

**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.

Tony Smith, Licensing Specialist on behalf of Westmorland and Furness Licensing Authority

(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

Postal address of premises or, if none, ordnance survey map reference or description	
15-17 Queen Street	
Post town Ulverston	Post code (if known) LA12 7AF

Name of premises licence holder or club holding club premises certificate (if known)
Mr Mohammed Jebul Miah

Number of premises licence or club premises certificate (if known)
PL(A)038476

Part 2 - Applicant details

I am Tony Smith

Please tick ✓ yes

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

Please tick ✓ yes

I am 18 years old or over

**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 Tony Smith Licensing Westmorland and Furness Council South Lakeland House Lowther Street Kendal LA9 4DQ
Telephone number (if any)
E-mail address (optional) licensing@westmorlandandfurness.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 | ✓ |
| 2) public safety | ✓ |
| 3) the prevention of public nuisance | |
| 4) the protection of children from harm | |

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

The procedure for a review is laid down in section 182 of the Licensing Act 2003

[Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2025\) \(accessible version\) - GOV.UK](#)

The Prevention of Crime and Disorder

- Licence holder and staff are unaware who the DPS is.
- CCTV. Not operating in accordance with the licence. No members of staff aware of how to access the system.
- No written authorisations were in place at the premises for alcohol sales.
- No training records available.
- No incident book available.
- No Challenge 25 policy available/implemented.
- Incident reported to the Police regarding staff asking customers to make a donation after being given free alcohol.
- Immigration Officers have visited the premises and have made arrests of members of staff

Public Safety

Premises not operating compliantly:

- No Premises licence on display
- Fire Officer has visited and identified concerns re sleeping arrangements. Mattresses were removed but on a return visited mattresses were again found on the premises.

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

11/12/24. Premises visited with Environmental Health Officer and members of the Licensing team. Meet the Manager, who was not aware of the licence holder or DPS. He only referred to someone called Danny. Also at the premises was someone called Roman who stated he was there to support the business.

December 2024 Application to Transfer the licence to Mr Mohammed Jebul Miah and Vary the DPS to Ashley Roberta Hill.

6/3/25 Licensing Act visit to meet new licence holder and DPS. CCTV not operating. No staff training recorded. No Incident/Refusals log. No Age Verification. The Licence Holder was not aware of the details of the DPS and had no contact details. Discussed with Licence Holder the premises licence conditions and agreed a follow up visit giving Mr Miah time to implement the licence conditions.

11/3/25. Met with owner of the business and Mr Miah, Licence Holder. No changed from last visit. Agreed that an application would be made to Vary the DPs to someone who is known the licence holder and has an interest in the premises. Agreed a follow up meeting 2/4/25

13/3/25. Cumbria Fire had made visits to the premise. Concerns were raised regarding the fire alarm system. No evidence produced to show it had been maintained and serviced.

13/3/25. Immigration confirmed two arrests made at the premises.

1/4/25. Phone call received cancelling the planned visit on 2/4/25. Advised that communication should come from the licence holder or DPS but he was unaware who they are and said no body would be available to meet. He confirmed that alcohol was not being sold at the present time and someone would be in contact.

3/4/25. Information from Cumbria Police regarding an incident that occurred at the premises involving a member of staff asking for a donation towards alcohol drunk at the premises. Staff member followed female customers in the street and was very hostile towards the female customers.

Following various Licensing Act visits and accompanying Immigration Officers on visits it is very clear that the premises is not being operated compliantly. Some members of staff are not aware who the licence holder is and all staff who were spoken to do not know who the Designated Premises Supervisor (DPS) is. Even the licence holder is unaware of the details of the DPS and has never met her.

Various conditions of the premises licence are not be adhered to including:

All staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Said training will be documented with records retained and made available to an authorised officer upon request.

Thorough right to work checks will be conducted for all employees at the premises and any prospective employees before their employment commences.

Copies of documents as a result of conducting the checks will be retained.

Records will be stored securely by the employer at the premises or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials.

The employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work, at the request of an immigration officer who enters the premises to carry out an inspection.

A comprehensive CCTV system shall be installed internally at the premises and will meet the following criteria:

- The system will display on any recording the time and date of said recording;*
- The system will be recording whenever the premises is open to the public;*
- Any recordings will be retained for a minimum of 28 days after they are made and will be produced to an authorised officer upon request;*
- As a minimum, the system will capture images of the head and shoulders of any person entering the premises through the main public entrance.*

The licence holder will ensure that trained members of staff are able to download images at the request of an authorised officer or police.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

An incident book to be kept to record refusals to serve alcohol, age related incidents and anything else that may undermine the licensing objectives. This document will be retained by the premises for a period of three years and shall be made available for inspection by authorised officers or the police upon request.

Overall I have concerns that the premises is not operating compliantly.

The Committee can if they consider it necessary to promote the licensing objectives:

- Add, modify or remove any of the licence conditions
- Exclude a licensable activity from being held at the premises
- Remove the Designated Premises Supervisor
- Suspend the licence

As a Responsible Authority we have concerns that the premises has not been or is now being operated compliantly or managed in a responsible manner and is not promoting the licensing objectives and as a result I feel that the Premises Licence PL(A)038476 should be revoked and the premises be excluded from any licensable activity.

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

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If you have made representations before relating to the 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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 10 April 2025

.....

Capacity Licensing Specialist

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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) licensing@westmorlandandfurness.gov.uk

Notes for Guidance

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