

**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 Sam McConnell,

(insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Money Savers Off Licence 115-117 Whalley Road Clayton Le Moors	
Post town Accrington	Post code (if known) BB5 5ED

Name of premises licence holder or club holding club premises certificate (if known) Mohammed Adnan

Number of premises licence or club premises certificate (if known) PL0296

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please 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

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

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address	
Sam McConnell Lancashire County Council Trading Standards Service 4 th Floor, Lancashire Point County Hall Pitt Street Preston Lancashire PR1 0LD	
Telephone number (if any)	01772 532228
E-mail address (optional)	Sam.McConnell@lancashire.gov.uk

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

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

The application for review is submitted by Lancashire County Council Trading Standards Service on the grounds that the licensing objective relating to the protection of children from harm and the prevention of crime and disorder are not being observed at Money Savers 115-117 Whalley Road, Clayton-Le-Moors, Accrington BB5 5ED.

The Premise Licence Holder (PLH) is Mohammed Adnan who has been in place since 13th August 2012

The Designated Premise Supervisor (DPS) is Mohammed Rizwan

The Trading Standards Service believes that the current Premise Licence Holder (PLH) Mr Adnan has been in place since 13th August 2012 and the Designated Premise Supervisor (DPS) Mr Rizwan since 19th September 2019. Since July 2014 Trading Standards have received a number of complaints, attempted to liaise with the Premises Licence Holder and carried out visits at these premises, the details of which are listed below and in the form of attachments outlining text message details.

Please provide as much information as possible to support the application
(please read guidance note 2)

PROTECTION OF CHILDREN FROM HARM – PREVENTION OF CRIME AND DISORDER

- 30/07/14 – Complaint received from Police in relation to underage sales of cigarettes.
- 18/10/14 – Test purchase attempt for cigarettes using an underage volunteer. No sale.
- 09/10/15 – Check 25 resource pack sent with resources to allow full compliance with Lancashire's Check 25 scheme.
- 16/12/16 – Complaint received in relation to out of date food.
- 16/02/17 – Visit to premises by officers from the Food Team. Two out of date food items found – removed from sale. No further action taken.
- 29/08/17 – Check 25 letter sent containing details on how to download all the resources required to comply with Lancashire's Check 25 Policy..
- 21/05/19 – Complaint received that the shop owner's underage sons are selling tobacco and alcohol to school children.
- 20/09/19 – Check 25 advice visit by Sam McConnell. Premises licence not on display, advised accordingly, no refusals register, no challenge policy adopted, no documented staff training, no refresher training, no till prompt, no literature displayed. Check 25 pack left.
- 14/10/19 – Follow up visit. Premises licence present. No refusals log, no challenge policy, no staff training, no till prompt, one Check 25 poster displayed. Advice was given to put another Check 25 poster up in plain sight of customers.
- 20/11/19 – Check 25 resource letter sent containing advice on how to download the required paperwork to fully comply with Lancashire's Check 25 Policy.
- 14/02/20 – Follow up visit. No premises licence on display, no refusals log, no challenge policy adopted, no staff training, at the time of this visit informed that only Mr Adnan and his wife worked in the shop. There was no till prompt, one poster was on display at the main entrance and one on the tobacco gantry.
- On the 03/03/21 Sam McConnell, in company with a member of the Hyndburn District Council Licensing Team, Ivan Tough, carried out a Check 25 visit. The shop worker could not speak English very well and he did not know where the documents requested could be found. He was asked to verbally pass on a message to Mr Adnan requesting he make contact with Mr McConnell and he also confirmed the mobile number that the officers had listed on the Premises Licence for Mr Adnan was correct.
- 15/03/21 – Sam McConnell sent Mr Adnan a text message on the confirmed mobile number requesting he make contact to arrange an appointment to meet at the shop premises. No response received.
- 22/03/21 – Sam McConnell visited the premises again in an effort to speak to Mr Adnan but he was not present. A different shop worker was behind the counter of the shop, who claimed to be unable to contact Mr Adnan. The shop worker was asked to pass on a message to Mr Adnan when he was able to,

requesting he make contact with Mr McConnell. No response has been received from Mr Adnan.

- 15/04/21 – Further text sent to Mr Adnan requesting he make contact in relation to arranging a Check 25 visit at his premises. No response has been received.

This area of Clayton-Le-Moor has had numerous complaints of Anti-Social Behaviour involving groups of young people, drinking, taking drugs and causing distress to local residents, to the extent a multi-agency group has been developed to try and work with the community, businesses and other agencies to reduce this type of behaviour.

On the 16th April 2021, information was received from the Police regarding a shop premises in Clayton-Le-Moors, selling alcohol to underage youths, specifically a 14 year-old boy who was identified.

On the 16th April 2021 Trading Standards contacted [redacted] from Lancashire County Council's Children and Family Well Being Service. regarding the same young person, to ask if the service was working with him. [redacted] confirmed that this was the case. She also confirmed that the young person was vulnerable and known to associate with a group who cause anti-social behaviour in Clayton-Le-Moors.

It was also confirmed that the young person had admitted to his keyworker that on the 14th April 2021 between 8pm and 8.15pm, he had purchased a bottle of vodka, a small bottle of whiskey and various mixers from Money Savers, 115-117 Whalley Road, Clayton-Le-Moors. During the transaction he stated that the adult in the shop locked the front door of the premises and turned off the CCTV camera.

The keyworker, on request of the applicant, has also spoken to the young person's mother. She stated that her son and other young people in the area had purchased alcohol from Money Savers on previous occasions and that his consumption of alcohol has had a negative effect on him. She also stated that her son had told her that other young people had purchased drugs from Money Savers, "Ket", "Molly" and weed in small bags. He has not purchased the drugs personally but knows friends of his age who have.

The young person's mother also stated that other shops in the area sold alcohol to persons under 18 years of age. Further investigations related to this are ongoing.

The work and support offered to the young person and his family has been undermined by the risk and exploitation of a clearly vulnerable young person. It has had a detrimental effect on the relationship between both mother and son and the young person has engaged in serious risk-taking behaviour, which in turn has had a negative effect on the Early Help plan and has contributed in the escalation of the young person's needs to a Section 17 assessment.

- On the 22nd June 2021 a test purchase was attempted for illicit tobacco, there was no sale.
- On 5th July 2021 a test purchase was attempted for illicit tobacco, there was no sale.

RELEVANT INFORMATION – PROTECTION OF CHILDREN FROM HARM

- Supplying alcohol to an individual under the age of 18 years is an offence, contrary to Section 146 of the Licensing Act 2003.
- Allowing the sale of alcohol to an individual under the age of 18 years is an offence, contrary to Section 147 of the Licensing Act 2003.

The following options are available to the committee:-

- 1) Do nothing – However the seriousness of the offences causes grave concern for no action;
- 2) Modify the conditions of the licence – LCC respectfully requests that if this is the course of action the committee finds most appropriate that the licensing objective of protecting children from harm to prevent future offences of this nature from occurring is the committees primary consideration. LCC have a menu of conditions for the committee to consider listed below.
- 3) Remove the Designated Premises Supervisor.
- 4) Suspend the licence for a period not exceeding three months.
- 5) Revoke the premises licence so that no alcohol can be sold at all.

In the opinion of Lancashire County Council Trading Standards Service, the information presented in the application is clear evidence that the Protection of Children from Harm Licensing Objective has been disregarded at these premises.

Notwithstanding any additional evidence submitted by other parties, Lancashire County Council Trading Standards respectfully requests that the committee considers as a first option the revocation of the licence at 115-117 Whalley Road, Clayton-Le-Moors. The practice of locking the premises and turning off the CCTV system not only compounds the offences of underage sales but also gives great concerns to the wider health and well-being of those young people locked in the premises.

Please tick yes

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature: S. McConnell.....

Date: 24th June 2021.....

Capacity: Principal Officer, Lancashire Trading Standards Service.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Lancashire County Council
Trading Standards Service
4th Floor, Lancashire Point
County Hall
Pitt Street

Post town

Preston

Postcode

PR1 0LD

Telephone number (if any)

01772 532228

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional)

Sam.McConnell@lancashire.gov.uk

Notes for Guidance

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