented?

**A. REFUSE SALE**

Q6. On a passport what is an effective way of verifying the date of birth.

**A. Check the centre numbers along bottom of passport.**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of: AMANDA CAHILL

Age if under 18: OVER 18 ..... (if over 18 insert 'over 18') Occupation: IMMIGRATION OFFICER (IO)

This statement (consisting of 2 page(s) 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 do not believe to be true.

Signature: A Cahill ..... Date 27/08/18

I am currently employed as an Arrest Trained Immigration Officer by the Home Office, Immigration, Compliance and Engagement (ICE) Unit, based at THE CAPITAL, LEVEL 0, NEW HALL PLACE, L3 9PP

On Friday 24/08/2018 I was in full uniform as I took part in a Enforcement visit to Moss Lane Convenience Store, 41 Moss Lane, Leyland PR25 4XA. A Multi agency visit led by Ribble Licensing Team.

For the purpose of Home Office Immigration Enforcement procedures CIO Shirley was OIC of this visit. Entry to the address, Moss Lane Convenience Store, 41 Moss Lane, Leyland PR25 4XA was gained by Section 179 of the Licensing Act 2003 as amended by the Immigration Act 2016 explained and served by CIO Shirley. I was tasked with undertaking an illegal working interview with the Owner, Ranga RATNASEKERA DOB: 26/04/1983, Female. I showed my warrant ID card to Mrs RATNASEKERA and identified myself. Mrs RATNASEKERA had been advised that LKA male present Nadeera Kaushika RUPASINGHE DOB: 02/11/1981, did not have permission to work and asked if she would answer questions in respect to Mr RUPASINGHE working illegally at Moss Lane Convenience Store. She initially said that she wasn't fit enough as she is pregnant, I further asked if she was happy to answer questions, stated she was now happy to answer questions in respect to Mr RUPASINGHE working at Moss Lane Convenience Store..

Q1. How long has Mr Nadeera RUPASINGHE worked in the store?

A1. He has been working on and off.

Q2. Since when?

A2. Since December 2017.

Q3. Did you ask him to provide any documentation to show he was allowed to work in the UK?

A3. Not Me, "No", it was my husband asked him to provide documents, Mr RUPASINGHE said he was on a 5 year working visa, he had already applied.

Q4. Did you chase it up and did you see a copy of the visa to show he could work?

A4. Mr Ichira YAYHATHUGODA DOB: 07/04/1980, Owners husband stated he saw Mr RUPASINGHE's application that he was making to the Home Office.

Q5. Did you take a copy of the visa or the application?

A5. No, stated that Mr RUPASINGHE would give them a copy when he got granted.

Q6. How long ago was this?

A6. Around November or December 2017.

Q7. Did you chase him to supply a copy?

A7. I asked, Mr RUPASINGHE told them his visa was still being processed.

Q8. How much do you pay Mr RUPASINGHE?

A8. £7.80 an hour.

Q9. Did you supply him with a wage slip?



MG11T

- a) The Victim Personal Statement scheme (Victims only) has been explained to me: Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet "Giving a witness statement to the police – what happens next?" Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA: Yes  No
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:..... PRINT NAME:.....

Signature of parent/guardian/appropriate adult:..... PRINT NAME:.....

Address and telephone number if different from above:.....

.....

Statement taken by (print name):..... Station:.....


Time and place statement taken:.....



2008/07(1)

TS33BPA2293  
MOSS Lane Convenience  
Store, Moss Lane  
Leyland PR25 4XA  
Notebook Entry of  
To A Cahill 4200  
Cahill 24/8/18.

Appendix B

 Immigration  
Enforcement

OFFICIAL - SENSITIVE  
(when completed)

IMMIGRATION ENFORCEMENT  
NOTEBOOK

Name of user TO CAHILL

Date taken into use 24/8/18

Date taken out of use \_\_\_\_\_

Serial number: IE 014317

OFFICIAL - SENSITIVE  
(when completed)

IE100A Imprint date 07 16

Exhibit AC/1



I have asked if Mrs<sup>PO</sup> Ratnasekera is happy to answer my questions in respect to Mr RUPASING working illegally in the store and she stated that she is not fit enough to answer the questions, she is prepared to answer the questions, she said she is now happy to answer the questions in respect to Mr RUPASING working at Mass Lane - Conventrice Store

Q① How long has Mr Nadeera RUPASINGHE worked in the store?

A① He basically has been working on and off, since when?

A② Since December 2017<sup>PI</sup>.

Q③ Did you ask him to provide any documentation to show he was allowed to work in the UK?

A③ Not me, No, it was my husband asked him to provide documents, Mr RUPASINGHE said he was on a 5 year work visa, he had already applied

Q④ Did you chase it up or did you see a copy of the visa to show he could work?

A④ Mr Ichira YAMHATHUG ODA DOB: 07/04/1980 - owner's husband state he saw Mr RUPASINGHE application that he was

Appendix B  
left premise at 18:30 hrs.  
Al Cahill Id 4000

BS.

BS



Immigration  
Enforcement

NOD REF: TS33BPA2293

## Notice to Occupier

Address of Premises Moss Lane Convenience Store, 41 Moss Lane, Leyland  
PR25 4XA

**\* Informed consent**

I hereby consent to Immigration Officers [and Police Officers and .....] \*  
entering and searching the above-named premises for .....  
on .....

I am aware of the extent of the proposed search and if, in the course of conducting the above search, criminal activity is found or a breach of immigration law is suspected, enforcement action may be taken. Enforcement action may include the seizure of property which may be used as evidence of an offence and may include the arrest of any person suspected of committing offences or breaching immigration law. (If illegal workers are found or the premises are let to tenants without leave to remain, evidence obtained during the course of this visit may lead to the issue of a civil penalty and/or the issue of an illegal working closure notice). I am also aware that, once lawfully on the premises, immigration officers may exercise statutory powers of search in connection with the removal of persons in breach of immigration law or the imposition of a civil penalty.

I understand that I am not obliged to provide consent and that my consent can be withdrawn at any time.

Signature ..... Date .....  
Name ..... Over 18  Yes  No  
Status relative to premises .....

**\* STATUTORY POWER UNDER WHICH SEARCH WAS MADE With Warrant**

Warrant (copy attached) issued under section ..... of .....  
Date granted ..... / ..... / ..... by .....

**\* Without Warrant POWER UNDER WHICH SEARCH MADE**

Section 179 of licensing Act 2003  
Some of these powers require written authority of a Chief Immigration Officer or above, which will normally be recorded at 1 below. This notice will show at 2 if authority has been recorded elsewhere.

**1. Recording on this notice**

I hereby authorise the search of the above-named premises.  
Signature ..... Date/Time .....  
Name ..... Rank .....

**2. Recorded elsewhere**

Where authority recorded .....  
By whom (name/rank) .....  
Date/Time recorded .....

Entry forced:- Yes  No

Authorised by: .....

Damage:- Yes  No  If Yes, record full details in Pocket Note Book and take photographs

Premises Secured Yes  No  manager left @ premises

**Officer in Charge of Search**

Name J. SHIRLEY RB35  
Office LIVERPOOL IE  
Address CAPITAL BUILDING, L39 PP  
Date: 24/8/18  
Time of entry 1721 Hrs Departure 1830 Hrs

\* Delete as applicable

24/8/16

joint licensing visits with 21  
Mark Marshall all entry  
s179 Licensing Act.

① TS33BPA2293  
MOSS LANE CONVENIENCE  
STORE, 41 MOSS LANE  
LEWLAND, PR25 4XA

~~② TS33HUM1051  
School Lane Super Saver LTD  
112 School Lane, Bomber  
Bridge, PR5 6AD~~

~~③ TS33KVA1052  
SIVA AEP Insurance  
5 Station Road, PR5 6QR~~

~~④ TS33HUM1052  
Sargana Pakhi House 14-15  
Hole Street, PR5 5PL~~

~~⑤ TS33BPA2292  
NURAN SUPER, 755A Station  
Road, PR5 6LE~~

~~⑥ TS33HUM1051, Chastels  
29 North Lane, PR25 2NP~~

24/8/18 GOLD - HMI Berrington — 35  
 SILVER - ACIO Swayne — KR  
 BRONZE - IIO SHIRLEY — KR  
 LICENSING VISITS, SOUTH —  
 RIBBLE, LANCS WITH — KR  
 M MARSHALL. — KR  
 ① TSS3BPA2293 — KR  
 MOSS LANE CONVENIENCE-  
 STORE, 41 MOSS LANE, —  
 LEYLAND, PR25 4XA — KR  
 ② ~~TSSSHUMIOS1~~ — KR  
~~SCHOOL LANE SUPERMARKET,~~ —  
~~47~~ ~~PR25 6QD~~ — KR  
 ③ ~~TSSSHUMIOS2~~ — KR  
~~SIVA A & P CONVENIENCE STORE,~~  
~~STATION ROAD, PR2 5JQ~~ — KR  
 ④ ~~TSSBPA2292~~ — KR  
~~DUNSTON~~ — KR

This is a true copy of my notebook

K Swayne

ACIO 8229

24/8/18

Ph	Colombia, Peru
Ph	Malaysia, Qatar

① Copy of my PNB  
 Mass Lane Convenience  
 to Joe West  
 On Job  
 2/8/18

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

FRIDAY 24TH AUGUST 2018  
 Licensing visits led by Leyland  
 Licensing Team. Entry to all  
 premises is by Section 179 Licensing  
 Act 2003. AC C10 Shirley.

- ① TS33BPA 2293, Mass Lane  
 Convenience store, 41 Mass Lane,  
 Leyland PR25 4XA.
- ② ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~
- ③ ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~
- ④ ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

- ⑤ ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

Entered Mass Lane Convenience  
 store 172hrs. 1 male behind  
 counter. C10 Shirley served MD  
 & explained powers of entry. Male  
 produced UK driving licence Madeira  
 Kaushika RUPASIN GHE.

2/1/18, LKA, 99 Beverley Street  
 Bolton, BL1 4DY. Arrived UK  
 2010 Gause via. V.2a finished  
 2015. Checks show 2 UKS  
 CR5 TLO dep partner 25/1/10-31/12/11  
 C10 3/1/11 TLO dep partner 30/1/11 granted  
 until 30/5/15. T2 dependent  
 ... ..

**RESTRICTED (when complete)**

MG11  
UKBA

Q. DOES SOMEONE REPLACE YOU IF YOU CANT WORK?

A. YES HE HAS MORE STAFF.

Mr RUPASINGHE then signed my pocket notebook confirming he had understood me, all my questions and all his answers were true to the best of his knowledge and belief. I then served Mr RUPASINGHE all his papers, took his fingerprints and photos and then escorted him from the premises as he was not being detained and I then stood down at 1834hrs no further issues to note.

Signature: *[Handwritten Signature]* ..... Signature witnessed by: .....

2010/11(1)  
UKBA

**RESTRICTED (when complete)**

MG11T



- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet "Giving a witness statement to the police – what happens next?" Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA: Yes  No
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:..... PRINT NAME:.....

Signature of parent/guardian/appropriate adult:..... PRINT NAME:.....

Address and telephone number if different from above:.....

.....

Statement taken by (print name):..... Station:.....

Time and place statement taken:.....





## Licensing Act 2003 Premises Licence

# PREMA0013

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Moss Lane Convenience Store

41 Moss Lane, Leyland, Lancashire, PR25 4XA.

Telephone 01772 422754 or 07545 096027

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Comences **01/06/05**

expires **no expiry**

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only		8:00am 10:00am	11:00pm 10:30pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
	8:00am 10:00am	11:00pm 10:30pm

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

### Part 2

#### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Ranga Ratnasekera  
[ranganatnasekera@yahoo.com](mailto:ranganatnasekera@yahoo.com)

275 Eaves Lane, Chorley, PR6 0EY.  
Telephone 01257369947

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

#### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ranga RATNASEKERA

275 Eaves Lane, Chorley, PR6 0EY.  
Telephone 01257369947

## Licensing Act 2003 Premises Licence

# PREMA0013

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA1219

Issued by Chorley

### ANNEXES

#### ANNEX 1- MANDATORY CONDITIONS

- 1 No supply of alcohol may be made under the premises licence -
  - a) At a time when there is no designated premises supervisor in respect of the premises licence,  
*or*
  - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.
- 3
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.
- 4
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  - (2) In this condition:-
    - a. "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where-
      - i. P is the permitted price,
      - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
    - b. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

## Licensing Act 2003 Premises Licence

# PREMA0013

### ANNEXES continued ...

- c. “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
  - i. the holder of the premises licence,
  - ii. the designated premises supervisor (if any) in respect of such a licence, or
  - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

Challenge 25 proof of age policy.

The Licence holder and the DPS is to support and rigorously enforce a Challenge 25 proof of age policy.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. UK photo driving licence
- ii. Passport
- iii. Proof of Age Standards Scheme Card

## Licensing Act 2003 Premises Licence

# PREMA0013

### ANNEXES continued ...

OR any other nationally or locally approved form of identification which may be introduced in the future. If no suitable identification is provided, sale of alcohol to them will be refused. Signs promoting this policy shall be prominently displayed at public entrances and alcohol sales areas.

### OFF-LICENCES AND OFF-SALES DEPARTMENTS OF ON-LICENCED PREMISES - PERMITTED HOURS

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (b) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

### OFF-LICENSED CONSUMPTION

1. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

### **ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

**Licensing Sub-Committee on the 23<sup>rd</sup> September 2008 held a hearing in respect of an application**

**Licensing Act 2003  
Premises Licence**

**PREMA0013**

ANNEXES continued ...

**from Lancashire Constabulary for a Review of the premises licence at J S Food & Wine, 41 Moss Lane, Leyland, Lancashire PR25 4XA**

**The Sub Committee imposed the following conditions on the licence:-**

1. Installation of a CCTV system which has to be maintained and operated to the satisfaction of Lancashire Constabulary.
2. Adoption of the Challenge 21 Policy.
3. All staff be trained regarding age related sales, details of which should be documented and produced on the reasonable request of any officer from a Responsible Authority.
4. Provide and retain a documented refusals register which should be documented and produced on the reasonable request of any officer from a Responsible Authority.

**ANNEX 4 - PLANS**

Plan ref 1.2

Signature of Authorised Officer

**Licensing Act 2003  
Premises Licence Summary**

**PREMA0013**

Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**

**Moss Lane Convenience Store**

41 Moss Lane, Leyland, Lancashire, PR25 4XA.

Telephone 01772 422754 or 07545 096027

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Commences **01/06/05**

expires **no expiry**

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- the supply of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption	OFF the premises only	8:00am 10:00am	11:00pm 10:30pm

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
	8:00am 10:00am	11:00pm 10:30pm

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- J. Supply of alcohol for consumption OFF the premises only

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

Ranga Ratnasekera

275 Eaves Lane, Chorley, PR6 0EY.

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Ranga RATNASEKERA

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

N/A

REPORT TO	ON
Licensing Sub Committee Panel	27 November 2018



TITLE	REPORT OF
Review of Premises Licence:- Sangam Balti House	Legal Services Manager/Interim Monitoring Officer

Is this report confidential?	No
------------------------------	----

## 1. PURPOSE OF THE REPORT

To provide an overview of the application and inform Members of the relevant parts of statute and guidance relating to the review application.

## 2 CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	
Health and Wellbeing	x
Place	x

Projects relating to People in the Corporate Plan:

People	
--------	--

## 3. RECOMMENDATIONS

Members are requested to:

3.1 note the content of the report; and conduct the hearing in accordance with the hearing procedure and,

3.2 determine what steps are appropriate to promote the Licensing objectives.

## 4. BACKGROUND TO THE REPORT

4.1 At approximately 20:35 hrs on the 24<sup>th</sup> August 2018 a joint visit to the premises took place, by representatives from the Home Office, authorised to carry out Immigration Enforcement, Lancashire Fire and Rescue and Officers from the Licensing Authority.

4.2 All staff members were checked and no issues were disclosed with regards to Rights to work in the UK. There were numerous regulatory concerns that came to light on this inspection, items included.

1. Fire Safety issues
2. Housing Offences
3. Health Act 2006 Offences

#### **4.3 Fire Safety Issues**

Numerous areas of concerns were found by officers on the evening of the 24/08/2018:

1. Fire Alarm inoperable/no evidence of testing
2. Emergency lighting, no evidence of testing
3. Defective fire doors compromising the means of escape
4. Unmaintained firefighting equipment.
5. Obstructions and hazards on the escape route.
6. Fire detection systems defective

The bedroom that had been prohibited by the Housing Department appeared to still be in use.

This resulted in a further enforcement notice being issued on the 29/08/2018 for the following fire safety issues by Lancashire Fire and Rescue.

1. The fire risk assessment had still not been completed.
2. The fire alarm had not been maintained and tested on a weekly basis in accordance with BS5839-1.
3. The emergency lighting had not been maintained and tested on a monthly basis in accordance with BS5266.
4. The fire door to the kitchen was again nailed in the open position.

Historically, the Fire Service have experienced problems in respect of these premises.

On 13/10/2015 following a complaint from a member of the public Lancashire Fire and Rescue Service found several fire safety issues which resulted in an enforcement notice being issued:

1. No fire risk assessment completed
2. Fire alarm inadequately maintained
3. Emergency lighting inadequately maintained
4. Inadequate Fire alarm system (fire alarm had no power)
5. Inadequate fire separation (kitchen fire door nailed open)
6. Firefighting equipment inadequately maintained

A follow up inspection was performed by the Fire Safety Inspector on the 17/11/2015 and the enforcement notice was withdrawn as the majority of the work had been completed and an agreed action plan was issued with instructions given to complete a fire risk assessment.

The Fire Safety Inspector attended the premises on the 17/01/2017 at the request of South Ribble Borough Council housing department. The housing department prohibited the use of the bedroom for residential accommodation under the Housing Act 2004.



#### **4.4 Housing Offences**

On the 23<sup>rd</sup> January 2017 a prohibition notice was issued by South Ribble Borough Council, preventing a room on the first floor of the premises from being used as living accommodation, numerous hazards were identified as being the reason for the action.

On the evening of the 24<sup>th</sup> August it was evident that 3 staff members were living in the room which appeared to be in a very poor state. Many personal items such as personal correspondence, washing a shaving kit and many items of clothing were visible. Whilst this matter is not necessarily relevant to the licensing objectives it demonstrates a general disregard for legal compliance issues and legal orders. In addition any person sleeping in this room would be at significant risk if there was an outbreak of fire due to defective fire doors, no fire alarm and hazards on the escape route.

#### **4.5 Health Act 2006 Offences**

Section 8 of the Health Act 2006 creates an offence for any person in control of a smoke free premises who fails to prevent a person smoking. On the evening of the 24<sup>th</sup> August there was evidence of smoking occurring in the fire exit/landing area of the first floor.

#### **4.6 Licensing Conditions**

At 21.55 on the 4<sup>th</sup> September 2018 the premises was visited by Licensing Officers in order to check the terms of the premises Licence, There are 4 conditions within annex 2 on the Premises Licence, they are;

1. A challenge 21 policy will be in place.
2. Regular inspections of the premises will take place.
3. Ongoing staff training
4. There shall be a digital CCTV system on the premises to cover the entrance door and restaurant. This will record 31 days digitally. The recordings should be made available to the police upon reasonable request.

Upon requesting evidence in respect of the above licensing conditions, the Premises Licence Holder/DPS – Mr Bhuiyan was unable to show compliance. Whilst condition 2 on the Licence is not precise or specific with regards to the inspections, given the conditions that prevailed on the evening of the 24<sup>th</sup> August 2018 it would appear also that this condition has been ignored.

The premises Licence holder and DPS are one and the same person, the Section 182 Guidance indicates that a DPS should be a single point of contact responsible for day to day compliance issues, it would appear that the DPS is the root cause of the problems at this premises and any remedial action should aim to focus on the root cause.

### **5 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES**

5.1 The Lancashire Fire Service have submitted a written representation attached as Appendix B.

## 6. DECISION TO BE MADE BY THE LICENSING ACT PANEL

### 6.1 Determination of an application under Section 52 of the Licensing Act 2003

Under Section 52 Licensing Act 2003 the Authority must have regard to the application and any relevant representations and take such steps ... (as are outlined below)... if any, as it considers necessary for the promotion of the licensing objectives.

The steps are:-

- a. to modify the conditions on the licence
- b. to exclude a licensable activity from the scope of the licence
- c. to remove the designated premises supervisor
- d. to suspend the licence for a period not exceeding 3 months
- e. to revoke the licence.

Obviously the Committee can also choose to do nothing for example if the application is frivolous, vexatious or repetitive and the Committee must ensure that any action they take is proportionate to the four licensing objectives.

6.2 Numerous paragraphs of the Section 182 Guidance are worthy of mention;

*2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.*

*2.8 A number of matters should be considered in relation to public safety. These may include:*

- *Fire safety;*
- *Ensuring appropriate access for emergency services such as ambulances;*
- *Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);*
- *Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;*
- *Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);*
- *Ensuring appropriate and frequent waste disposal, particularly of glass bottles;*
- *Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and*
- *Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).*

*2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.*

*11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.*

The Council must carry out its licensing functions with the intention of promoting the licensing objectives.

The licensing objectives are:-

- a) The prevention of crime and disorder;
- b) Public safety;
- c) The prevention of public nuisance; and
- d) The protection of children from harm.

The Panel are asked to consider the seriousness of the issues disclosed and deal with this application and take regard of;

1. Its own policy; and
2. Secretary of State Guidance (section 182 of the Licensing Act 2003).

## **8. FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report

## **9. LEGAL IMPLICATIONS**

The Licensing Authority are under a statutory duty to facilitate the Review Hearing. When determining this hearing the Council must comply with the rules of natural justice.

Any party to the proceedings have the right to appeal the decision to the Magistrates Court.

## **10. COMMENTS OF THE STATUTORY FINANCE OFFICER**

## **11. COMMENTS OF THE MONITORING OFFICER**

Please see the comments made at Para 9 above.

## 12. OTHER IMPLICATIONS:

▶ <b>HR &amp; Organisational Development</b>	None
▶ <b>ICT / Technology</b>	None
▶ <b>Property &amp; Asset Management</b>	None
▶ <b>Risk</b>	None
▶ <b>Equality &amp; Diversity</b>	

## 13. APPENDICES

Appendix A - Review Application and associated documents.

Appendix B - Lancashire Fire Service Representation

Appendix C – Current Premises Licence

Report Author:	Telephone:	Date:
Chris Ward	01772 625330	05/11/2018

# Appendix A

South Ribble Borough Council

## Application for the review of a premises licence or club premises certificate 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. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I David Whelan

(Insert name of applicant) **apply for the review of a premises licence under section 51 / 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 (delete as applicable)**

#### Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Sangam Balti House 14-15 Hope Terrace Lostock Hall	
<b>Post town</b> Preston	<b>Post code (if known)</b> PR5 5RU

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Alamin Bhuiyan

<b>Number of premises licence or club premises certificate (if known)</b>
---

#### Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible

# Appendix A

authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

## (A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

## (B) DETAILS OF OTHER APPLICANT

Name and address

# Appendix A

Please tick ✓ yes

Have you made an application for review relating to the  premises before

If yes please state the date of that application

--	--	--	--	--	--	--	--	--	--

Day

Month Year

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

## Appendix A

Telephone number (if any)
E-mail address (optional)

### (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address  Licensing Authority Civic Centre West Paddock Leyland PR25 1DH
Telephone number (if any)
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>



## Appendix A

Please state the ground(s) for review (please read guidance note 2)

### Introduction

**24<sup>th</sup> August 2018**

At approximately 20.30 hrs a joint visit to the premises took place, by representatives from the Home Office, authorised to carry out Immigration Enforcement, Lancashire Fire and Rescue and Officers from the Licensing Authority.

All staff members were checked and no issues were disclosed with regards to Rights to work in the UK. There were numerous regulatory concerns that came to light on this inspection, items included;

Fire Safety issues  
Housing Offences  
Health Act 2006 Offences

### Fire Safety Issues

Numerous areas of concerns were noted which have resulted in an Enforcement Notice being issued, the matter included;

Fire Alarm inoperable/no evidence of testing  
Emergency lighting, no evidence of testing  
Defective fire doors compromising the means of escape  
Unmaintained firefighting equipment.  
Obstructions and hazards on the escape route.  
Fire detection systems defective.

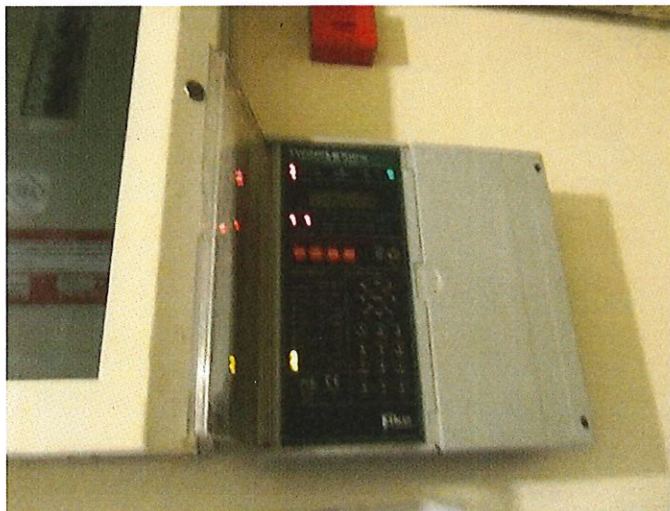


Photo to the left shows fire alarm in fault, the alarm should show one single power light

# Appendix A



Photo to the left shows the fire door to the kitchen which was nailed open. This practice compromised the escape route

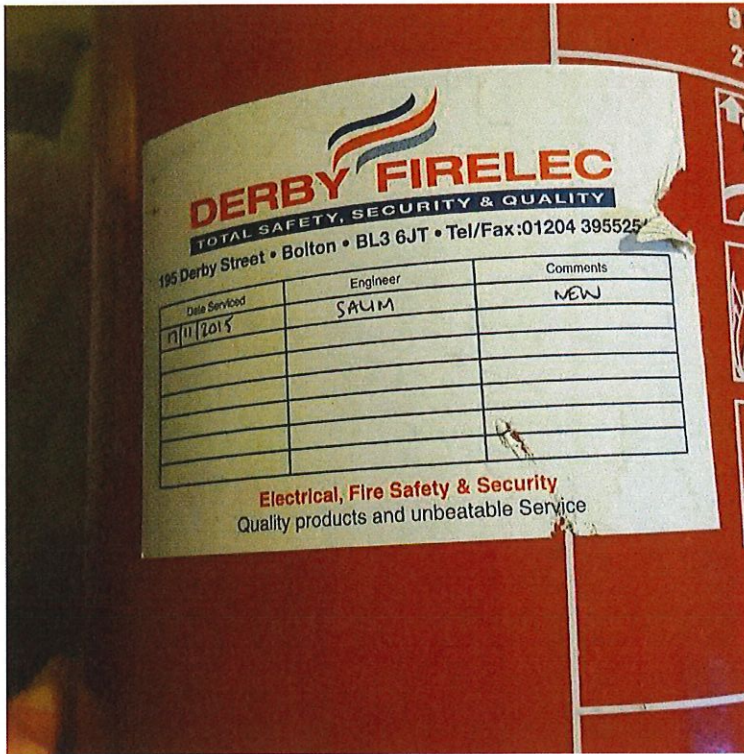


Photo to the left shows the firefighting equipment was last serviced in November 2015. Therefore the equipment was almost 2 years overdue a service.

## Appendix A



Photo to the left shows CO 2 cylinders, 1 of which is unsupported, in the event of an emergency evacuation this would be likely to fall and cause a serious hazard at the foot of the stairs.

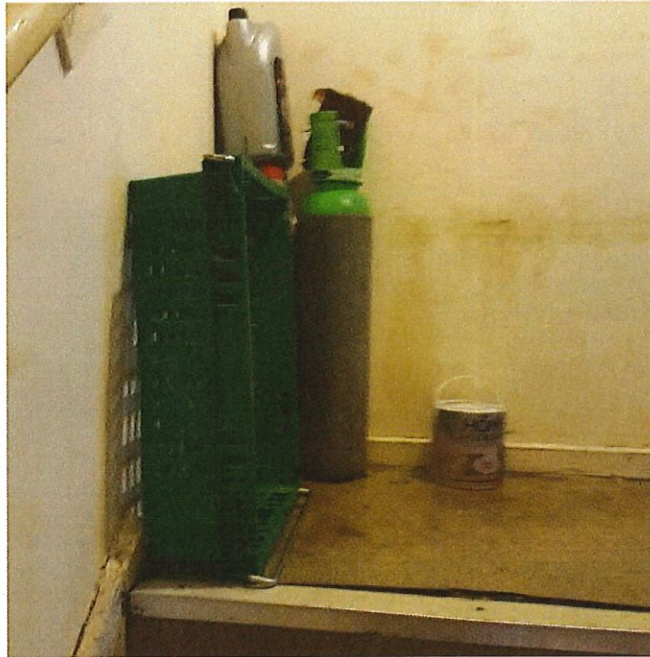


Photo to the left shows pressurised CO 2 cylinders that should be chained to the wall or layed down and chocked along with accelerants such as engine and oil and paint stored at the stop of the emergency route. All of the items would present a significant hazard in the event of an emergency escape.

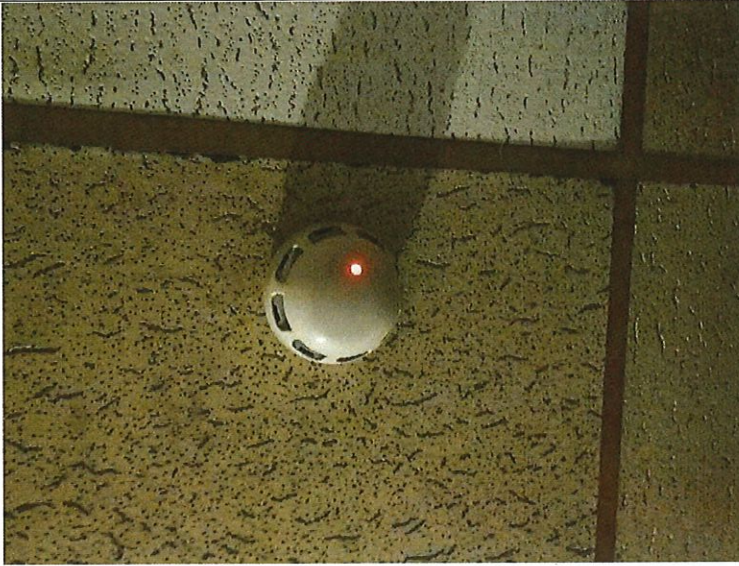


Photo to the left show the smoke detector activated, this would ordinarily trigger the fire alarm, as the alarm was in fault mode this smoke detection would no longer function until it and the alarm were properly re set.

### **Housing Offences**

On the 23<sup>rd</sup> January 2017 a prohibition notice was issued by South Ribble Borough Council, preventing a room on the first floor of the premises from being used as living accommodation, numerous hazards were identified as being the reason for the action.

On the evening of the 24<sup>th</sup> August it was evident that 3 staff members were living in the room which appeared to be in a very poor state. Many personal items such as personal correspondence, washing a shaving kit and many items of clothing, whilst this matter is not necessarily relevant to the licensing objectives it demonstrates a general disregard for legal compliance issues and legal orders. In addition any person sleeping in this room would be at significant risk if there was an outbreak of fire due to defective fire doors, no fire alarm and hazards on the escape route.







**Health Act 2006 Offences**

Section 8 of the Health Act 2006 creates an offence for any person in control of a smoke free premises who fails to prevent a person smoking. On the evening of the 24<sup>th</sup> August there was evidence of smoking occurring in the fire exit/ landing area of the first floor, the details of the legislation are found below;

## Appendix A



Photo to the left was taken on the landing /fire exit, this area of the building would be covered by the Health Act 2006

### **4<sup>th</sup> September 2018**

At 21.55hrs the premises was visited by Licensing Officers in order to check the terms of the premises licence, There are 4 conditions on the Premises Licence, they are;

1. A challenge 21 policy will be in place.
2. Regular inspections of the premises will take place.
3. Ongoing staff training
4. There shall be a digital CCTV system on the premises to cover the entrance door and restaurant. This will record 31 days digitally. The recordings should be made available to the police upon reasonable request.

On the evening officers spoke with Alamin Bhuiyan 01/10/1970, this male is the Licence Holder and DPS, he confirmed that there was no CCTV installed at the premises and he had no documentation or staff training to demonstrate that a Challenge 21 policy was in place.



## Appendix A

Whilst condition 2 on the licence is not precise or specific with regards to the inspections, given the conditions that prevailed on the evening of the 24<sup>th</sup> August 2018 it would appear also that this condition has been ignored.

### **Conclusion**

Licensing Conditions at this premises appear to have been ignored for many years in addition to these oversight the issues relating to Public Safety have occurred in the past with the Lancashire Fire and Rescue Services having experienced similar problems.

The premises licence holder and DPS are one and the same person , the Section 182 Guidance indicates that a DPS should be a single point of contact responsible for day to day compliance issues, it would appear that the DPS is the root cause of the problems at this premises and any remedial action should aim to focus on the root cause .

# Appendix A


Please tick ✓ yes

- 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 3 – 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 behalf of the applicant please state in what capacity.

Signature  .....

Date 28/9/2018 .....

Capacity Legal Services Manager / Interim Monitoring Officer  
South Ribble Borough Council .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
David Whelan South Ribble Borough Council Civic Centre, West Paddock, Leyland, PR25 1DH	
<b>Post town</b> LEYLAND	<b>Post Code</b> PR25 1DH
<b>Telephone number (if any)</b> 01772 62525401	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

Notes for Guidance

## Appendix A

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 which we shall use to correspond with you about this application.

This page is intentionally left blank

## Appendix B

**From:** S53 - Aspey, Neil [<mailto:NeilAspey@lancsfirerescue.org.uk>]

**Sent:** 04 October 2018 16:11

**To:** gcsx.cward <[cward@southribble.gcsx.gov.uk](mailto:cward@southribble.gcsx.gov.uk)>; Marshall, Mark <[mmarshall@southribble.gov.uk](mailto:mmarshall@southribble.gov.uk)>

**Subject:** RE: Review of Premises Licence

I first visited the premises on 13/10/2015 following a complaint from a member of the public and found several fire safety issues these included:

- No fire risk assessment completed
- Fire alarm inadequately maintained
- Emergency lighting inadequately maintained
- Inadequate Fire alarm system (fire alarm had no power)
- Inadequate fire separation (kitchen fire door nailed open)
- Firefighting equipment inadequately maintained

An enforcement notice was issued.

Following this inspection a follow up inspection was carried out on the 17/11/2015 and the enforcement notice was withdrawn as the majority of the work had been completed and an agreed action plan was issued with instructions given to complete a fire risk assessment.

I attended the premises on the 17/01/2017 at the request of South Ribble Borough Council housing department. The housing department prohibited the use of the bedroom for residential accommodation under the Housing Act 2004.

During a joint visit with immigration and the licensing department from South Ribble Borough Council on the 24.08.2018 similar issue were found.

The bedroom that had been prohibited by the Housing Department appeared to still be in use.

A further enforcement notice was issued on the 29/08/2018 for the following fire safety issues.

The fire risk assessment had still not been completed.

The fire alarm had not been maintained and tested on a weekly basis in accordance with BS5839-1. The emergency lighting had not been maintained and tested on a monthly basis in accordance with BS5266.

The fire door to the kitchen was again nailed in the open position.

***Neil Aspey***

Fire Safety Inspector  
Lancashire Fire & Rescue Service

01772 334911

07920291875

[neilaspey@lancsfirerescue.org.uk](mailto:neilaspey@lancsfirerescue.org.uk)

## Appendix B

**From:** gcsx.cward [<mailto:cward@southribble.gcsx.gov.uk>]

**Sent:** 01 October 2018 12:37

**To:** 'CentralLicensing@lancashire.pnn.police.uk'; Planning; Fire Safety - Bamber Bridge; Environmental Health; 'lscb@cyp.lancscc.gov.uk'; 'PHLicensing@lancashire.gov.uk'; 'tsdo@lancashire.gov.uk'; 'intelligence.management@lancashire.gov.uk'

**Cc:** 'intelliverpoolworkflow@homeoffice.gsi.gov.uk'; Marshall, Mark

**Subject:** [Protect] RE: Review of Premises Licence

Good Morning,

Please find attached review of premises licence for

Sangam Balti House  
14-15 Hope Terrace  
Lostock Hall  
PR5 5RU

Could any representation relating to the review be received by 30/10/2018

Kind regards

**Chris Ward**

Licensing Officer

**South Ribble Borough Council**

☎: 01772 (62) 5330

📍: Civic Centre, West Paddock, Leyland, PR25 1DH

🌐: [southribble.gov.uk](http://southribble.gov.uk) ✉: [cward@southribble.gov.uk](mailto:cward@southribble.gov.uk)



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## Licensing Act 2003 Premises Licence

# PREMA0241

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Sangam Balti House

14-15 Hope Terrace, Lostock Hall, Preston, PR5 5RU.

Telephone 01772 628616

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Comences **01/02/10**

expires **no expiry**

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Thursday	5:00pm	11:30pm
	Saturday	5:00pm	Midnight
	Sunday	5:00pm	11:00pm
I. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	11:30pm
	Saturday	11:00pm	Midnight
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	5:00pm	11:30pm
	Saturday	5:00pm	Midnight
	Sunday	5:00pm	11:00pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	5:00pm	11:30pm
Saturday	5:00pm	Midnight
Sunday	5:00pm	11:00pm

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

### Part 2

## Licensing Act 2003 Premises Licence

# PREMA0241

### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Alamin Bhuiyan

249 Hulton Lane, BOLTON, BL3 4LE.  
Telephone 01772 628 616

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Alamin BHUIYAN

249 Hulton Lane, BOLTON, BL3 4LE.  
Telephone 01772 628 616

### PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0449

Issued by Bolton

### ANNEXES

1. A challenge 21 policy will be in place.
2. Regular inspections of the premises will take place.
3. On going staff training.
4. There shall be a digital CCTV system on the premises to cover the entrance door and restaurant. This will record 31 days digitally. The recordings should be made available to the police upon reasonable request.

Signature of Authorised Officer



## Licensing Act 2003 Premises Licence Summary

# PREMA0241

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Sangam Balti House

14-15 Hope Terrace, Lostock Hall, Preston, PR5 5RU.

Telephone 01772 628616

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Commences **01/02/10**

expires **no expiry**

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Thursday	5:00pm	11:30pm
	Saturday	5:00pm	Midnight
	Sunday	5:00pm	11:00pm
I. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	11:30pm
	Saturday	11:00pm	Midnight
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	5:00pm	11:30pm
	Saturday	5:00pm	Midnight
	Sunday	5:00pm	11:00pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	5:00pm	11:30pm
Saturday	5:00pm	Midnight
Sunday	5:00pm	11:00pm

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

#### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Alamin Bhuiyan

249 Hulton Lane, BOLTON, BL3 4LE.



Civic Centre, West Paddock,  
Leyland, Lancashire PR25 1DH  
Tel: 01772 625526  
Fax: 01772 622287  
Email: [licensing@southribble.gov.uk](mailto:licensing@southribble.gov.uk)  
Website: [www.southribble.gov.uk/licensing](http://www.southribble.gov.uk/licensing)

**Licensing Act 2003  
Premises Licence Summary**

**PREMA0241**

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Alamin BHUIYAN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED