

Appendix D



Date: 14th May 2019

Your ref: Our ref: n/a

Please ask for: M.Marshall

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Dear Sir

Re: Failure to Transfer Premises Licence

We visited your premises on the 3rd April and the 30th April 2019 where we conveyed our concern regarding the Premises Licence still being in the previous holder's name. Our information is that you took over the shop in October 2018?

The retail sale of alcohol requires a clear line of accountability where transparent authorisation is in place for all sellers. This is not happening when the holder of the licence and the DPS (Designated Premises Supervisor) disposed of the business over 6 months ago.

The Section 182 Guidance states;

The main purpose of the 'designated premises supervisor' as defined in the 2003 Act is to ensure that there is always one specified individual among these personal licence holders who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day to day responsibility for running the premises by the premises licence holder. The requirements set out in relation to the designated premises supervisor and authorisation of alcohol sales by a personal licence holder do not apply to community premises in respect of which a successful application has been made to disapply the usual mandatory conditions in sections 19(2) and 19(3) of the 2003 Act (see Chapter 4 of this Guidance).

Furthermore we have clearly notified you of our concerns regarding transferring the Premises Licence, again the guidance is clear regarding the recommended action should concerns not be addressed;

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.

If the Licence is not transferred within 7 days of this letter I will apply to review the Licence, the result of a review could mean conditions being added and in the worst case the licence being revoked.



Appendix D

Yours Faithfully.

Mark Marshall

Head of Licensing

South Ribble Borough Council

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